
WELSH STATUTORY INSTRUMENTS

1999 No. 3453 (W.50)

RATING AND VALUATION, WALES

The Central Rating List (Wales) Regulations 1999

Made - - - - 22nd December
1999
Coming into force - - 30th December 1999

The National Assembly for Wales makes the following Regulations in exercise of the powers given to the Secretary of State by sections 53(1) and (2), 140(4) and 143(2) of the Local Government Finance Act 1988(1), which are now vested in it so far as exercisable in Wales(2);

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Central Rating List (Wales) Regulations 1999 and shall come into force on 30th December 1999.

(2) In these Regulations—

“central rating list” means the central non-domestic rating list for Wales (“rhestr ardrethu canolog”);

“designated person” in relation to a central non-domestic rating list for Wales compiled on or after 1st April 2000 means a person designated by regulation 3(1) of these Regulations (“person dynodedig”).

(3) Any reference in these Regulations to a hereditament is to a relevant non-domestic hereditament.

(4) Any reference in these Regulations to a designated person by name is a reference to the company or body registered by or bearing that name at the date that name is entered in the central rating list.

(5) Any term used in the Schedule to these Regulations or any Part of the Schedule has the meaning ascribed in that Schedule or that Part.

Application of the Regulations

2. These Regulations shall have effect with respect to any central rating list compiled on or after 1st April 2000.

(1) 1988 c. 41.

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

Designation of persons and description of hereditaments

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

- (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 below the name of that person in the Schedule.

(2) Regulation 6 of the Non-Domestic Rating (Miscellaneous Provisions) Regulations 1989⁽³⁾ (cross-boundary hereditaments) shall not apply to any hereditament falling within any description in the Schedule.

Content of central rating list

4. The central rating list must 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 Wales 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.

5.—(1) The central rating 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) The central rating 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.

Railway Hereditaments

6.—(1) Regulation 3 of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994⁽⁴⁾ is amended in relation to Wales as follows.

(2) In paragraph (1), the definition of “the British Railways Board” is omitted.

(3) For paragraph (1)(b)(i) there is substituted —

- “(i) (a) where paragraph (3) applies, which are occupied by Railtrack plc, or by a licence exempt operator or a licence holder other than Railtrack plc, or
- (b) where paragraph (5) or (6) applies, which are occupied by any person designated by regulation 5(1) of, and named in Part 4 of the Schedule to, the Central Rating Lists Regulations 1994,

and which are not situated on operational land of that occupier, or of another relevant person;”.

(4) At the end of paragraph (1) there is added —

“and ‘relevant person’ means—

- (i) any person designated and named as mentioned in sub-paragraph (b)(i) above, or
- (ii) any licence exempt operator or licence holder which is not so designated”.

(5) There are omitted—

⁽³⁾ S.I. 1989/1060.

⁽⁴⁾ S.I. 1994/3123.

- (a) paragraph (2),
- (b) the words “(other than the Board)” in paragraph (3)(a)(ii), and
- (c) in paragraph (4), the words from the beginning to “the Board and”.

Revocations and savings

7.—(1) Subject to paragraph (2), there are hereby revoked in relation to Wales with effect from 1st April 2000 the following—

- (a) the Central Rating Lists Regulations 1994⁽⁵⁾;
- (b) the Central Rating Lists (Amendment) Regulations 1996⁽⁶⁾.

(2) The provisions mentioned in paragraph (1) shall continue to have effect on and after 1st April 2000 for the purposes of or for purposes connected with—

- (a) any alteration of the list in force immediately before 1st April 2000; or
- (b) any provision made by regulations made under section 58⁽⁷⁾ 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 on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998.⁽⁸⁾

22 December 1999

Dafydd Elis Thomas
The Presiding Officer of the National Assembly

⁽⁵⁾ S.I. 1994/3121.

⁽⁶⁾ S.I. 1996/620.

⁽⁷⁾ Section 58 is amended by paragraph 68 of Schedule 13 to the Local Government Finance Act 1992 (c. 14) and by section 2 of the Non-Domestic Rating Act 1994 (c. 3).

⁽⁸⁾ 1998 c. 38.

SCHEDULE

Regulation 3

PART 1

CANAL HEREDITAMENTS

Designated person

The British Waterways Board

Relevant hereditaments

The hereditament described in regulation 5(2) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

PART 2

ELECTRICITY SUPPLY HEREDITAMENTS

Designated person

The National Grid Company plc

Relevant hereditaments

Hereditaments (other than excepted hereditaments) wholly or mainly used for the purposes of the transformation or transmission of electrical power, or for ancillary purposes

Designated person

Manweb plc

Midlands Electricity plc

South Wales Electricity plc

Relevant hereditaments

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⁽⁹⁾.

(9) 1989 c. 29.

PART 3

GAS HEREDITAMENTS

Designated person

BG plc

Relevant hereditaments

Hereditaments (other than excepted hereditaments) used wholly or mainly for the purposes of BG plc acting as a public gas transporter

In this Part—

“excepted hereditament” means a hereditament consisting of or comprising premises used or, if unoccupied, intended to be used wholly or mainly—

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

“public gas transporter” has the same meaning as in Part 1 of the Gas Act 1986 **(10)**; and references to BG plc are references to the company bearing that name on 9th November 1999.

PART 4

RAILWAY HEREDITAMENTS

Designated person

Railtrack plc

Relevant hereditaments

The hereditament situated in Wales described in regulation 3(3) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

PART 5

TELECOMMUNICATIONS HEREDITAMENTS

Designated person

British Telecommunications plc

Relevant hereditaments

The hereditament described in regulation 4(1) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

Designated person

Mercury Communications Limited

Relevant hereditaments

(10) 1986 c. 44.

Status: This is the original version (as it was originally made).

The hereditament described in regulation 4(2) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

Designated person

Racal Telecommunications Limited

Relevant hereditaments

The hereditament described in regulation 4(3) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

Designated person

Energis Communications Limited

Relevant hereditaments

The hereditament described in regulation 4(4) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

Designated person

AT&T (UK) Limited

Relevant hereditaments

The hereditament described in regulation 4(5) of the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994

PART 6

WATER SUPPLY HEREDITAMENTS

Designated person

Dee Valley Water plc

Dŵr Cymru Cyfyngedig

North West Water Limited

Severn Trent Water Limited

Relevant hereditaments

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⁽¹¹⁾, or for ancillary purposes

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.

(11) 1991 c. 56.

PART 7

LONG-DISTANCE PIPE-LINES

Designated person

Mainline Pipelines Limited

Relevant hereditaments

Cross-country pipe-lines (within the meaning of the Pipe-lines Act 1962⁽¹²⁾) situated within the area of more than one billing authority

PART 8

INTERPRETATION

In this Schedule—

“office premises” means any hereditament constructed or adapted as offices or for office purposes, or used wholly or mainly for such purposes;

“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 or calculating (whether by manual, mechanical or electronic means), drawing, and the editorial preparation of matter for publication;

“operational land”, in relation to a designated person, means land which is used for the purposes of carrying on that person’s undertaking, being land which, in respect of its nature and situation, is comparable rather 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⁽¹³⁾) than with land in general;

and any reference 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.

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.

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.

Regulation 4 requires the names of the designated persons and the hereditaments situated in Wales which are within the prescribed descriptions and are occupied (or, if unoccupied, owned) by those

⁽¹²⁾ 1962 c. 58.

⁽¹³⁾ 1990 c. 8.

Status: This is the original version (as it was originally made).

persons to be shown in any central non-domestic rating list for Wales 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.

Regulation 6 amends the Non-Domestic Rating (Railways, Telecommunications and Canals) Regulations 1994 to exclude the British Railways Board from central rating.

Regulation 7 revokes the Central Rating Lists Regulations 1994 in relation to Wales with effect from 1st April 2000 subject to certain savings.