
STATUTORY INSTRUMENTS

1985 No. 200 (S. 19)

RATING AND VALUATION

The Scottish Electricity Boards (Rateable Values) (Scotland) Order 1985

Laid before Parliament in draft

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

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 Scottish Electricity Boards (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 of Public Undertakings (Scotland);

“district of the Board” means, in relation to each Scottish Electricity Board, the relevant district as for the time being existing as defined in Schedule 2 to the Electricity (Scotland) Act 1979 (b);

“Electricity Board” has the meaning assigned to it by section 26 of the Energy Act 1983 (c);

“local authority” means a regional, islands or district council;

“private generator or supplier” has the meaning assigned to it by section 5(1) of the Energy Act 1983;

“rating area” means the area of an islands or district council so far as it lies within the district of a Scottish Electricity Board;

(a) 1975 c.30; section 6 was substituted by the Local Government (Scotland) Act 1978 (c.4), section 1.
 (b) 1979 c.11. (c) 1983 c.25.

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

“a Scottish Electricity Board” means either the South of Scotland Electricity Board or the North of Scotland Hydro-Electric Board;

“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.—(1) The aggregate amount of the rateable values of the lands and heritages occupied by a Scottish Electricity Board and to which paragraph 4 of Schedule 1 to the Act of 1975 (b) applies shall be—

- (a) for the year 1985–86, for the South of Scotland Electricity Board, £52,200,000 and, for the North of Scotland Hydro-Electric Board, £21,000,000; and
- (b) for the year 1986–87 and for subsequent years, for each Board, the aggregate amount of the rateable values of the said lands and heritages 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 electricity supplied in the year 2 years prior to the relevant year;

b being the number of units of electricity supplied in the year 3 years prior to the relevant year.

(2) (a) For the purposes of this article—

the number of units of electricity supplied in any year shall be taken to be the sum of—

- (i) the total number of units, as certified by the Board, supplied to consumers within its area, including units distributed on behalf of any private generator or supplier; and
- (ii) forty-five per cent of the number of units, certified as aforesaid, transmitted by the Board to any other Electricity Board; less
- (iii) forty-five per cent of the number of units, certified as aforesaid, transmitted to the Board by any other Electricity Board, the United Kingdom Atomic Energy Authority, British Nuclear Fuels Limited or any other private generator or supplier;

(a) 1854 c.91.

(b) Paragraphs 1 to 4 of Schedule 1 were substituted by the Local Government (Scotland) Act 1978, section 2.

- (b) For the purposes of this article and article 4—
“consumer” does not include an Electricity Board.

Apportionment of rateable value

4.—(1) The aggregate amount of the rateable values of a Scottish Electricity Board prescribed by or, as the case may be, determined in accordance with article 3 shall be apportioned among rating areas in accordance with the following formula, namely:—

$$\left((V \times C) \times \frac{g}{G} \right) + \left((W \times C) \times \frac{t}{T} \right) + \left(((1 - V - W) \times C) \times \frac{y}{Y} \right)$$

V being the proportion which the aggregate value of the fixed assets employed in the generating activities of the Board bears to the aggregate value of the fixed assets employed in the generating, transmission and distribution activities of the Board, as at 31st March in the year 2 years prior to the relevant year;

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 generating stations within a rating area as at 1st October in the year immediately preceding the relevant year;

G being the aggregate generating capacity of generating stations within the district of the Board as at 1st October in the year immediately preceding the relevant year;

W being the proportion which the aggregate value of the fixed assets employed in the transmission activities of the Board bears to the aggregate value of the fixed assets employed in the generating, transmission and distribution activities of the Board, as at 31st March in the year 2 years prior to the relevant year;

t being the length in kilometres of underground and overhead transmission lines in a rating area as at 31st March in the year 2 years prior to the relevant year;

T being the length in kilometres of underground and overhead transmission lines within the district of the Board as at 31st March in the year 2 years prior to the relevant year;

y being the sum of—

- (a) the number of units of electricity supplied to domestic consumers, as certified by the Board, in the year 2 years prior to the relevant year, multiplied by the proportion which the number of domestic lands and heritages in a rating area bears to the number of domestic lands and heritages within the district of the Board as at 1st April in the year immediately preceding the relevant year;
- (b) the number of units of electricity supplied to industrial consumers, as certified by the Board, in the year 2 years prior to the relevant year, multiplied by the proportion which the number of industrial and freight transport lands and heritages in a rating area bears to the number of industrial and freight transport lands and heritages within the district of the Board as at 1st April in the year immediately preceding the relevant year; and

- (c) the number of units of electricity supplied to consumers other than domestic or industrial consumers, as certified by the Board, in the year 2 years prior to the relevant year, multiplied by the proportion which the number of lands and heritages other than domestic, industrial or freight transport lands and heritages in a rating area bears to the number of lands and heritages other than domestic, industrial or freight transport lands and heritages within the district of the Board as at 1st April in the year immediately preceding the relevant year;

Y being the total number of units of electricity supplied to consumers within the district of the Board in the year 2 years prior to the relevant year, as certified by the Board.

(2) For the purposes of this article—

- (a) the aggregate values of fixed assets shall be taken to be the capital cost, as estimated and certified by the Board, of replacing the assets in commission by like assets;
- (b) the generating capacity or aggregate generating capacity of the Board 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 Board, 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;
- (c) for the purposes of determining the generating capacity of generating stations within a rating area for the purposes of this article, a generating station situated partly in one rating area and partly in one or more other rating areas shall be treated as situated in each of the areas and its generating capacity shall be allocated to the areas in the following manner: in the case of a generating station for the generation of electricity by water power 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 or among the rating areas in proportion to the surface of the reservoir at top water level which lies in each rating area; in the case of a generating station for the generation of electricity other than by water power its generating capacity will be treated as apportioned between or among the areas in such manner as may be determined by the Secretary of State;
- (d) 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;
- (e) the number of lands and heritages, in any category, in a rating area or in the district of a Board, means the number of such lands and heritages entered in the valuation roll, and this shall be taken to be such number as the Secretary of State shall estimate from the best information available to him at the time at which the apportionment is required to be made.

Supplementary provisions

5. The Assessor shall—

- (a) apportion, in accordance with article 4, the aggregate amounts of the rateable values prescribed by article 3 for the year 1985–86 and

determine and apportion, in accordance with articles 3 and 4, the aggregate amounts of the rateable values for any other relevant year;

- (b) transmit to each local authority, within 14 days of the coming into operation of this order, a copy of so much of any proposed direction to a local assessor to enter lands and heritages in the valuation roll as relates to the valuation for the year 1985–86 of lands and heritages in its area to which this order relates;
- (c) transmit to each Scottish Electricity Board, within 14 days of the coming into operation of this order, a copy of so much of any proposed direction to a local assessor to enter lands and heritages in the valuation roll as relates to the valuation for the year 1985–86 of lands and heritages of that Board to which this order relates.

6.—(1) A local authority may within 28 days of the coming into operation of this order make representations to the Assessor about the rateable value apportioned to its area for the year 1985–86.

(2) A Scottish Electricity Board may within 28 days of the coming into operation of this order make representations to the Assessor about the rateable value apportioned to any rating area within the district of the Board for the year 1985–86.

Amendment of enactments

7.—(1)(a) The exercise of the duties laid on the Assessor by article 5(a) shall be deemed to be a valuation of lands and heritages under subsection (1) of section 5 of the Act of 1975;

- (b) subsection (4) of the said section 5 shall not apply and the effective date of an entry in the valuation roll, made in pursuance of a direction under subsection (2) of the said section, of a rateable value apportioned under article 4 shall be the 1st April of the relevant year.

(2) Section 24 of the Lands Valuation (Scotland) Act 1854 (a) shall apply in relation to valuations for the year 1985–86 as if the requirement for the Assessor to copy to a Scottish Electricity Board so much of any direction to a local assessor as concerns the lands and heritages of that Board were deleted.

Revocation

8. The Scottish Electricity Boards (Rateable Values) (Scotland) Order 1978 (b) 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.

(a) 1854 c.91.

(b) S.I. 1978/1175.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order prescribes the aggregate rateable values of the lands and heritages comprising the operational undertakings of the South of Scotland Electricity Board and the North of Scotland Hydro-Electric Board for the year 1985–86 and the method by which the aggregate rateable values for subsequent years are to be determined (Article 3). It also specifies the manner in which the aggregate rateable values are to be apportioned among rating areas (Article 4). It partly disapplies, for the year 1985–86 only, section 24 of the Lands Valuation (Scotland) Act 1854 and substitutes an alternative provision more appropriate to a year of revaluation (Article 7). The order revokes the Scottish Electricity Boards (Rateable Values) (Scotland) Order 1978, which it replaces, as there is a need to prescribe rateable values for 1985–86 and modified formulae for their annual adjustment and apportionment, to take effect from the date of the general revaluation in 1985 (Article 8).

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