EXECUTIVE NOTE

THE NON-DOMESTIC RATING (VALUATION OF UTILITIES) (SCOTLAND) AMENDMENT ORDER 2010

SSI 2010/38

1. 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. This instrument will insert article 7A into the Non-Domestic Rating (Valuation of Utilities) (Scotland) Order 2005 and amends the Schedule to that Order. The Order also repeals the Non-Domestic Rating (Valuation of Utilities) (Scotland) Amendment Order 2009. The instrument is subject to the negative resolution procedure.

Purpose

2. The Order replaces the amendments contained in The Non-Domestic Rating (Valuation of Utilities) (Scotland) Amendment Order 2009 ('the 2009 Order) with other amendments to add three further fixed line telecommunications operators to the designated assessors' regime.

Background

3. The Non-Domestic Rating (Valuation of Utilities) (Scotland) Order 2005 ('the 2005 Order') put in place a regime for the valuation of certain industries (docks and harbours (large), electricity, gas, railways and water and telecommunications). The 2005 instrument designated particular Assessors to value the lands and heritages occupied by each industry covered by the instrument.

4. The 2009 Order added a regime for valuation of a further industry, that of fixed line communications, to those already in place in the 2005 Order. The 2009 Order designates one assessor (that for Renfrewshire) to value all lands and heritages that are to be valued within the fixed line telecommunications industry.

5. However, the details of the 2009 Order are now out of date and, as the Order was not due to come into force until the 1 April 2010, it was decided to repeal the Order and replace it with a comprehensive list of operators.

Consultation

6. As the Order merely amends the list of companies in the 2009 Order, which was previously consulted on, a further consultation was not deemed necessary.

Financial Implications

7. There are no financial implications resulting from this instrument.

Local Government Division
February 2010