
STATUTORY INSTRUMENTS

1997 No. 363 (S.28)

WATER SUPPLY, SCOTLAND

**The Domestic Sewerage Charges
(Reduction) (Scotland) Regulations 1997**

<i>Made</i>	- - - -	<i>17th February 1997</i>
<i>Laid before Parliament</i>		<i>19th February 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State, in exercise of the powers conferred upon him by section 81 of the Local Government etc. (Scotland) Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Domestic Sewerage Charges (Reduction) (Scotland) Regulations 1997 and shall come into force on 1st April 1997.

(2) In these Regulations—

“the 1992 Act” means the Local Government Finance Act 1992⁽²⁾;

“council tax band” means a valuation band referred to in section 74(2) of the 1992 Act;

“dwelling” has the same meaning as in Part II of the 1992 Act;

“the relevant year” means the period of twelve months beginning on 1st April 1997;

“sewerage area”, in relation to a new water and sewerage authority, means the area for which that authority is the sewerage authority in terms of section 62(1) of the Local Government etc. (Scotland) Act 1994.

(3) In these Regulations, references to the council tax band applicable to a dwelling for a day are references to the council tax band which is used to calculate the amount of council tax payable in respect of that dwelling and that day.

Reduction of charges

2. Where—

(1) 1994 c. 39.
(2) 1992 c. 14.

- (a) a person is, as regards any day in the relevant year, liable to pay an amount under a charges scheme in respect of the provision by a new water and sewerage authority of sewerage services to a dwelling;
- (b) that amount would, but for these Regulations, be calculated by reference to the council tax band applicable to that dwelling for that day; and
- (c) that amount is payable to a local authority by virtue of the Water Services Charges (Billing and Collection) (Scotland) Order 1997(3),

the amount payable shall be less than it would be but for these Regulations and shall be calculated in accordance with regulation 3 below.

Amount of charges

3.—(1) Where regulation 2 above applies, the amount payable in respect of sewerage services for a day shall be calculated in accordance with the following formula:—

$$\frac{A - B}{365} \times \frac{C}{100}$$

(2) In paragraph (1) above—

A is the relevant annual amount in respect of the dwelling and day in question, ascertained in accordance with paragraph (3) below;

B is the amount which appears in the Schedule to these Regulations—

- (a) opposite to the council tax band applicable to the dwelling for the day in question (as shown in column 1 of that Schedule); and
- (b) in whichever of columns 2, 3 or 4 of that Schedule is applicable to the new water and sewerage authority within the sewerage area of which the dwelling in question is situated; and

C is—

- (a) where the dwelling is one to which subsection (1) of section 79 of the 1992 Act applies on the day in question, 75;
- (b) where the dwelling is one to which subsection (2) of that section applies on the day in question, 50; and
- (c) in any other case, 100.

(3) The “relevant annual amount” in respect of a dwelling and a day means the amount which would, but for these Regulations, be payable for the relevant year in respect of the provision of sewerage services to that dwelling, on the assumption that—

- (a) those services were being provided on every day in that year;
- (b) the council tax band applicable to that dwelling for the day in question was the band so applicable on every day in that year;
- (c) on no day in that year was subsection (1) or (2) of section 79 of the 1992 Act applicable to that dwelling; and
- (d) on every day in that year that dwelling was a chargeable dwelling for the purposes of Part II of the 1992 Act.

St Andrew's House Edinburgh
17th February 1997

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 3(2)

AMOUNTS FOR PURPOSES OF REGULATION 3(2)

<i>Column 1</i> <i>Council tax band</i>	<i>Column 2</i> <i>East of Scotland</i> <i>Water Authority</i> £	<i>Column 3</i> <i>North of Scotland</i> <i>Water Authority</i> £	<i>Column 4</i> <i>West of Scotland</i> <i>Water Authority</i> £
A	23.54	27.16	23.51
B	27.46	31.69	27.43
C	31.38	36.22	31.35
D	35.31	40.74	35.27
E	43.15	49.80	43.11
F	51.00	58.85	50.95
G	58.84	67.90	58.78
H	70.61	81.49	70.54

EXPLANATORY NOTE

(This note is not part of the Regulations)

Responsibility for water and sewerage services in Scotland rests with the three water authorities established under the Local Government etc. (Scotland) Act 1994. Charges for services provided by those water authorities are generally levied under charges schemes drawn up and approved under section 76 of that Act. These Regulations reduce the amount which would otherwise be payable under a charges scheme in respect of the provision of sewerage services to a dwelling. The reduced amount payable in any case falls to be calculated under regulation 3.