



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART V

RATES

Reliefs

33 Domestic rate relief

(1) Section 48 of the 1967 Act shall be amended as follows.

(2) For subsections (1) and (1A) there shall be substituted—

“(1) Every rating authority shall reduce the amount which, apart from this subsection, would be the amount of the rate levied by the authority for any year on any domestic or mixed hereditament in their area by the following amount in the pound—

- (a) in the case of a domestic hereditament, the standard amount;
- (b) in the case of a mixed hereditament in respect of which the proportion mentioned in subsection (5) of this section is greater than one half, one half of the standard amount;
- (c) in the case of a mixed hereditament in respect of which that proportion is greater than one quarter but not greater than one half, one quarter of the standard amount;
- (d) in the case of any other mixed hereditament, one eighth of the standard amount.

(1A) In subsection (1) of this section "the standard amount" means—

- (a) the amount prescribed for the year for the rating; authority's area under paragraph 5 of Schedule 2 to the Local Government Act 1974 ;
- or

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- (b) the amount specified for that year for their area in a Rate Support Grant Report under section 60 of the Local Government, Planning and Land Act 1980.
- (1B) The amounts in the pound to be determined under paragraphs (b), (c) and (d) of subsection (1) of this section shall be calculated to the nearest one tenth of a new penny (one half of one tenth being treated as less than one half).”.
- (3) In subsection (2) for the words from "dwelling-houses" to the end there shall be substituted the words " hereditaments within each of the paragraphs of subsection (1) of this section is equal to the amount provided for by that paragraph ".
 - (4) In subsection (3) for the word " dwelling-house " there shall be substituted the words " domestic hereditament ".
 - (5) After subsection (4) there shall be inserted—
 - “(4A) In this section " domestic hereditament" means a hereditament which is—
 - (a) a dwelling-house ; or
 - (b) a hereditament of an area not exceeding 25 square metres which is used wholly or mainly for the accommodation of a motor vehicle, other than a hereditament which—
 - (i) forms part of premises in which a business of providing services for motor vehicles is carried on, or
 - (ii) is provided by the keeper of a hotel, inn, guest-house or boarding-house and used wholly or mainly for the motor vehicles of his guests, or
 - (iii) is used for the accommodation of a motor vehicle for the time being chargeable with duty under Schedule 2, 3 or 4 to the Vehicles (Excise) Act 1971 (hackney carriages, tractors and goods vehicles) whether it is also used for any other vehicle or not; or
 - (c) private storage premises within the meaning of section 19 of this Act.”.
 - (6) In subsection (5)—
 - (a) for the word " dwelling-house " there shall be substituted the words " domestic hereditament " ; and
 - (b) for the words " the proportion thereof attributable to the part used for other purposes " there shall be substituted the words " one eighth ".
 - (7) In subsection (6)—
 - (a) for the word " proportions " there shall be substituted the word " proportion " ; and
 - (b) for the words from " refusal " to " purposes of this section " there shall be substituted the words " view taken by the rating authority ".

34 Payment by instalments

- (1) In section 50 of the 1967 Act—
 - (a) in subsection (1) for the words from "and resides" to " and (b)" there shall be substituted the words " a hereditament which ";
 - (b) subsection (2) shall cease to have effect; and

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- (c) after subsection (4) there shall be inserted—
- “(5) This section shall not extend to a hereditament (not being a domestic hereditament) whose rateable value is less than a prescribed sum or is more than another prescribed sum.
- (6) In subsection (5) of this section ' domestic hereditament ' means a hereditament which either is a dwelling-house or (though not a dwelling-house) is within the meaning of section 115(3) of this Act used mainly for the purposes of a private dwelling or private dwellings, and ' prescribed ' means prescribed by order of the Secretary of State.
- (7) The power to prescribe sums conferred by this section includes power to prescribe larger sums in relation to hereditaments in Greater London than in relation to hereditaments elsewhere.”.
- (2) In section 96(2) of that Act for the words " those rates shall be recoverable only " there shall be substituted the words " in any year, those rates shall not be recoverable before the end of the year except ".
- (3) In Schedule 10 to that Act for paragraph 1 there shall be substituted—
- “1 (1) A notice by any person under section 50(1) of this Act may be given at any time not earlier than 1st February preceding the beginning of a year and not later than the latest of—
- (a) 30th April in that year;
- (b) the twenty-eighth day after the first occasion on which a demand note for rates in respect of that year (or part of it) is served on him in respect of the hereditament in question;
- (c) in a year in which he first becomes qualified to serve such a notice in respect of the hereditament in question, the twenty-eighth day after he first became so qualified.
- (2) Subject to sub-paragraph (3) below, the effective date of a notice given under section 50(1) of this Act by any person shall be the date on which it is given or, if later, the date of the first occasion on which a demand note for rates in respect of the year (or part of the year) in which the notice is given is served on him.
- (3) Where the effective date of notice would, under the provisions of sub-paragraph (2) of this paragraph, fall within the last three months of a rate period, it shall instead be the first day of the following rate period.”.
- (4) Paragraph 2 of that Schedule shall cease to have effect.
- (5) In paragraph 5(c) of that Schedule—
- (a) the words from "(apart" to "this Act)" shall be omitted; and
- (b) after the word "accordingly" there shall be inserted the words " and may take account of any rebate granted in respect of the rates ".