

2009 No. 3176

RATING AND VALUATION, ENGLAND

**The Non-Domestic Rating (Rural Settlements) (England)
(Amendment) Order 2009**

<i>Made</i>	- - - -	<i>3rd December 2009</i>
<i>Laid before Parliament</i>		<i>9th December 2009</i>
<i>Coming into force</i>	- -	<i>1st April 2010</i>

The Secretary of State, in exercise of the powers conferred by sections 43(6B) and 47(3A)(b) of the Local Government Finance Act 1988(a), makes the following Order:

Application, citation and commencement

1. This Order, which applies to England only, may be cited as the Non-Domestic Rating (Rural Settlements) (England) (Amendment) Order 2009 and shall come into force on 1st April 2010.

Rateable value limits

2. In respect of any hereditament shown in a non-domestic rating list compiled on or after 1st April 2010, the Non-Domestic Rating (Rural Settlements) (England) Order 1997(b) is amended as follows—

- (a) in article 3(1)(a), for “£10,500” substitute “£12,500”;
- (b) in article 3(1)(b), for “£7,000” substitute “£8,500”; and
- (c) in article 3(2), for “£14,000” substitute “£16,500”.

Signed by authority of the Secretary of State for Communities and Local Government

3rd December 2009

Barbara Follett
Parliamentary Under Secretary of State
Department for Communities and Local Government

(a) 1988 c.41. Sections 43(6B) and 47(3A) were inserted by the Local Government and Rating Act 1997 (c. 29), Schedule 1, paragraphs 2 and 3 respectively. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999.672); see the entry in Schedule 1 for the Local Government Finance Act 1988. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 1997/2792. Relevant amendments are made by S.I. 2000/521, 2001/1346 and 2004/3153.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 43 of the Local Government Finance Act 1988 (“the 1988 Act”) provides for mandatory rate relief for certain hereditaments in rural settlements and the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 added public houses and petrol filling stations to the hereditaments that are eligible for relief. Section 47 of the 1988 Act provides that a billing authority may grant discretionary relief for hereditaments to which section 43(6A) applies and additionally to any hereditament in a rural settlement which is used for purposes which are of benefit to the local community.

This Order amends the Non-Domestic Rating (Rural Settlements) (England) Order 1997 to prescribe that—

- (a) in respect of a filling station or public house in a rural settlement, £12,500; and
- (b) in respect of any other hereditament in a rural settlement, £8,500;

is the maximum rateable value of a hereditament which can be eligible for such mandatory relief.

This Order also amends the 1997 Order to prescribe £16,500 as the maximum rateable value of a hereditament which can be eligible for discretionary relief under section 47(3A).

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