4. FORMS

The Rating and Valuation (Forms of Proposal and Claim) Regulations, 1949

1949 No. 2311

Made - - - -	13*th December*, 1949
Laid before Parliament	14*th December*, 1949
Coming into Operation	1*st February*, 1950

M.H. 108934.

The Minister of Health, in exercise of the powers conferred on him by sections 35, 37, 41 and 71 of the Local Government Act, 1948(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the Rating and Valuation (Forms of Proposal and Claim) Regulations, 1949, and shall come into operation on the first day of February, 1950.

2. The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. Every proposal made under sub-section (1) of section 40 of the Local Government Act, 1948, for the alteration of a current valuation list and every claim made under sub-section (3) of section 35 or sub-section (1) of section 37 of the said Act that a hereditament ought to be treated as an agricultural, industrial or freight transport hereditament shall be in the appropriate form set out in the Schedule hereto, or in a form substantially to the like effect.

4. The Rating and Valuation Acts (Forms of Proposal and Claim) Rules, 1932(c), and paragraph (3) of Article 8 of the London (Valuation Lists) Rules, 1933(d), are hereby revoked.

(a) 11 & 12 Geo. 6. c. 26.
(b) 52 & 53 Vict. c. 63.
(c) S.R. & O. 1932 (No. 282) p. 1744.
(d) S.R. & O. 1933 (No. 785) p. 1049.

THE SCHEDULE

FORM A

GENERAL PROPOSAL FORM

LOCAL GOVERNMENT ACT, 1948

Proposal for Alteration of Valuation List

Rating Area .....

Parish .....

I/We , being aggrieved by:—

(*a*) the inclusion of the hereditament shown in the Schedule below in the valuation list for the above-named rating area;

Delete those items (*a*), (*b*), (*c*) or (*d*) opposite which are not applicable.

(*b*) the value ascribed in the valuation list for the above-named rating area to the hereditament shown in the Schedule below;

(*c*) statements made or omitted to be made in the valuation list for the above-named rating area with respect to the hereditament shown in the Schedule below;

(*d*) the valuation of the $\frac{\text{building}}{\text{portion of a building}}$ shown in the Schedule below in the valuation list for the above-named rating area as a single hereditament;

hereby make a proposal for the alteration of the said valuation list.

The alteration proposed is .....

.....

.....

.....

and the grounds upon which such alteration is supported are:—

.....

.....

.....

Signed .....

Capacity in which signed .....
(e.g. as owner, occupier, agent, etc.)

Full Postal Address .....

.....

Date .....

SCHEDULE

1. Name of occupier(s) .....
2. Name and address of owner(s) .....
3. Address of hereditament .....

This notice must be served on the valuation officer.

FORM B

Form of Proposal or Claim for treatment as Agricultural Hereditament
Local Government Act, 1948

Rating Area .....

Parish .....

I/We being the owner(s)/occupier(s) of the hereditament described in the Schedule below [make a proposal for the alteration of the valuation list for the above-named rating area to the effect] [claim]* that the said hereditament ought, on the grounds set out below, to be treated as an agricultural hereditament.

*Delete the words not applicable. A *proposal* is made in respect of a current valuation list, a *claim* in respect of a draft valuation list.

Grounds on which it is considered that the hereditament is an agricultural hereditament (see Notes below).

Signed .....

Full Postal Address .....

.....

Date .....

SCHEDULE

1. Name of occupier(s) .....
2. Name and address of owner(s) .....
3. Description of hereditament .....
4. Address of hereditament .....

NOTES

The expression "agricultural hereditament" means any hereditament being agricultural land or agricultural buildings.

The expression "agricultural land" means any land used as arable meadow or pasture ground only, land used for a plantation or a wood or for the growth of saleable underwood, land exceeding one quarter of an acre used for the purpose of poultry farming, cottage gardens exceeding one quarter of an acre, market gardens, nursery grounds, orchards or allotments, including allotment gardens within the meaning of the Allotments Act, 1922, but does not include land occupied together with a house as a park, gardens (other than as aforesaid), pleasure grounds, or land kept or preserved mainly or exclusively for purposes of sport or recreation, or land used as a race-course; and for the purpose of this definition the expression "cottage garden" means a garden attached to a house occupied as a dwelling by a person of the labouring classes.

The expression "agricultural buildings" means buildings (other than dwelling houses) occupied together with agricultural land or being or forming part of a market garden, and in either case used solely in connection with agricultural operations thereon.

This notice must be served on the valuation officer.

FORM C

Form of Proposal or Claim for treatment as Industrial Hereditament
Local Government Act, 1948

Rating Area .....

Parish .....

I/We being the owner(s)/occupier(s) of the hereditament described in the Schedule below [make a proposal for the alteration of the valuation list for the above-named rating area to the effect] [claim]* that the said hereditament, as to which I/we have, in the said Schedule, supplied the information required therein, ought to be treated as an industrial hereditament.

*Delete the words not applicable. A *proposal* is made in respect of a current valuation list, a *claim* in respect of a draft valuation list.

Signed .....

Capacity in which signed .....
(e.g. as owner, occupier, agent, etc.)

Full Postal Address .....

.....

Date .....

SCHEDULE

1. Name, situation and description of the factory, workshop, mine or mineral railway .....

.....

2. Name of occupier .....

3. Name and address of owner, if other than occupier .....

.....

4. In the case of a factory or workshop, state nature of the industry carried on

.....

5. Is it claimed that the above described factory, workshop, mine or mineral railway is occupied and used (and if so, from what date)

(*a*) wholly for industrial purposes? .....

(*b*) partly for industrial purposes? .....

If (*b*) state the alteration proposed .....

6. For the purposes of any necessary apportionment of value under section 4 of the Rating and Valuation (Apportionment) Act, 1928, between use for industrial and non-industrial purposes, state :—

(i) in the case of a factory or workshop, whether any, and if so, what part is used for any of the following purposes:

(*a*) as a sleeping room or dwelling house .....

(*b*) as a retail shop .....

(*c*) as an office .....

(*d*) as a sale-room or showroom .....

(*e*) as a warehouse or store (other than a building or space used only for storing raw materials to be worked up on the premises, goods manufactured thereon and awaiting despatch, or spare plant, machinery and equipment for use thereon) .....

(*f*) as a garage, cart-shed or stable .....

(*g*) for any purpose (not mentioned above) which is not a purpose of the manufacturing process or handicraft carried on in the factory or workshop .....

(ii) in the case of a mine whether any, and if so, what part of the hereditament

(*a*) constitutes a factory or workshop within the meaning of the Factory and Workshop Acts .....

(*b*) is, under the enactments relating to the regulations of mines, deemed not to form part of the mine .....

.....

(iii) in a case where it is claimed that the premises are used partly (but not wholly) for industrial purposes, whether it is considered that the net annual value attributable to the use for non-industrial purposes does not exceed ten per cent. of the net annual value attributable to the use for industrial purposes .....

.....

7. Are the premises :—

(i) occupied by the owner? ..... or

(ii) held under lease or tenancy? .....

In the latter case state—

(*a*) rent .....

(*b*) date of commencement of lease (if any), or date when rent fixed .....

(*c*) term for which lease granted .....

(*d*) whether the rent includes rates or water rates or covers any other services to be performed by the landlord—the nature and value of any such services to be specified .....

(*e*) who is liable to repair the premises, and to what extent .....

.....

(*f*) any consideration other than rent (for example, money premium, surrender of any existing lease, or agreement to lay out money for the improvement of the property) .....

(*g*) amount of ground rent, where ground rent only is paid .....

8. Is any part of the premises let off? If so, give particulars as to that part, and amount of rent and other receipts obtained in respect thereof, and whether inclusive or exclusive of rates, water rates, etc. .....

.....

This notice must be served on the valuation officer.

Form D

Form of Proposal or Claim for treatment as Freight Transport Hereditament Local Government Act, 1948

Rating Area .....

I/We ..... being the owner(s)/occupier(s) of the hereditament described in the Schedule below [make a proposal for the alteration of the valuation list for the above-named rating area to the effect] [claim]* that the said hereditament as to which I/we have, in the said Schedule, supplied the information required therein, ought to be treated as a freight transport hereditament.

Signed .....

Capacity in which signed .....
(e.g. as owner, occupier, agent, etc.)

Full Postal Address .....

.....

Date .....

*Delete the words not applicable. A *proposal* is made in respect of a current valuation list, a *claim* in respect of a draft valuation list.

SCHEDULE

1. Parish in which the hereditament is situate .....

2. Description of the hereditament .....

3. State—
   (i) whether the transport purposes for which the hereditament is occupied and used are wholly
   (*a*) "railway transport purposes" .....
   or
   (*b*) "canal transport purposes" .....
   (*c*) "dock purposes" (as those purposes are defined in section 5 (2) of the Rating and Valuation (Apportionment) Act, 1928); .....
   (ii) whether the hereditament is used for two or more of these purposes .....
   (iii) whether the hereditament is also used for non-transport purposes .....

4. If any part of the hereditament is occupied and used for the purposes of a dwelling-house, hotel or place of public refreshment, or is so let out as to be capable of separate assessment, give sufficient particulars to enable the part to be identified .....

5. If, in the case of a hereditament occupied and used for canal transport purposes as part of a canal undertaking or occupied and used for dock purposes as part of a dock undertaking, any part of the hereditament is a building, yard or other place primarily occupied and used for warehousing merchandise not in the course of being transported, give sufficient particulars to enable the part to be identified .....

6. Is the hereditament
   (i) occupied by the owner? .....
   or
   (ii) held under lease or tenancy? .....
   In the latter case state:—
   (*a*) rent .....
   (*b*) date of commencement of lease (if any) or date when rent fixed.....
   (*c*) term for which lease granted .....
   (*d*) whether the rent includes rates or water rates or covers any other services—the nature and value of any such services to be specified.....
   (*e*) who is liable for repairs and to what extent .....
   (*f*) any consideration other than rent (for example, money premium, surrender of any existing lease, or agreement to lay out money for the improvement of the property) .....
   (*g*) amount of ground rent, where ground rent only is paid .....

7. State below the percentage of the net annual value of the hereditament which is claimed to be attributable to its use for transport purposes and non-transport purposes (if any) respectively. (In the case of a composite hereditament, give the information for each transport purpose on a separate line.)

Transport purposes

(*a*) That part of the hereditament of which the rateable value, as calculated in accordance with the Rating and Valuation Act, 1925, or any other scheme made thereunder, or any Local Act or Order, differs from the net annual value. Percentage of total net annual value.....

.....

(*b*) Any other part of the hereditament so far as used for transport purposes. Percentage of total net annual value.....

.....

(In the case of any hereditament in London the apportionment required under (*a*) and (*b*) cannot be made but an inclusive percentage of the net annual value attributable to transport purposes must be given in (*b*).)

Non-transport purposes

(*c*) Any part of the hereditament so far as used for purposes not being transport purposes. Percentage of total net annual value.....

.....

This form must be served on the valuation officer.

Given under the official seal of the Minister of Health this thirteenth day of December, nineteen hundred and forty-nine.

(L.S.)

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The Regulations prescribe forms of proposal and claim to be used after 1st February, 1950, in connection with the preparation and alteration of valuation lists under the new procedure contained in Part III of the Local Government Act, 1948.