

2000 No. 525

RATING AND VALUATION, ENGLAND

The Central Rating Lists (England) Regulations 2000

Made - - - - - 1st March 2000

Laid before Parliament 6th March 2000

Coming into force

*For all purposes other than
those of article 11 27th March 2000*

For the purposes of regulation 11 1st April 2000

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred on him by sections 53(1), (2) and (5), 64(3), 65(4) and 143(1) and (2) of the Local Government Finance Act 1988(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation, extent, commencement and interpretation

1.—(1) These Regulations, which extend to England only, may be cited as the Central Rating Lists (England) Regulations 2000 and shall come into force—

- (a) for all purposes other than those of regulation 11, on 27th March 2000, and
- (b) for the purposes of regulation 11, on 1st April 2000.

(2) In these Regulations—

- (a) “the 1988 Act” means the Local Government Finance Act 1988;
- (b) “the 1994 Regulations” means the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994(b);
- (c) “designated person” in relation to a central list compiled on or after 1st April 2000 means a person designated by regulation 3(1) of these Regulations;
- (d) “office premises” means any hereditament constructed or adapted as offices or for office purposes, or used wholly or mainly for such purposes;
- (e) “office purposes” includes the purposes of administration and clerical work and handling money; and “clerical work” includes writing, book-keeping, typing, filing, duplicating, sorting papers or information, calculating (whether by manual,

(a) 1988 c. 41. Section 53 is amended by paragraph 29 of Schedule 5 to the Local Government and Housing Act 1989 (c. 42). Section 143(2) is amended by paragraph 72(2) of Schedule 5 to the 1989 Act. See section 146(6) of the 1988 Act for the definition of “prescribed”. These powers are devolved, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the reference to the Local Government Finance Act 1988 in Schedule 1.

(b) S.I. 1994/3123.

mechanical or electronic means), drawing, and the editorial preparation of matter for publication;

- (f) “operational land”, in relation to a designated person, means land which is used for the purposes of carrying on that person’s undertaking, not being land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used for the purposes of carrying on of statutory undertakings (within the meaning of the Town and Country Planning Act 1990^(a));
- (g) references to a central list are to a central non-domestic rating list for England; and
- (h) references to a hereditament are to a relevant non-domestic hereditament.

(3) Any reference in these Regulations to a designated person by name is, unless the context otherwise requires, a reference to the company or body registered by or bearing that name on 1st January 2000.

(4) Any reference in these Regulations to hereditaments used for any purpose includes a reference to hereditaments which are unused but in relation to which it appears that when next in use they will be used for such a purpose.

Application

2. These Regulations shall have effect in relation to a central list compiled on or after 1st April 2000.

PART II

CENTRAL LISTS: GENERAL

Designation of persons and description of hereditaments

3.—(1) For the purposes of section 53(1) of the 1988 Act—

- (a) there are hereby designated the persons named in the Schedule; and
- (b) there is hereby prescribed in relation to each such person the description of hereditament set out opposite the name of that person in the Schedule.

(2) Regulation 6 of the Non-Domestic Rating (Miscellaneous Provisions) Regulations 1989^(b) (cross-boundary hereditaments) shall not apply to any hereditament falling within any description in the Schedule.

Content of central rating lists—names and hereditaments

4. A central list shall show, for each day in each year for which that list is in force—

- (a) the name of each person designated by regulation 3; and
- (b) against each name, each hereditament situated in England which on the day concerned is occupied (or, if unoccupied, owned) by that person, and which falls within the description prescribed in relation to that person by that regulation.

Content of central rating lists—other information

5.—(1) A central list shall also show, against the name of each designated person—

- (a) where the person is a registered company, its registered office, and in any other case the person’s principal place of business within the United Kingdom;
- (b) where the person is a registered company, its registered number; and
- (c) the first day, if later than 1st April 2000, for which the rateable value shown in the list against the name of the designated person has effect.

(2) A central list shall also show, where the list has been altered in pursuance of a direction by a tribunal, the name of the tribunal which gave the direction.

(a) 1990 c. 8.

(b) S.I. 1989/1060.

PART III
RAILWAY HEREDITAMENTS

Interpretation

6. In this Part—

“the 1993 Act” means the Railways Act 1993^(a);

“excepted hereditament” means a hereditament consisting of or comprising—

- (a) premises used as a shop, hotel, museum or place of public refreshment;
- (b) premises used wholly or mainly as office premises which are not situated on operational land of—
 - (i) any person designated by regulation 3 and named in Part 4 of the Schedule, or
 - (ii) a licence exempt operator or licence holder;
- (c) premises or rights so let out as to be capable of separate assessment, other than those falling within regulation 7(1)(b) or 8(1)(b); or
- (d) premises (other than premises used in connection with the collection and delivery of parcels, goods or merchandise conveyed or to be conveyed by rail) used wholly or in part for purposes concerned with the carriage of goods or passengers by road transport or sea transport or with harbours, or for purposes incidental to such purposes;

“licence exempt operator” and “licence holder” have the meanings given by section 10(6) and section 83(1) respectively of the 1993 Act; and

“railway services” has the meaning given in section 82(1) of the 1993 Act.

Railtrack PLC

7.—(1) Anything which would (apart from these Regulations) be more than one hereditament shall be treated as one hereditament if it is—

- (a) occupied by Railtrack PLC or, if unoccupied, owned by Railtrack PLC, or
- (b) let or licensed by Railtrack PLC to a licence exempt operator or a licence holder;

and in either case is—

- (i) used wholly or mainly for railway purposes; and
- (ii) not comprised in an excepted hereditament.

(2) The hereditament described in paragraph (1) shall be treated as occupied by Railtrack PLC.

(3) In this regulation “railway purposes” means the purposes of providing railway services or for purposes ancillary to those purposes (including the purposes of exhibiting advertisements).

London Underground Limited

8.—(1) Any hereditament which would (apart from these Regulations) be more than one hereditament shall be treated as one hereditament if it is—

- (a) occupied, or, if unoccupied, owned by London Underground Limited (“LUL”); or
- (b) let or licensed by LUL (whether to Railtrack PLC, a subsidiary of LUL or any other person);

and in either case is—

- (i) used wholly or mainly for LUL purposes, and
- (ii) not comprised in an excepted hereditament.

(2) The hereditament described in paragraph (1) shall be treated as occupied by LUL.

(3) In this regulation “LUL purposes” means the purposes of the parts of LUL’s undertaking which are concerned with the carriage of goods or passengers by rail, or for purposes ancillary to those purposes (including the purpose of exhibiting advertisements).

^(a) 1993 c. 43.

Railway hereditaments: consequential

9.—(1) Subject to paragraph (2), regulation 3 of the 1994 Regulations is amended by the substitution for paragraphs (1) to (4) of the following—

“(1) In this regulation, “excepted hereditament” means a hereditament consisting of or comprising—

- (a) premises used as a shop, hotel, museum or place of public refreshment;
- (b) premises used wholly or mainly as office premises—
 - (i) where paragraph (5) or (6) applies, which are occupied by the person named in that paragraph and which are not situated on operational land of that person or of another person designated by regulation 3 of, and named in Part 4 of the Schedule to, the Central Rating Lists Regulations 2000; or
 - (ii) where paragraph (7) or (8) applies, which are occupied by Greater Manchester Metro Limited or South Yorkshire Supertram Limited, as the case may be;
- (c) premises or rights so let out as to be capable of separate assessment; and
- (d) premises (other than premises used in connection with the collection and delivery of parcels, goods or merchandise conveyed or to be conveyed by rail) used wholly or in part for purposes concerned with the carriage of goods or passengers by road transport or sea transport or with harbours, or for purposes incidental to such purposes.”.

(2) Nothing in this regulation affects the operation of the 1994 Regulations for the purposes of or for purposes connected with—

- (a) any alteration of a non-domestic rating list in force immediately before 1st April 2000; or
- (b) any provision made by regulations made under section 58 of the 1988 Act^(a) (special provision for 1995 onwards) as to the chargeable amount as regards a hereditament for a relevant period as defined in that section.

PART IV

TELECOMMUNICATION HEREDITAMENTS

Telecommunications: changes of name

10. In regulation 4 of the 1994 Regulations—

- (a) in paragraph (2), for “Mercury Communications Limited” there is substituted “Cable and Wireless Communications (Mercury) Limited”;
- (b) in paragraph (3), for “BR Telecommunications Limited” there is substituted “Racal Telecommunications Limited”; and
- (c) in paragraph (5), for “AT & T (UK) Limited” there is substituted “AT & T Communications (UK) Limited”.

^(a) Section 58 is amended by paragraph 68 of Schedule 13 to the Local Government Finance Act 1992 (c. 14), by section 2 of the Non-Domestic Rating Act 1994 (c. 3) and paragraph 5 of Schedule 1 to the Local Government and Rating Act 1997 (c. 29). See S.I. 1994/3279.

PART V
MISCELLANEOUS

Revocations and savings

11.—(1) Subject to paragraph (2), there are hereby revoked—

- (a) the Central Rating Lists Regulations 1994**(a)**;
- (b) the Central Rating Lists (Amendment) Regulations 1996**(b)**.

(2) Without prejudice to section 16(1) of the Interpretation Act 1978**(c)**, the provisions mentioned in paragraph (1) shall continue to have effect for the purposes of or for purposes connected with—

- (a) any alteration of a list in force immediately before 1st April 2000; or
- (b) any provision made by regulations made under section 58 of the 1988 Act (special provision for 1995 onwards) as to the chargeable amount as regards a hereditament for a relevant period as defined in that section.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions

Hilary Armstrong
Minister of State,

1st March 2000

Department of the Environment, Transport and the Regions

(a) S.I. 1994/3121.
(b) S.I. 1996/620.
(c) 1978 c. 30.

PART 1

CANAL HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
The British Waterways Board	The hereditament situated in England described in regulation 5(2) of the 1994 Regulations ^(a)

PART 2

ELECTRICITY SUPPLY HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
The National Grid Company plc	Hereditaments (other than excepted hereditaments) wholly or mainly used for the purposes of the transformation or transmission of electrical power, or for ancillary purposes
Powergen Energy plc Eastern Electricity plc London Electricity plc Manweb plc Midlands Electricity plc Northern Electric plc NORWEB plc Scottish Power UK plc SEEBOARD plc South Wales Electricity plc South Western Electricity plc Southern Electric plc Yorkshire Electricity Group plc	Hereditaments (other than excepted hereditaments) wholly or mainly used for the purposes of the functions of a public electricity supplier, or for ancillary purposes

In this Part—

“excepted hereditament” means a hereditament consisting of or comprising premises used wholly or mainly—

- (a) as a shop or other place for the sale, display or demonstration of apparatus or accessories for use by consumers of electricity (any use for the receipt of payments for the use of electricity being disregarded);
- (b) as office premises of a designated person, where those premises are not situated on operational land of that person; or
- (c) for both of the foregoing purposes; and

“public electricity supplier” has the same meaning as in section 6(9) of the Electricity Act 1989^(b).

(a) S.I. 1994/3123.

(b) 1989 c. 29.

PART 3

GAS HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
BG Transco plc	Hereditaments (other than excepted hereditaments) used wholly or mainly for the purposes of BG Transco plc acting as a public gas transporter.

In this Part–

“excepted hereditament” means a hereditament consisting of or comprising premises used wholly or mainly–

- (a) for the manufacture of plant or gas fittings;
- (b) as storage facilities, being underground storage cavities, liquefied natural gas storage facilities and facilities used or available for use in connection with off-shore storage;
- (c) as office premises, where those premises are not situated on operational land of BG Transco plc; or
- (d) for more than one of the foregoing purposes; and

“public gas transporter” has the same meaning as in Part I of the Gas Act 1986(a).

PART 4

RAILWAY HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
Railtrack PLC	The hereditament described in regulation 7(1)
Docklands Light Railway Limited	The hereditament described in regulation 3(5) of the 1994 Regulations
The Tyne and Wear Passenger Transport Executive	The hereditament described in regulation 3(6) of the 1994 Regulations
London Underground Limited	The hereditament described in regulation 8(1)

PART 5

TELECOMMUNICATIONS HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
British Telecommunications plc	The hereditament situated in England described in regulation 4(1) of the 1994 Regulations
Cable and Wireless Communications (Mercury) Limited	The hereditament situated in England described in regulation 4(2) of the 1994 Regulations
Racal Telecommunications Limited	The hereditament situated in England described in regulation 4(3) of the 1994 Regulations
Energis Communications Limited	The hereditament situated in England described in regulation 4(4) of the 1994 Regulations
AT & T Communications (UK) Limited	The hereditament situated in England described in regulation 4(5) of the 1994 Regulations

(a) 1986 c. 44.

PART 6

WATER SUPPLY HEREDITAMENTS

<i>Designated person</i>	<i>Relevant hereditaments</i>
Anglian Water Services Limited	Hereditaments (other than excepted hereditaments) used wholly or mainly for the purposes of a water undertaker under Part III of the Water Industry Act 1991(a), or for ancillary purposes
Bournemouth & West Hampshire Water plc	
Bristol Water plc	
Cambridge Water plc	
Cholderton & District Water Company Limited	
Dee Valley Water plc	
Dwr Cymru Cyfyngedig	
Essex & Suffolk Water plc	
Folkestone & Dover Water Services Limited	
Mid Kent Water plc	
North Surrey Water Limited	
North West Water Limited	
Northumbrian Water Limited	
Portsmouth Water plc	
Severn Trent Water Limited	
South East Water plc	
South Staffordshire Water PLC	
South West Water Limited	
Southern Water Services Limited	
Sutton and East Surrey Water plc	
Tendring Hundred Water Services Limited	
Thames Water Utilities Limited	
Three Valleys Water PLC	
Wessex Water Services Limited	
Yorkshire Water Services Limited	
The York Waterworks plc	

In this part, “excepted hereditament” means a hereditament consisting of or comprising premises used wholly or mainly–

- (a) for the manufacture, storage, sale, display or demonstration of apparatus or accessories for use by consumers of water (any use for the receipt of payments for the use of water or sewerage services being disregarded); or
- (b) as office premises occupied by a designated person, where those premises are not situated on operational land of that person; or
- (c) for both of the foregoing purposes.

(a) 1991 c. 56.

PART 7

LONG-DISTANCE PIPE-LINES

<i>Designated person</i>	<i>Relevant hereditaments</i>
Barking Power plc The BOC Group plc BP Chemicals Limited BP Exploration Operating Company Limited BP Oil UK Limited Conoco (UK) Limited Conoco Limited Esso Petroleum Company Limited Esso UK plc Fina plc Huntsman ICI Petrochemicals (UK) Limited Imperial Chemical Industries plc Kinetica Limited Mainline Pipelines Limited Manchester Jetline Limited North West Water Limited PowerGen Gas Limited The Secretary of State for Defence Shell Chemicals UK Limited Shell UK Limited The Rugby Group plc United Kingdom Oil Pipelines Limited Walton-Gatwick Pipeline Company Limited.	Cross-country pipe-lines (within the meaning of the Pipe-lines Act 1962 ^(a)) situated within the area of more than one billing authority

^(a) 1962 c. 58.

EXPLANATORY NOTE

(This note is not part of the Regulations)

With a view to securing the central rating en bloc of certain hereditaments, regulations may be made under section 53(1) of the Local Government Finance Act 1988 which designate a person and prescribe in relation to that person one or more descriptions of non-domestic hereditament.

In relation to the central rating list for England which is to be compiled on 1st April 2000, regulation 3 of these Regulations designates the persons named in the Schedule and prescribes the descriptions of hereditament shown in the Schedule against the names of those persons. There are thereby designated: hereditaments consisting of canals, electricity distribution and supply premises, hereditaments occupied for the purposes of BG Transco plc (formerly British Gas plc), railway hereditaments, telecommunications hereditaments, water supply hereditaments and long-distance pipe-lines.

Regulation 4 requires the names of the designated persons and the hereditaments situated in England which are within the prescribed descriptions and are occupied (or, if unoccupied, owned) by those persons to be shown in any central non-domestic rating list for England compiled on or after 1st April 2000. Regulation 5 requires the list to show certain information about the designated persons and the date from which a rateable value shown in the list has effect.

Regulations 6 to 9 make provision in respect of railway hereditaments. Regulations 7 and 8 provide for hereditaments occupied or owned by, respectively Railtrack PLC and London Underground Limited to be treated as single hereditaments. Regulation 9 makes consequential amendments to the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994.

Regulation 10 amends the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994 consequential on telecommunications operators changing their names.

Regulation 11 revokes the Central Rating Lists Regulations 1994 in relation to England with effect from 1st April 2000 subject to certain savings.

£2.50

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E 0492 03/00 ON (MFK)