SCOTTISH STATUTORY INSTRUMENTS

2002 No. 158

RATING AND VALUATION

The Electricity Lands and Generators (Rateable Values) (Scotland) Variation Order 2002

Made - - - -	*22nd March 2002*
Coming into force - -	*31st March 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 6, 35 and 37(1) of the Local Government (Scotland) Act 1975(**1**) and of all other powers enabling them in that behalf, and after consultation with such associations of local authorities, and of persons carrying on undertakings, as appeared to them to be concerned, and with such local authorities, persons, or associations of persons with whom consultation appeared to them to be desirable, all in accordance with section 6(4) of the said Act, hereby make the following Order, a draft of which has, in accordance with section 6(7) of the said Act, been laid before and has been approved by resolution of the Scottish Parliament:

Citation, commencement and date of effect

1. This Order may be cited as the Electricity Lands and Generators (Rateable Values) (Scotland) Variation Order 2002 and shall come into force on 31st March 2002 but shall have effect as from 1st April 2001(**2**).

Variation of Electricity Lands (Rateable Values) (Scotland) Order 2000

2. The Electricity Lands (Rateable Values) (Scotland) Order 2000(**3**) is varied in accordance with articles 3 to 16.

3. In article 2(1)–

(a) in the definition of "a Company"–

(**1**) 1975 c. 30; section 6(1) to (7) was substituted by the Local Government (Scotland) Act 1978 (c. 4), section 1, and section 6(1) was subsequently substituted by the Local Government Finance Act 1988 (c. 41), Schedule 12, paragraph 11 and amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 42. Section 6(1A) was repealed by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 14. Section 6(5A) and (8) was inserted by the Local Government etc (Scotland) Act 1994 (c. 39), sections 160 and 157; section 37(1) contains a definition of "prescribed" which is relevant to the exercise of the powers under which this Order is made and which was amended by the Local Government Finance Act 1992, Schedule 13, paragraph 43(c). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) In terms of section 6(6) of the 1975 Act, an Order under that section may provide that the Order shall have effect as from the beginning of the financial year in which it is made.

(**3**) S.S.I. 2000/88 as amended by S.S.I. 2000/284.

(i) the word "or" at the end of sub–paragraph (ii) and the word "and" at the end of sub–paragraph (iii) shall be omitted;

(ii) after sub-paragraph (a)(iii), there shall be inserted–

"(iv) Scottish Power Generation Limited; or

(v) SSE Generation Limited;"; and

(iii) for sub paragraph (b) there shall be substituted–

"(b) for the purposes of article 3(1)(b) and Part III of this Order means–

(i) Scottish Power UK plc;

(ii) Scottish and Southern Energy plc;

(iii) SP Distribution Limited;

(iv) Scottish Hydro-Electric Power Distribution Limited; or

(v) SP Power Systems Limited; and

(c) for the purposes of article 3(1)(c) and Part IV of this Order means–

(i) Scottish Power UK plc;

(ii) Scottish and Southern Energy plc;

(iii) SP Transmission Limited; or

(iv) Scottish Hydro-Electric Transmission Limited;"; and

(b) after the definition of "generating plant" there shall be inserted–

""predecessor company" for the purposes of articles 5(2), 8(2) and 11(2) means Scottish Power UK plc or Scottish and Southern Energy plc as the case may be;".

4. In article 4–

(a) for paragraph (a) there shall be substituted–

"(a) for the financial year 2001–02, is hereby prescribed as £71,987,000;"; and

(b) in paragraph (b) for "four" there shall be substituted "three".

5. In article 5–

(a) in paragraph (1) for sub–paragraphs (a) and (b) there shall be substituted–

"(a) £ 27,846,000 in respect of generation lands occupied by Scottish Power UK plc or, as the case may be, Scottish Power Generation Limited;

(b) £19,131,000 in respect of generation lands occupied by Scottish and Southern Energy plc or, as the case may be, SSE Generation Limited; and;"; and

(b) in paragraph (2)–

(i) for "four financial years following the financial year 2000–01" there shall be substituted "three financial years following the financial year 2001–02";

(ii) in the description of "A" for the purposes of the formula after "that Company" there shall be inserted "or its predecessor company"; and

(iii) in the description of "B" for the purposes of the formula after "that Company" there shall be inserted "or its predecessor company".

6. In article 6–

(a) for "2000–01 and the four" there shall be substituted "2001–02 and the three";

(b) in paragraph (a), after the words "Scottish Power UK plc" in each place they occur, there shall be inserted "or, as the case may be, Scottish Power Generation Limited"; and

(c) in paragraph (b), after the words "Scottish and Southern Energy plc" in each place they occur, there shall be inserted "or, as the case may be, SSE Generation Limited".

7. In article 7–

(a) for paragraph (a) there shall be substituted–

"(a) for the financial year 2001–02 is hereby prescribed as £73,173,120;"; and

(b) in paragraph (b) for "four" there shall be substituted "three".

8. In article 8–

(a) in paragraph (1) for sub-paragraphs (a) and (b) there shall be substituted–

"(a) £53,590,545 in respect of the distribution lands occupied by Scottish Power UK plc or, as the case may be, SP Distribution Limited or SP Power Systems Limited; and

(b) £19,582,575 in respect of Scottish and Southern Energy plc or, as the case may be, Scottish Hydro-Electric Power Distribution Limited."; and

(b) in paragraph (2)–

(i) for "four financial years following the financial year 2000–01" there shall be substituted "three financial years following the financial year 2001–02";

(ii) in the description "A" for the purposes of the formula after "that Company" there shall be inserted "or its predecessor company"; and

(iii) in the description "B" for the purposes of the formula after "that Company" there shall be inserted "or its predecessor company".

9. In article 9–

(a) for "2000–01 and the four" there shall be substituted "2001–02 and the three";

(b) in paragraph (a), after the words "Scottish Power UK plc" in each place they occur, there shall be inserted "or, as the case may be, SP Distribution Limited or SP Power Systems Limited"; and

(c) in paragraph (b), after the words "Scottish and Southern Energy plc" in each place they occur, there shall be inserted "or, as the case may be, Scottish Hydro-Electric Power Distribution Limited".

10. In article 10–

(a) for paragraph (a) there shall be substituted–

"(a) for the financial year 2001–02, is hereby prescribed as £33,942,360;"; and

(b) in paragraph (b) for "four" there shall be substituted "three".

11. In article 11–

(a) in paragraph (1), for sub-paragraphs (a) and (b) there shall be substituted–

"(a) £26,911,234 in respect of transmission lands occupied by Scottish Power UK plc or, as the case may be, SP Transmission Limited; and

(b) £7,031,126 in respect of transmission lands occupied by Scottish and Southern Energy Limited or, as the case may be, Scottish Hydro-Electric Transmission Limited."; and

(b) in paragraph (2)–

(i) for "four financial years following the financial year 2000–01" there shall be substituted "three financial years following the financial year 2001–02";