## 2001 No. 1345

## **RATING AND VALUATION, ENGLAND**

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

Made - - - - - Coming into force

4th April 2001 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(a) 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–

"public house" means premises for which a justices' on-licence (within the meaning of the Licensing Act 1964, other than a Part IV licence within the meaning of that Act), is in force;

"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.

#### **Condition for relief**

2. The conditions prescribed for the purpose of section 43(6B)(c)(ii) 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.

<sup>(</sup>a) 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.

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

4th April 2001

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

#### **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.

### £1.50

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