

---

STATUTORY INSTRUMENTS

---

1985 No. 199 (S. 18)

## RATING AND VALUATION

**The British Alcan Aluminium Limited and Lochaber Power Company (Rateable Values) (Scotland) Order 1985***Laid before Parliament in draft*

<i>Made - - - -</i>	13th February 1985
<i>Coming into Operation</i>	14th February 1985

In exercise of the powers conferred on me by sections 6 and 35 of the Local Government (Scotland) Act 1975 (a) and of all other powers enabling me in that behalf, and after consultation with such associations of local authorities, and of persons carrying on undertakings, as appeared to me to be concerned and with such local authority, person or association of persons with whom consultation appeared to me to be desirable, I hereby make the following order, a draft of which has been laid before and has been approved by resolution of each House of Parliament:—

*Citation and commencement*

1. This order may be cited as the British Alcan Aluminium Limited and Lochaber Power Company (Rateable Values) (Scotland) Order 1985, and shall come into operation on the day after the day on which it is made.

*Interpretation*

2.—(1) In this order, unless the context otherwise requires—

“the Act of 1975” means the Local Government (Scotland) Act 1975;

“the assessor” means the assessor for the Highland Region;

“the Companies” means British Alcan Aluminium Limited and the Lochaber Power Company;

“the lands and heritages” means the lands and heritages occupied by the Companies for the purposes of generating electricity by water power for the manufacture of aluminium, being lands and heritages lying within the Districts of Lochaber and Badenoch and Strathspey in the Highland Region;

“relevant year” means the year in respect of which the rateable value of the lands and heritages so occupied by the Companies is prescribed by or, as the case may be, determined in accordance with this order;

“units of power output” means the total units of electricity generated by the Companies in the lands and heritages;

---

(a) 1975 c.30; section 6 was substituted by the Local Government (Scotland) Act 1978 (c.4), section 1.

“the Valuation Acts” means the Lands Valuation (Scotland) Act 1854 (a), the Acts amending that Act and any other Act relating to valuation;

and other words and expressions have the same meaning as in the Valuation Acts.

(2) Any reference in this order to a numbered article shall be construed as a reference to the article bearing that number in this order.

*Aggregate amount of rateable values*

3. The aggregate amount of the rateable values of the lands and heritages shall be—

- (a) for the year 1985–86, £846,000; and
- (b) for the year 1986–87 and for subsequent years, the aggregate amount of the rateable values for the year immediately preceding the relevant year adjusted in accordance with the following formula, namely:—

$$£X \times \left( 1 + \frac{(a-b)}{2b} \right)$$

£X being the aggregate amount of the rateable values for the year immediately preceding the relevant year;

a being the number of units of power output in the year 2 years prior to the relevant year;

b being the number of units of power output in the year 3 years prior to the relevant year;

and the number of units of power output in any year shall be taken to be the total number of units as certified by the Companies.

*Apportionment of rateable value*

4.—(1) For the purpose of making up or altering the valuation roll the assessor shall apportion the aggregate amount of the rateable values of the lands and heritages prescribed by or, as the case may be, determined in accordance with article 3, between the Districts of Lochaber and Badenoch and Strathspey in accordance with the following formula namely:—

$$C \times \frac{g}{G}$$

C being the aggregate amount of the rateable values prescribed by or, as the case may be, determined in accordance with article 3 for the relevant year;

g being the generating capacity of the Companies' generating stations within each District as at 1st October in the year immediately preceding the relevant year;

G being the aggregate generating capacity of the Companies' generating stations in the Districts of Lochaber and Badenoch and Strathspey as at 1st October in the year immediately preceding the relevant year.

---

(a) 1854 c.91.

(2) For the purposes of this article—

- (a) the generating capacity or aggregate generating capacity of the Companies' generating stations shall be taken to be the installed capacity or aggregate installed capacity, that is to say the maximum amount of electricity, as certified by the Companies, capable of being generated in the generating stations in question; and the said maximum amount shall be certified on the basis that all generators which were installed were capable of being fully used at the relevant time;
- (b) the expression "generating station" includes any headworks, dams, pipelines and other lands and heritages occupied together with the station for the purposes of the generation of electricity;
- (c) for the purposes of determining the generating capacity of generating stations within either District, a generating station situated partly in the District of Lochaber and partly in the District of Badenoch and Strathspey shall be treated as situated in each of the Districts and its generating capacity shall be allocated to the Districts in the following manner: the generating capacity shall be divided equally between the generating plant and the reservoir and that part allocated to the reservoir shall be apportioned between the Districts in proportion to the surface of the reservoir at top water level which lies in each District.

*Supplementary provisions*

5. Any entry in the valuation roll by virtue of the provisions of this order shall have effect as from 1st April of the relevant year.

6. The Companies shall at the request of the assessor furnish to him a certificate setting out such particulars as may be required for the purposes of articles 3 and 4.

*Amendment of enactments*

7. In relation to the lands and heritages to which this order applies, for the year 1985–86 and subsequent years—

- (a) in the Act of 1975—
  - (i) section 2(1) shall have effect as if for the words "while the valuation roll is in force" there were substituted the words "during the relevant year";
  - (ii) references in sections 2(1)(d) and 3(4) to "material change of circumstances" shall be deemed to be references to determinations and apportionments of the rateable values of lands and heritages made under this order;
  - (iii) sections 2(2)(c) and (d) shall not apply and the effective date of an alteration in the valuation roll made under section 2(1)(d) or (f) shall be 1st April of the relevant year;
  - (iv) the words in section 3(4) from "and, notwithstanding" to the end shall not apply.
- (b) The requirements of the Valuation Timetable (Scotland) Order 1984 (a) for valuations to be made, in various respects, as at particular dates shall not apply.

---

(a) S.I. 1984/1504.

*Revocation*

8. The British Aluminium Company Limited and Lochaber Power Company (Rateable Values) (Scotland) Order 1978 (a) is hereby revoked in respect of any year subsequent to 1984–85.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

New St Andrew's House,  
Edinburgh.  
13th February 1985.

---

**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This order prescribes the aggregate rateable values for the year 1985–86 of the lands and heritages occupied by British Alcan Aluminium Limited and the Lochaber Power Company within the Lochaber and Badenoch and Strathspey Districts of Highland Region for the purpose of generating electricity by water power for the manufacture of aluminium (Article 3). It also prescribes the manner in which the aggregate rateable values are to be determined in subsequent years and the manner in which the aggregate rateable values are to be apportioned between the Districts concerned (Articles 3 and 4). It disapplies certain provisions of the Local Government (Scotland) Act 1975 which are inappropriate to these determinations (Article 7).

The order revokes The British Aluminium Company Limited and Lochaber Power Company (Rateable Values) (Scotland) Order 1978, which it replaces, as there is a need to prescribe rateable values for 1985–86 to take effect from the date of the general revaluation in 1985 and it is also desirable to prescribe modified formulae for their annual adjustment and apportionment (Article 8).

---

(a) S.I. 1978/1177.



SI 1985/199  
ISBN 0-11-056199-6

