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STATUTORY INSTRUMENTS

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**2017 No. 155**

**The Non-Domestic Rating (Alteration of Lists and Appeals) (England) (Amendment) Regulations 2017**

**Substitution of regulation 6**

**10.** For regulation 6 (proposals: general) of the 2009 Regulations, substitute—

**“Proposals: general**

**6.—(1)** Subject to regulation 6A, a proposal in relation to a hereditament may only be made within the period of 4 months beginning with the date on which a check was completed<sup>(1)</sup> in relation to the hereditament.

(2) A proposal must be made by serving it on the VO—

- (a) using the VO’s electronic portal; or
- (b) in another manner agreed with the VO.

(3) The date a proposal is made is the date on which it is served on the VO.

(4) A proposal must include<sup>(2)</sup>—

- (a) the name, address and contact details of the proposer;
- (b) the grounds of the proposal including the particulars on which each of the grounds is based (“particulars of the grounds of the proposal”);
- (c) details of the proposed alteration of the list;
- (d) the date from which the proposer asserts the proposed alteration should have effect;
- (e) the date on which the proposal is served on the VO;
- (f) evidence to support the grounds of the proposal; and
- (g) a statement as to how the evidence supports the grounds of the proposal.

(5) A proposal in relation to a hereditament (“the hereditament”) made on the ground set out in regulation 4(1)(e) must also include—

- (a) the date of the decision made in relation to another hereditament (“the decision”);
- (b) the name of the tribunal or court which made the decision;
- (c) information to identify the other hereditament;
- (d) the reasons the proposer believes that the decision is relevant to the rateable value or other information shown in the list for the hereditament; and
- (e) the reasons the proposer believes that, by reason of the decision, the rateable value or other information shown in the list for the hereditament is inaccurate.

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<sup>(1)</sup> See regulation 4A for the date on which a check is completed.

<sup>(2)</sup> Regulation 8 (incomplete proposals) applies if a proposal does not include the matters specified in paragraph (4) and, if applicable, paragraphs (5) and (6).

- (6) If a proposal in relation to a hereditament is made on one or more of the grounds set out in regulation 4(1)(a) to (g) and (i) to (l) and the hereditament is occupied under a lease, easement or licence to occupy, the proposal must also include—
- (a) where the proposer is the occupier, the amount payable each year by the proposer, as at the date the proposal is made, in respect of the lease, easement or licence to occupy, the date at which that amount first became payable and details of any rent-free periods; or
  - (b) where the proposer is not the occupier, the amount payable each year to the proposer, as at the date the proposal is made, in respect of the lease, easement or licence to occupy, the date at which that amount first became payable and details of any rent-free periods.
- (7) A proposal may deal with more than one hereditament only—
- (a) if it is made on the ground set out in regulation 4(1)(k) or (l); or
  - (b) where the person making the proposal does so in the same capacity in relation to each hereditament and each hereditament is within the same building or the same curtilage.
- (8) A proposal made on the ground set out in regulation 4(1)(d) or (f) may include a request for either or both of the following—
- (a) the restoration of the list to its state before the alteration was made; and
  - (b) a further alteration of the list in respect of the hereditament.”.