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STATUTORY INSTRUMENTS

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**1993 No. 879 (S.115)**

**RATING AND VALUATION**

**The British Gas plc. (Rateable Values) (Scotland) Order 1993**

*Made* - - - - - *19th March 1993*

*Coming into force* - - - - - *1st April 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 6, 35 and 37(1) of the Local Government (Scotland) Act 1975(1) and of all other powers enabling him in that behalf, and after consultation with such associations of local authorities, and of persons carrying on undertakings, as appeared to him to be concerned, and with such local authorities, persons, or associations of persons with whom consultation appeared to him to be desirable, all in accordance with section 6(4) of the said Act, hereby makes the following Order, a draft of which has been laid before and has been approved by resolution of each House of Parliament:

**Citation and commencement**

1. This Order may be cited as the British Gas plc. (Rateable Values) (Scotland) Order 1993 and shall come into force on 1st April 1993.

**Interpretation**

2.—(1) In this Order, unless the context otherwise requires—

“the 1975 Act” means the Local Government (Scotland) Act 1975;

“the Company” means the Company registered at the date of this Order by the name of British Gas plc.;

“financial year” means the period of twelve months beginning with 1st April;

“gas” means any substance which is, or if it were in a gaseous state would be, gas within the meaning of Part I of the Gas Act 1986(2);

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(1) 1975 c. 30; section 6(1) to (7) was substituted by the Local Government (Scotland) Act 1978 (c. 4), section 1, and section 6(1) subsequently substituted by the Local Government Finance Act 1988 (c. 41), Schedule 12, paragraph 11 and amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 42; section 6(1A) was inserted by the Local Government and Housing Act 1989 (c. 42), Schedule 6, paragraph 18; section 37(1) contains a definition of “prescribed” which is relevant to the exercise of the powers under which this Order is made.

(2) 1986 c. 44.

“non-domestic water rate” shall be construed in accordance with the provisions of section 40 of the Water (Scotland) Act 1980(3);

“prescribed class of lands and heritages” means the class of lands and heritages prescribed for the purposes of section 6(1) of the 1975 Act in article 3 of this Order; and

“services” means the pipe and other apparatus installed for each consumer between the distribution mains and the consumer’s gas meter.

(2) Any reference in this Order to—

(a) lands and heritages occupied by the Company includes a reference to lands and heritages which, if unoccupied, are owned by the Company; and

(b) lands and heritages used for any purpose includes a reference to lands and heritages which are unused but in relation to which it appears that, when next in use, they will be used for such a purpose.

### **Prescribed class of lands and heritages**

3. The following class of lands and heritages is hereby prescribed for the purposes of section 6(1) of the 1975 Act, namely any lands and heritages in Scotland occupied by the Company and used for any of the purposes of production, treatment, transmission, distribution or storage of gas, including plant and equipment installed therein or thereon and, without prejudice to the foregoing generality, gas terminals, gas research stations, pressure reduction stations, governor stations, holder stations, mains, services and radio stations, insofar as any of them is used for any of the foregoing purposes.

### **Non-domestic water rate**

4. The non-domestic water rate shall not be leviable in respect of the prescribed class of lands and heritages in respect of the financial year 1993-94.

### **Aggregate amount of rateable values for financial year 1993-94**

5. For the purposes of section 6(1) of the 1975 Act, the aggregate amount of the rateable values of the prescribed class of lands and heritages for the financial year 1993-94 is hereby prescribed as £43,462,430.

### **Apportionment of aggregate amount of rateable values**

6. For the purposes of section 6(2) of the 1975 Act, the aggregate amount of the rateable values of the prescribed class of lands and heritages for the financial year 1993-94 which is prescribed by article 5 shall be apportioned among the local authorities specified in column 1 of the Schedule to this Order in the amount shown opposite to the name of each such local authority in column 2 of that Schedule.

### **Amendment of enactments**

7. The following amendments shall be made to the enactments specified in articles 8 and 9 below in their relation to the valuation of the prescribed class of lands and heritages for the financial year 1993-94.

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(3) 1980 c. 45; section 40 was substituted by the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47), Schedule 5, paragraph 29, and amended by the Local Government and Housing Act 1989, Schedule 6, paragraphs 16 and 18 and Schedule 12, Part II and by the Local Government Finance Act 1992, Schedule 11, paragraph 31.

8. In section 6(1) of the Valuation and Rating (Scotland) Act 1956<sup>(4)</sup>, after the words “this Act”, there shall be inserted the words “and to any Order made by the Secretary of State under section 6 of the Local Government (Scotland) Act 1975”.

9.—(1) Section 2(1)(c) of the 1975 Act shall be amended by inserting at the end the following:—

“(iii) upon their ceasing to be lands and heritages within the class of lands and heritages prescribed in the British Gas plc. (Rateable Values) (Scotland) Order 1993 (hereinafter in this Act referred to as “the 1993 Order”);”.

(2) Section 2(1)(d) of that Act shall be amended by inserting after the words “lands and heritages” the following words:—

“(other than lands and heritages within the class of lands and heritages prescribed in the 1993 Order)”.

(3) After paragraph (g) of section 2(1) of that Act there shall be inserted the following paragraphs:—

“(gg) by deleting therefrom, with effect from 1st April 1993, any lands and heritages within the class of lands and heritages prescribed in the British Gas plc. (Rateable Values) (Scotland) Order 1992<sup>(5)</sup> which were entered in the roll immediately before that date;

(ggg) by entering therein, with effect from 1st April 1993, any lands and heritages within the class of lands and heritages prescribed in the 1993 Order together with the rateable values apportioned by that Order to the local authorities whose areas comprise or form part of the valuation area;”.

(4) In section 3(2) of that Act, for the words from “and any such person” to the end, there shall be substituted the following:—

“and, where the entry relates to any lands and heritages within the class of lands and heritages prescribed in the 1993 Order, any such person may at any time while the roll is in force appeal against the entry but only on the ground that there is a clerical error in that entry.”.

(5) In section 3(4) of that Act, after the words “lands and heritages” where they appear for the first time, there shall be inserted the following:—

“(other than lands and heritages within the class of lands and heritages prescribed in the 1993 Order)”.

## **Revocation**

10. The British Gas plc. (Rateable Values) (Scotland) Order 1992 is hereby revoked.

St Andrew’s House,  
Edinburgh  
19th March 1993

*Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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(4) 1956 c. 60; section 6(1) was amended by the Abolition of Domestic Rates Etc. (Scotland) Act 1987, Schedule 6 and the Local Government and Housing Act 1989, Schedule 6, paragraph 3.

(5) S.I.1992/1792.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 6

## Apportionment of aggregate amount of rateable values of prescribed class of lands

(1) Local authority	(2) Apportioned amount
District Councils:–	
Berwickshire	£ 615,708
Ettrick and Lauderdale	398,136
Roxburgh	107,494
Tweeddale	70,970
Clackmannan	229,549
Falkirk	1,348,294
Stirling	811,241
Annandale and Eskdale	1,942,343
Nithsdale	221,001
Stewartry	35,320
Wigtown	35,247
Dunfermline	719,059
Kirkcaldy	864,134
North East Fife	895,057
City of Aberdeen	1,533,958
Banff and Buchan	3,948,790
Gordon	2,224,300
Kincardine and Deeside	1,980,573
Moray	279,367
Caithness	22,395
Inverness	188,008
Nairn	25,359
Ross and Cromarty	8,167
East Lothian	705,933
City of Edinburgh	2,362,863
Midlothian	499,043
West Lothian	2,328,512
Argyll and Bute	100,644
Bearsden and Milngavie	207,149
Clydebank	148,066

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(1)	(2)
Local authority	Apportioned amount
Clydesdale	1,247,438
Cumbernauld and Kilsyth	211,482
Cumnock and Doon Valley	56,376
Cunninghame	805,747
Dunbarton	407,887
East Kilbride	394,633
Eastwood	336,920
City of Glasgow	3,039,600
Hamilton	538,558
Inverclyde	360,330
Kilmarnock and Loudoun	384,812
Kyle and Carrick	482,261
Monklands	1,382,869
Motherwell	1,394,055
Renfrew	915,934
Strathkelvin	395,626
Angus	3,055,340
City of Dundee	900,832
Perth and Kinross	2,285,003
Islands Council:—	
Western Isles	10,047

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision for the valuation for the financial year 1993-94 of certain lands and heritages occupied by British Gas plc. (article 3) (“the prescribed class of lands and heritages”).

The Order prescribes the aggregate amount of the rateable values of the prescribed class of lands and heritages for that financial year at £43,462,430 (article 5). It also apportions that aggregate amount among local authorities in accordance with the Schedule to the Order (article 6).

The Order provides that the non-domestic water rate shall not be leviable in respect of the prescribed class of lands and heritages for that financial year (article 4).

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The Order amends certain enactments relating to the valuation of the prescribed class of lands and heritages and revokes the Order for financial year 1992-93 concerning British Gas plc. (articles 7 to 10).