
STATUTORY INSTRUMENTS

2023 No. 175

The Non-Domestic Rating (Designated Areas) Regulations 2023

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Designated Areas) Regulations 2023.

(2) These Regulations come into force on 1st April 2023 and extend to England and Wales.

Interpretation

2. In these Regulations—

“the 1988 Act” means the Local Government Finance Act 1988;

“baseline amount”, in relation to a billing authority, means the amount calculated under Part 3 of Schedule 2 in respect of a designated area for a specified year;

“billing authority” means a billing authority in England, part of whose area falls within a designated area;

“designated area” means an area designated under regulation 3(1);

“local list” means a local non-domestic rating list⁽¹⁾;

“non-domestic rating income”, in relation to a billing authority, means the amount calculated under Part 2 of Schedule 2 in respect of a designated area for a specified year;

“preceding year” means the chargeable financial year⁽²⁾ immediately preceding the specified year for which a calculation under Part 3 of Schedule 2 is made;

“revaluation year” means a year in which a local list must be compiled under section 41 of the 1988 Act;

“Schedule 7B” means Schedule 7B to the 1988 Act;

“small business non-domestic rating multiplier”, in relation to a chargeable financial year, means the small business non-domestic rating multiplier for that year determined under Part 1 of Schedule 7 to the 1988 Act⁽³⁾;

“specified year” means, in relation to a designated area, a chargeable financial year falling within the period of years specified in relation to that area in regulation 3(2).

Designation of areas

3.—(1) The areas listed in Schedule 1 are designated for the purposes of these Regulations.

(2) The designations take effect on 1st April 2023 for the period of 25 years beginning with that date.

⁽¹⁾ See section 41(1) of the 1988 Act for the meaning of “local non-domestic rating list”.

⁽²⁾ See section 145(1) of the 1988 Act for the meaning of “chargeable financial year”.

⁽³⁾ Relevant amendments were made to Schedule 7 by section 62 of the Local Government Act 2003 (c. 26).

Proportion of non-domestic rating income for a designated area to be disregarded

4.—(1) Part 1 of Schedule 2 provides rules for calculating the proportion of a billing authority's non-domestic rating income in respect of a designated area for a specified year.

(2) The proportion is to be disregarded for the purpose of calculations under—

(a) any of the following provisions of Schedule 7B—

- (i) paragraph 6 (payments to the Secretary of State in respect of the central share);
- (ii) paragraph 13 (calculations following local government finance report);
- (iii) paragraph 16 (calculations following amending report);
- (iv) paragraph 23 (calculation of levy payments)(4);
- (v) paragraph 26 (calculations of safety net payments)(5);
- (vi) paragraph 30 (distribution of remaining balance)(6);

(b) regulations made under any of the following provisions of Schedule 7B—

- (i) paragraph 7 (administrative arrangements for payments in respect of the central share);
- (ii) paragraph 9 (payments by billing authorities to major precepting authorities);
- (iii) paragraph 10 (administrative arrangements for payments by billing authorities to major precepting authorities);
- (iv) paragraph 28 (regulations about payments on account).

We consent to the making of these Regulations

20th February 2023

Scott Mann
Steve Double
Two of the Lords Commissioners of His
Majesty's Treasury

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

20th February 2023

Lee Rowley
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

(4) The calculation under paragraph 23 must be made in accordance with regulations made under paragraph 22.
(5) The calculation under paragraph 26 must be made in accordance with regulations made under paragraph 25.
(6) The calculation under paragraph 30 must be made in accordance with the basis of distribution specified in the regulations made under that paragraph.