

## SCHEDULES

### SCHEDULE 11

Article 37.

#### PROPERTIES NOT TO BE TREATED AS HEREDITAMENTS

Entry No.	Property	Supplementary Provisions
1	Agricultural land.	
2	Agricultural buildings.	
3	Livestock or poultry buildings.	
[ F1 3A	<i>A fish farm</i>	<p><b>1.</b> <i>This entry applies only to land which is used solely for or in connection with fish farming.</i></p> <p><b>2.</b> <i>In determining for the purposes of this entry whether land used for or in connection with fish farming is solely so used no account shall be taken of any time during which it is used in any other way, if that time does not amount to a substantial part of the time during which the land is used for or in connection with fish farming.]</i></p>
[ <sup>F2</sup> 3B]	[ <sup>F2</sup> Salmon fishings or eel fishings]	[ <sup>F2</sup> This entry applies only where the right thereto is regularly exercised by means of a fishing engine of any description, other than a rod and line or hand line, throughout that part of the year during which fishing by means of a fishing engine of that description is permitted by law.]
[ <sup>F3</sup> 3C]	[ <sup>F3</sup> Buildings associated with salmon or eel fishings]	<p>[<sup>F3</sup><b>1.</b> This entry applies only to buildings used solely for or in connection with salmon or eel fishings.</p> <p><b>2.</b> In determining for the purpose of this entry whether buildings are used solely for or in connection with salmon or</p>

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		eel fishings no account shall be taken of any time during which it is used in any other way, if that time does not amount to a substantial part of the time during which the buildings are used for or in connection with salmon or eel fishings.]
4	Turf bogs and turf banks used for the exclusive purpose of cutting or saving turf, or making turf mould therefrom, for fuel or manure under an appurtenant right of turbary.	
5	Mines— (a) which have been opened for less than 7 years; or (b) which have been abandoned.	Mines <i>bona fide</i> reopened after they have been <i>bona fide</i> abandoned shall be deemed, for the purposes of this entry, to have been opened.
6	Property to which <sup>[F4]</sup> section 221(1) of the Merchant Shipping Act 1995] applies, namely, lighthouses, buoys, beacons and light dues and other rates, fees or payments accruing to or forming part of the General Lighthouse Fund, and the premises and property mentioned in that section.	
F5	F5	F5
...	...	...
F6	F6	F6
...	...	...
9	<sup>[F7]</sup> Sewers and manholes, ventilating shafts, pumping stations, pumps or other accessories belonging to a sewer.]	<sup>[F7]</sup> In this entry “sewer” has the same meaning as in the <sup>[F8]</sup> Water and Sewerage Services (Northern Ireland) Order 2006]]
10	Cemeteries and crematoria.	This entry applies only where— (a) no private profit is directly derived from the cemetery or crematorium; and (b) any income derived from the cemetery or crematorium is used wholly to defray expenses connected with that cemetery or crematorium.
11	1. Any room or other part of a hereditament which has been added thereto or included	1. Where, solely for the purpose of affording air-raid protection,—

therein solely for the purpose of affording air-raid protection and which is not occupied or used for any other purpose.

(a) there has been added to a hereditament any such room or part as is referred to in paragraph (1) in column 2; or

2. Any structural feature of, or alterations or improvements to, a hereditament (not being the addition of any such room or other part as mentioned in paragraph (1)) made solely for the purpose of affording air-raid protection.

(b) there have been made any such structural alterations or additions or improvements to a hereditament as are referred to in paragraph (2) in column 2; such an addition or improvement shall be disregarded in the valuation of the hereditament.

3. Any property which is intended to be occupied and used solely for the purpose of air-raid protection, and which is not occupied or used for any other purpose.

2. Any room or other part of a hereditament such as is referred to in paragraph (1) in column 2, or any property such as is referred to in paragraph (3) in column 2, which is or has been occupied or used for any purposes other than that of affording air-raid protection shall not be disregarded.

3. This entry shall, in relation to a hereditament forming part of a building, have effect as if any structural alterations or improvements made in the building, or on land appurtenant to the building, for the purpose of providing air-raid shelter (within the meaning of the Civil Defence Act (Northern Ireland) 1939) were structural alterations or improvements to the hereditament, and, in ascertaining under this Order the net annual value of a hereditament, regard shall not be had to any increase in the rent thereof (whether or not made by virtue of the said Act of 1939) which is attributable to the provision of such air-raid shelter for persons living or working in the hereditament.

4. In this entry, “purpose of affording air-raid protection” includes instruction and

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training in connection with air-raid precaution and air-raid protection.

5. This entry shall not have effect unless and until the Civil Defence Acts (within the meaning of section 9(1) of the Civil Defence Act (Northern Ireland) 1950) are brought again into operation by regulations under section 1 of that Act.

[<sup>F3</sup>11A]

[<sup>F3</sup>Public parks]

[<sup>F3</sup>1. This entry applies to any park, recreation or pleasure ground, open space or public walk—

(a) which has been provided by a district council or 2 or more district councils acting jointly or by the Department of the Environment under Article 6 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985; and

(b) is available for free and unrestricted use by members of the public.

2. In determining for the purposes of this entry whether use is unrestricted no account shall be taken of any time during which use is restricted by any temporary closure (at night or otherwise).]

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Any property excluded from the valuation list by any other statutory provision (including such a provision contained in or made under a local or personal Act or Measure or an Act or Measure confirming a provisional order).

Any such exclusion shall be subject to anything contained in the statutory provision.

- F1 1981 NI 13
- F2 1994 NI 11
- F3 1996 NI 25
- F4 1995 c. 21
- F5 SR 1997/118
- F6 1996 NI 2

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- F7** Sch. 11 entry 9 restored (3.11.2009) by Rates (Amendment) Act (Northern Ireland) 2009 (c. 8), ss. 17, 19, **Sch. 1 para. 9**
- F8** Words in Sch. 11 entry 9 substituted (3.11.2009) by Rates (Amendment) Act (Northern Ireland) 2009 (c. 8), ss. 17, 19, **Sch. 1 para. 9**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 7\(6\)\(7\) added by S.I. 2006/2954 \(N.I.\) art. 4](#)