STATUTORY INSTRUMENTS

2017 No. 318

RATING AND VALUATION, ENGLAND

The Non-Domestic Rating (Designated Areas etc.) Regulations 2017

Made - - - -	*9th March 2017*
Laid before Parliament	*10th March 2017*
Coming into force - -	*1st April 2017*

The Secretary of State for Communities and Local Government makes these Regulations in exercise of the powers conferred by section 143(1) and paragraphs 8 and 39 of Schedule 7B to the Local Government Finance Act 1988(**1**).

These Regulations are made with the consent of the Treasury in accordance with paragraphs 8(3) and 39(13) of that Schedule.

Citation and commencement

1.—(1) These Regulations may be cited as the Non-Domestic Rating (Designated Areas etc.) Regulations 2017.

(2) These Regulations come into force on 1st April 2017.

Application

2. These Regulations apply in relation to England only.

Interpretation

3. 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 all or part of whose area falls within a designated area;

"designated area" means an area designated under regulation 4(1);

(**1**) 1988 c. 41. Schedule 7B was inserted into the Local Government Finance Act 1988 by section 1 of, and Schedule 1 to, the Local Government Finance Act 2012 (c. 17).

"local list" means a local non-domestic rating list(**2**);

"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;

"period of designation" has the meaning given in regulation 4(2);

"preceding year" means the chargeable financial year(**3**) 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(**4**); and

"specified year" means a chargeable financial year falling within the period of designation.

Designation of areas

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

(2) The designation of those areas takes effect on 1st April 2017 and has effect for the period of 25 years beginning on that date ("period of designation").

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

5.—(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 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 (calculations of levy payments)(**5**);

(v) paragraph 26 (calculations of safety net payments)(**6**);

(vi) paragraph 30 (calculations relating to distribution of remaining balance)(**7**); or

(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 (calculations of payments on account).

(**2**) See section 41(1) of the 1988 Act for the meaning of "local non-domestic rating list".
(**3**) See section 145(1) of the 1988 Act for the meaning of "chargeable financial year".
(**4**) Relevant amendments were made to Schedule 7 by section 62 of the Local Government Act 2003 (c. 26).
(**5**) The calculation under paragraph 23 must be made in accordance with regulations under paragraph 22.
(**6**) The calculation under paragraph 26 must be made in accordance with regulations under paragraph 25.
(**7**) The calculation under paragraph 30 must be made in accordance with the basis of distribution specified in the regulations under that paragraph.

Amendment of Non-Domestic Rating (Rates Retention) Regulations 2013

6.—(1) The Non-Domestic Rating (Rates Retention) Regulations 2013(**8**) are amended as follows.

(2) In paragraph 1(1) of Schedule 2 (qualifying relief for deduction from central share), in the definition of "red area" for "178" substitute "247".

Amendment of Non-Domestic Rating (Designated Areas) Regulations 2013

7.—(1) The Non-Domestic Rating (Designated Areas) Regulations 2013(**9**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) at the appropriate place insert—

""Birmingham City Centre Designated Area" means the area designated in Schedule 1 by reference to the areas bounded externally by the outer edge of the blue line shown on maps 1 to 26;

"period of designation" means—

(a) for the Birmingham City Centre Designated Area, the period of 33 years specified in regulation 4(2);

(b) for any other designated area, the period of 25 years specified in regulation 4(1);";

(b) in the definition of "specified year" for "specified in regulation 4" substitute "of designation".

(3) In regulation 4 (period of designation)—

(a) the existing provision is renumbered as paragraph (1);

(b) in paragraph (1) as renumbered, before "remain" insert ", subject to paragraph (2),";

(c) after paragraph (1) as renumbered insert—

"(2) The designation of the Birmingham City Centre Designated Area has effect for the period of 33 years which comprises—

(a) the period of 25 years specified in paragraph (1); and

(b) a further period of 8 years beginning immediately after the end of the period specified in paragraph (1).".

Amendment of Non-Domestic Rating (Designated Areas etc) Regulations 2016

8.—(1) The Non-Domestic Rating (Designated Areas etc) Regulations 2016(**10**) are amended as follows.

(2) In regulation 3 (interpretation)—

(a) at the appropriate place insert—

""Birmingham City Centre Curzon Extension Designated Area" means the area designated in Schedule 1 by reference to the areas bounded externally by the outer edge of the blue line shown on maps 87 to 102;";

(b) for the definition of "period of designation" substitute—

""period of designation" means—

(**8**) S.I. 2013/452. Amended by S.I. 2014/96, 2015/628 and 2016/317.
(**9**) S.I. 2013/107.
(**10**) S.I. 2016/317.

(a) for the Birmingham City Centre Curzon Extension Designated Area, the period of 30 years specified in regulation 4(3);

(b) for any other designated area, the period of 25 years specified in regulation 4(2);".

(3) In paragraph (2) of regulation 4 (designation of areas)—

(a) before "has effect" insert "subject to paragraph (3)"; and

(b) omit the words in brackets.

(4) After paragraph (2) of regulation 4 insert—

"(3) The designation of the Birmingham City Centre Curzon Extension Designated Area has effect for the period of 30 years which comprises—

(a) the period of 25 years specified in paragraph (2); and

(b) a further period of 5 years beginning immediately after the end of the period specified in paragraph (2).".

We consent

Robert Syms
Andrew Griffiths
Two of the Lords Commissioners of Her
8th March 2017 Majesty's Treasury
Gavin Barwell
Minister of State
Department for Communities and Local
9th March 2017 Government

SCHEDULE 1

Regulation 4

Local retention of non-domestic rates: designation of areas

1. Each of the areas listed in column 2 of the table in this Schedule is designated by reference to the area or areas bounded externally by the outer edge of the blue line shown on the map specified in column 1 of the table.

2. A reference in this Schedule to a map is to one of the maps numbered 1 to 74 and entitled "Maps referred to in Schedule 1 to the Non-Domestic Rating (Designated Areas etc.) Regulations 2017", of which prints, signed by a member of the Senior Civil Service in the Department for Communities and Local Government, are deposited and available for inspection at the offices of the Secretary of State for Communities and Local Government and, in relation to each map, at the offices of the billing authority to which the map relates.

3. For the purposes of determining a designated area, where part only of a hereditament is situated within an area shown on a map, the whole of the hereditament is taken to be included within that designated area.

Numbered map *(Column 1)*	*Designated area* *(Column 2)*	*Billing authority* *(Column 3)*	*Value of J (£)* *(see paragraph 4(2) of Schedule 2)* *(Column 4)*
1	Marine Hub Cornwall – Hayle North Quay	Cornwall Council	73,887
2	Marine Hub Cornwall – Tolvaddon	Cornwall Council	0
3	Marine Hub Cornwall – Falmouth Docks	Cornwall Council	11,855
4	Dorset Innovation Park	Purbeck District Council	263,396
5	Basing View	Basingstoke and Deane Borough Council	2,131,596
6	EM3 Enterprise Zone – Louisburg	East Hampshire District Council	0
7	EM3 Enterprise Zone – Longcross Park	Runnymede Borough Council	602,682
8	Heart of the South West – Exeter Science Park	East Devon District Council	237,466
9	Heart of the South West – Sky Park, Exeter	East Devon District Council	401,476
10	Heart of the South West – Exeter Airport Business Park Expansion Area	East Devon District Council	0