EXECUTIVE NOTE

THE NON-DOMESTIC RATING (VALUATION OF UTILITIES) (SCOTLAND) AMENDMENT ORDER 2009 (SSI 2009/112)

The above instrument is made in exercise of the powers conferred by section 6A(1)(aa) of the Valuation and Rating (Scotland) Act 1956 and section 27(6A),(6B) and (6C) of the Local Government etc. (Scotland) Act 1994 and by all other enabling powers. The instrument is subject to the negative resolution procedure.

Background

At present the valuation of fixed line communications networks is problematic for local assessors because such networks invariably cover more than one valuation area. It is necessary therefore to carry out a network valuation and then apportion it between the local government areas within which the network lies.
This Order will simplify the valuation process in that there will only be one entry on the valuation roll, a single bill and one appeal for each operator.

Policy Objective

The purpose of the amended Regulations is to designate the Renfrewshire Assessor to value the lands and heritages within the fixed line telecommunications industry, where these are occupied by the operators specified within the Order
The Order provides that this "designated Assessor" will have the same powers of entry with regards fixed line telecommunications and the right to request information throughout Scotland.

Consultation

Although there is no statutory obligation to consult on this instrument, we consulted 167 stakeholder organisations, including local authorities and business organisations on the provisions contained in this instrument. Nine substantive responses were received suggesting amendments of a mainly technical nature. These comments were considered and discussed with the proposed designated assessor prior to finalising the Order.

Regulatory Impact Assessment

No Regulatory Impact Assessment is required because the instrument will not impose new regulatory burdens on businesses, charities or the voluntary sector.

Financial Effects

There are no additional financial implications arising from this order.

JIM GILMOUR
Local Government Division
19 March 2009