
STATUTORY INSTRUMENTS

2001 No. 1345

RATING AND VALUATION, ENGLAND

**The Non-Domestic Rating (Public Houses and
Petrol Filling Stations) (England) Order 2001**

Made - - - - *4th April 2001*
Coming into force - - *5th April 2001*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred on him by section 43(6B)(c)(ii) of the Local Government Finance Act 1988⁽¹⁾ and of all other powers enabling him in that behalf hereby makes the following Order, a draft of which has been laid before, and approved by resolution of, each House of Parliament:—

Citation and commencement

1.—(1) This Order, which extends to England only, may be cited as the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 and shall come into force on the day after the day on which it is made.

(2) In this Order—

[^{F1}“alcohol” has the meaning given by section 191 of the Licensing Act 2003 (“the 2003 Act”);]

[^{F2} ...

“petrol filling station” means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads.

[^{F3}“premises” has the meaning given by section 193 of [^{F4}the 2003 Act];]

[^{F3}“premises licence” means—

- (a) a premises licence granted under Part 3 of that Act, or
- (b) a licence granted under Part 1 of Schedule 8 to that Act;]

[^{F5}“public house” means premises that satisfy the following conditions:

- (a) a premises licence authorising the sale by retail of alcohol for consumption on the premises has effect;

(1) 1988 c. 41. Section 43(6B) was inserted by the Local Government and Rating Act 1997 (c. 29) Schedule 1, paragraph 2. The power is devolved in relation to Wales to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672); see the reference to the Local Government Finance Act 1988 in Schedule 1.

Changes to legislation: There are currently no known outstanding effects for the The Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001. (See end of Document for details)

- (b) the premises are used principally for such sales to members of the public for consumption on the premises; and
- (c) the sales are not made subject to the condition that buyers reside at or consume food on the premises.]

F6 ...

Textual Amendments

- F1** Words in art. 1(2) inserted (31.3.2007) by The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2007 (S.I. 2007/724), arts. 1, **3(a)**
- F2** Words in art. 1(2) omitted (31.3.2006) by virtue of The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2006 (S.I. 2006/591), arts. 1, **3** (with art. 4)
- F3** Words in art. 1(2) added (31.3.2006) by The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2006 (S.I. 2006/591), arts. 1, **3** (with art. 4)
- F4** Words in art. 1(2) substituted (31.3.2007) by The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2007 (S.I. 2007/724), arts. 1, **3(b)**
- F5** Words in art. 1(2) substituted (31.3.2007) by The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2007 (S.I. 2007/724), arts. 1, **3(c)**
- F6** Words in art. 1(2) omitted (31.3.2007) by virtue of The Licensing Act 2003 (Consequential Amendment) (Non-Domestic Rating)(Public Houses in England) Order 2007 (S.I. 2007/724), arts. 1, **3(d)**

Condition for relief

2. The conditions prescribed for the purpose of [^{F7}paragraph 8(1)(d)(ii) of Schedule 4ZA to the Local Government Finance Act 1988] are that the whole or part of the hereditament is used as a public house or a petrol filling station, and in either case no other hereditament or part of a hereditament in the settlement concerned is so used.

Textual Amendments

- F7** Words in art. 2 substituted (1.4.2024) by The Non-Domestic Rating (Consequential and Other Amendments etc.) (England) Regulations 2023 (S.I. 2023/1251), regs. 1(1), **8**

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

Changes to legislation: There are currently no known outstanding effects for the The Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Order)

Section 43(6A) and (6B) of the Local Government Finance Act 1988 contains provisions for mandatory relief from non-domestic rates for certain properties in rural settlements. This order adds public houses and petrol filling stations to the properties that qualify.

Changes to legislation:

There are currently no known outstanding effects for the The Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001.