

SCHEDULE 1

Regulation 3

Local retention of non-domestic rates: designation of area

1. The area listed in column 2 of the table in this Schedule is designated by reference to the area bounded externally by the outer edge of the blue line shown on the map specified in column 1 of the table.

2. A reference in this Schedule to the map is to the map numbered 1 and entitled “Map referred to in Schedule 1 to the Non-Domestic Rating (Designated Area) Regulations 2021”, of which prints, signed by a member of the Senior Civil Service in the Ministry of Housing, Communities and Local Government, are deposited and available for inspection at the offices of the Secretary of State for Housing, Communities and Local Government and at the offices of the billing authority to which the map relates.

3. For the purposes of determining the designated area, where part only of a hereditament is situated within an area shown on a map, the whole of the hereditament is taken to be included within that designated area.

Table

Numbered (Column 1)	map (Column 2)	Designated (Column 2)	area (Column 3)	Billing (Column 3)	Authority (Column 3)	Value of J (£) (see paragraph 3(2) of Schedule 2) (Column 4)
1		South Development Corporation	Tees	Redcar and Cleveland Borough Council		7,041,235

SCHEDULE 2

Regulations 2 and 4

Calculations for designated area

PART 1

Proportion of non-domestic rating income to be disregarded

1.—(1) Unless sub-paragraph (2) applies, the proportion of the billing authority’s non-domestic rating income in respect of the designated area for a specified year is the difference between the authority’s—

- (a) non-domestic rating income in respect of the designated area for that year; and
- (b) baseline amount in respect of the designated area for that year.

(2) If the baseline amount is greater than or equal to the non-domestic rating income, the proportion is zero.

PART 2

Calculation of non-domestic rating income

2.—(1) The billing authority's non-domestic rating income in respect of the designated area for a specified year is the amount calculated in accordance with the formula—

$$(A - B) + (C - D) - E + F + G - H$$

where—

A is the total of the amounts credited to the authority's collection fund income and expenditure account in that year in accordance with proper practices⁽¹⁾ in respect of non-domestic rates payable under sections 43 and 45 of the 1988 Act in respect of hereditaments situated in the designated area;

B is the total of the amounts charged to the authority's collection fund income and expenditure account in that year in accordance with proper practices in respect of non-domestic rates payable under sections 43 and 45 of the 1988 Act in respect of hereditaments situated in the designated area;

C is the amount of any transitional protection payments under paragraph 33(1) of Schedule 7B made to the authority in that year in respect of hereditaments situated in the designated area;

D is the amount of any transitional protection payments under paragraph 33(1) of Schedule 7B made by the authority in that year in respect of hereditaments situated in the designated area;

E is the total of the amounts credited to the authority's collection fund income and expenditure account in that year in accordance with proper practices in respect of non-domestic rates payable under sections 43 and 45 of the 1988 Act in respect of hereditaments situated in the designated area to which sub-paragraph (2) applies;

F is the total of the amounts charged to the authority's collection fund income and expenditure account in that year in accordance with proper practices in respect of non-domestic rates payable under sections 43 and 45 of the 1988 Act in respect of hereditaments situated in the designated area to which sub-paragraph (2) applies;

G is the amount of transitional protection payments under paragraph 33(1) of Schedule 7B made by the authority in that year in respect of hereditaments situated in the designated area to which sub-paragraph (2) applies;

H is the amount of transitional protection payments under paragraph 33(1) of Schedule 7B made to the authority in that year in respect of hereditaments situated in the designated area to which sub-paragraph (2) applies.

(2) This sub-paragraph applies to a hereditament which—

- (a) is to be treated as one hereditament by virtue of regulations under section 64(3)(b) of the 1988 Act; and
- (b) would have constituted three or more separate hereditaments had regulations under section 64(3)(b) not been made.

(3) In this paragraph, a reference to an authority's collection fund income and expenditure account is a reference to a revenue account to which, in accordance with proper practices, amounts are credited or charged in respect of the authority's income or expenditure relating to sums paid or to be paid into or payments met or to be met from the authority's collection fund.

(1) The meaning of proper practices is given in section 21 of the Local Government Act 2003 (c. 26), which applies to these Regulations by virtue of subsection (4)(e) of that section.

PART 3

Calculation of the baseline amount

For a specified year that is not a revaluation year

3.—(1) If a specified year is not a revaluation year, the billing authority's baseline amount in respect of the designated area for the specified year is the amount calculated under sub-paragraph (2) or (3).

(2) For the specified year beginning on 1st April 2021, the billing authority's baseline amount is calculated in accordance with the formula—

$$J \times \frac{K_2}{K_1}$$

where—

J is the amount provided in column 4 of the table in Schedule 1 in relation to the designated area;

K₁ is the small business non-domestic rating multiplier for the preceding year; and

K₂ is the small business non-domestic rating multiplier for the specified year.

(3) For a subsequent specified year which is not a revaluation year, the baseline amount is calculated in accordance with the formula—

$$L \times \frac{M_2}{M_1}$$

where—

L is the amount calculated under sub-paragraph (2), this sub-paragraph or paragraph 4(1) for the preceding year;

M₁ is the small business non-domestic rating multiplier for the preceding year; and

M₂ is the small business non-domestic rating multiplier for the specified year.

For a specified year that is a revaluation year

4.—(1) If a specified year is a revaluation year, the billing authority's baseline amount in respect of the designated area for the specified year is the amount calculated in accordance with the formula—

$$N \times \left(\frac{P \times R_2}{Q \times R_1} \right)$$

where—

N is the amount calculated in accordance with paragraph 3(2) or (3) for the preceding year;

P is the aggregate rateable values shown in the billing authority's local list for 1st April in the specified year for the hereditaments, other than those hereditaments to which paragraph 2(2) applies, falling within the designated area;

Q is the aggregate rateable values shown in the billing authority's local list for 31st March in the preceding year for the hereditaments, other than those hereditaments to which paragraph 2(2) applies, falling within the designated area;

R₁ is the small business non-domestic rating multiplier for the preceding year;

R₂ is the small business non-domestic rating multiplier for the specified year.

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Statutory Instrument: The Non-Domestic Rating (Designated Area) Regulations 2021 No. 404

(2) For the purposes of this paragraph, the rateable value of a hereditament shown in the billing authority's local list for 31st March in the preceding year is taken to be the rateable value that would have been shown in that list for that day had the circumstances relating to that hereditament been as they were on 1st April in the specified year.