

STATUTORY INSTRUMENTS

2017 No. 102

RATING AND VALUATION, ENGLAND

**The Non-Domestic Rating (Reliefs, Thresholds
and Amendment) (England) Order 2017**

Made - - - - 6th February 2017
Laid before Parliament 8th February 2017
Coming into force - - 3rd March 2017

The Secretary of State, in exercise of the powers conferred by sections 43(4B)(a), 44(9)(a), 45(1)(d), (9) and (10), 143(1) and (2), 146(6) of, and paragraph 2A(2)(a) of Schedule 6 to, the Local Government Finance Act 1988(1), makes the following Order:

Citation, application and commencement

1.—(1) This Order, which applies in relation to England only, may be cited as the Non-Domestic Rating (Reliefs, Thresholds and Amendment) (England) Order 2017 and comes into force on 3rd March 2017.

^{F1}(2)

^{F2}(3)

Textual Amendments

F1 Art. 1(2) omitted (1.4.2024) by virtue of [The Non-Domestic Rating \(Small Business Rate Relief\) \(England\) Regulations 2023 \(S.I. 2023/1250\)](#), regs. 1(3), **4(2)**

F2 Art. 1(3) omitted (1.4.2024) by virtue of [The Non-Domestic Rating \(Small Business Rate Relief\) \(England\) Regulations 2023 \(S.I. 2023/1250\)](#), regs. 1(3), **4(2)**

Commencement Information

11 Art. 1 in force at 3.3.2017, see [art. 1\(1\)](#)

(1) 1988, c.41. Sections 43(4A) to (4D) and 44(7) to (9) were inserted by section 61 of the Local Government Act 2003 (c.26). Subsections (4B) to (4D) of section 43 were amended by section 70 of the Localism Act 2011 (c.20). Section 44 has been amended by sections 139 and 194 of, and Schedule 5 to, the Local Government and Housing Act 1989 (c.42) and section 117 of, and Schedule 13 to, the Local Government Finance Act 1992 (c.14).

Conditions for relief

^{F3}2.

Textual Amendments

F3 Art. 2 omitted (1.4.2024) by virtue of [The Non-Domestic Rating \(Small Business Rate Relief\) \(England\) Regulations 2023 \(S.I. 2023/1250\)](#), regs. 1(3), **4(3)**

Amount of E

^{F4}3.

Textual Amendments

F4 Art. 3 omitted (1.4.2024) by virtue of [The Non-Domestic Rating \(Small Business Rate Relief\) \(England\) Regulations 2023 \(S.I. 2023/1250\)](#), regs. 1(3), **4(3)**

Amendment of the Non-Domestic Rating (Unoccupied Property) (England) Regulations 2008

4.—(1) The Non-Domestic Rating (Unoccupied Property) (England) Regulations 2008(2) are amended in accordance with paragraph (2).

(2) For regulation 4(g) (hereditaments not prescribed for the purposes of section 45(1)(d) of the Act) substitute—

- “(g) whose rateable value is less than—
- (i) in relation to the financial year beginning on 1st April 2008, £2,200;
 - (ii) in relation to the financial year beginning on 1st April 2009, £15,000;
 - (iii) in relation to the financial year beginning on 1st April 2010, £18,000;
 - (iv) in relation to the financial years beginning on 1st April 2011, 1st April 2012, 1st April 2013, 1st April 2014, 1st April 2015 and 1st April 2016, £2,600;
 - (v) in relation to financial years beginning on or after 1st April 2017, £2,900.”

Commencement Information

I2 Art. 4 in force at 3.3.2017, see [art. 1\(1\)](#)

Amendment of the Non-Domestic Rating (Stud Farms) (England) Order 2009

5.—(1) The Non-Domestic Rating (Stud Farms) (England) Order 2009(3) is amended in accordance with paragraph (2).

(2) For article 2 (specified amount – deduction in rateable value) substitute—

“2. The amount specified for the purposes of paragraph 2A of Schedule 6 to the Local Government Finance Act 1988 (deductions from valuation of hereditaments used for breeding horses, etc) is—

(2) [S.I. 2008/386](#), amended by [S.I. 2009/353](#), [S.I. 2010/408](#) and [S.I. 2015/1641](#).

(3) [S.I. 2009/3177](#)

- (a) in respect of the rateable value of any hereditament shown in a non-domestic rating list compiled on 1st April 2010, £4,200;
- (b) in respect of the rateable value of any hereditament shown in a non-domestic rating list compiled on or after 1st April 2017, £4,700.”

Commencement Information

I3 Art. 5 in force at 3.3.2017, see [art. 1\(1\)](#)

Revocations

6.—(1) Subject to paragraph (2), the Non-Domestic Rating (Small Business Rate Relief) (England) Order 2012(4) is revoked.

(2) The Non-Domestic Rating (Small Business Rate Relief) (England) Order 2012 shall continue to have effect in respect of chargeable days falling before 1st April 2017.

Commencement Information

I4 Art. 6 in force at 3.3.2017, see [art. 1\(1\)](#)

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

Marcus Jones
Parliamentary Under Secretary of State
Department for Communities and Local
Government

6th February 2017

EXPLANATORY NOTE

(This note is not part of the Order)

Article 1 provides that articles 2 and 3 of this Order has effect for the purposes of determining eligibility for, and calculating the amount of, small business rate relief in respect of days falling on or after 1st April 2017. The Non-Domestic Rating (Small Business Rate Relief) (England) Order 2012 (S.I. 2012/148) (as amended) is revoked by article 6 of this Order but will continue to have effect in relation to chargeable days falling prior to 1st April 2017.

Article 2 of this Order, together with section 43(4B) of the Local Government Finance Act 1988 (“the 1988 Act”), provides that the condition to be satisfied to obtain small business rate relief is that the hereditament must have a rateable value which is not more than £50,999.

Article 3 prescribes the amount of E under section 44(9)(a) of the 1988 Act, which determines the amount of relief to be given to a particular hereditament under the formula in section 43(4A)(a) of the 1988 Act.

Small business rate relief has two elements. Firstly, all hereditaments which satisfy the condition in article 2 will have their rates liability under section 43 of the 1988 Act calculated using the lower small business domestic rate multiplier (determined under Schedule 7 to the 1988 Act, as amended by the Local Government Act 2003) instead of the standard non-domestic rate multiplier. Secondly, a hereditament which satisfies the condition in article 2, is the sole property occupied by the ratepayer concerned (subject to the provision on hereditaments to be disregarded for these purposes in article 3(6)), and which has a maximum rateable value of £15,000 will, in addition, benefit from a percentage reduction in its rates liability for up to 100%.

Article 4 amends regulation 4(g) of the Non-Domestic Rating (Unoccupied Property) (England) Regulations 2008 to raise the level of the threshold below which a ratepayer shall not be liable to pay rates in respect of an unoccupied property from a rateable value of £2,600 to a rateable value of £2,900.

Article 5 amends article 2 of the Non-Domestic Rating (Stud Farms) (England) Order 2009 to increase the amount of the rateable value deduction for stud farms from £4,200 to £4,700.

An impact assessment has not been produced for this instrument because it amends an existing local tax regime. Publication of a full impact assessment is not necessary for such legislation.

Changes to legislation:

There are currently no known outstanding effects for the The Non-Domestic Rating (Reliefs, Thresholds and Amendment) (England) Order 2017.