STATUTORY INSTRUMENTS

2004 No. 3153

RATING AND VALUATION, ENGLAND

The Non-Domestic Rating (Rural Settlements) (England) (Amendment) Order 2004

Made - - - -	*29th November 2004*
Laid before Parliament	*8th December 2004*
Coming into force - -	*1st April 2005*

The First Secretary of State, in exercise of the powers conferred by sections 43(6B)(b) and 47(3A)(b) of the Local Government Finance Act 1988(**a**), hereby makes the following Order:

Citation, application and commencement

1. This Order, which applies to England only, may be cited as the Non-Domestic Rating (Rural Settlements) (England) (Amendment) Order 2004 and shall come into force on 1st April 2005.

Rateable value limits

2. In respect of any hereditament shown in a non-domestic rating list compiled on or after 1st April 2005, the Non-Domestic Rating (Rural Settlements) (England) Order 1997(**b**) is amended as follows—

(a) in article 3(1)(a), for "£9,000" substitute "£10,500";

(b) in article 3(1)(b), for "£6,000" substitute "£7,000"; and

(c) in article 3(2), for "£12,000" substitute "£14,000".

Signed by authority of the First Secretary of State

Phil Hope
Parliamentary Under Secretary of State,
Office of the Deputy Prime Minister

29th November 2004

(**a**) 1988 c.41. Sections 43(6B) and 47(3A) were inserted by the Local Government and Rating Act 1997 (c. 29), Schedule 1, paragraphs 2 and 3 respectively. These powers were devolved, in relation to Wales, to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); *see* the reference to the Local Government Finance Act 1988 in Schedule 1.

(**b**) S.I. 1997/2792: relevant amendments are made by S.I. 2000/521 and 2001/1346.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 43 of the Local Government Finance Act 1988 provides for mandatory rate relief for certain hereditaments in rural settlements and the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 added public houses and petrol filling stations to the hereditaments that are eligible for relief. Section 47 of the Local Government Finance Act 1988 provides that a billing authority may grant discretionary relief for hereditaments to which section 43(6A) applies and additionally to any hereditament in a rural settlement which is used for purposes which are of benefit to the local community.

This Order amends the Non-Domestic Rating (Rural Settlements) (England) Order 1997 to prescribe that—

(a) in respect of a petrol filling station or public house in a rural settlement, £10,500;

(b) in respect of any other hereditament in a rural settlement, £7,000;

is the maximum rateable value of a hereditament which can be eligible for such mandatory relief.

This Order also amends the 1997 Order to prescribe £14,000 as the maximum rateable value of a hereditament which can be eligible for discretionary relief under section 47(3A).

£3.00

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under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E1604 12/2004 141604T 19585

ISBN 0-11-050657-X

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