SCOTTISH STATUTORY INSTRUMENTS

2000 No. 85

RATING AND VALUATION

The BG Transco plc (Rateable Values) (Scotland) Order 2000

Made - - - -	*20th March 2000*
Coming into force - -	*1st April 2000*

The Scottish Ministers, in exercise of the powers conferred upon them 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 been laid before and has been approved by resolution of the Scottish Parliament:

Citation and commencement

1. This Order may be cited as the BG Transco plc (Rateable Values) (Scotland) Order 2000 and shall come into force on 1st April 2000.

Interpretation

2.—(1) In this Order–

"the 1975 Act" means the Local Government (Scotland) Act 1975;

"the Company" means BG Transco plc;

"financial year" means the period of twelve months beginning with 1st April;

"gas" means any substance which is, or if it were in a gaseous state would be, gas within the meaning of Part I of the Gas Act 1986(**2**);

"prescribed class of lands and heritages" means the class of lands and heritages prescribed for the purposes of section 6(1) of the 1975 Act in article 3 of this Order; and

(**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paragraph 11 and amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 42; section 6(1A) was repealed by the Local Government etc.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, 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**) 1986 c. 44.

"services" means the pipe and other apparatus installed for each consumer between the distribution mains and the consumer's gas meter.

(2) Any reference in this Order to–

(a) lands and heritages occupied by the Company includes a reference to lands and heritages which, if unoccupied, are owned by the Company; and

(b) lands and heritages used for any purpose includes a reference to lands and heritages which are unused but in relation to which it appears that, when next in use, they will be used for such a purpose.

Prescribed class of lands and heritages

3. The following class of lands and heritages is hereby prescribed for the purposes of section 6(1) of the 1975 Act, namely any lands and heritages in Scotland occupied by the Company and used for any of the purposes of production, treatment, transmission, distribution or storage of gas, including plant and equipment installed therein or thereon and, without prejudice to the foregoing generality, gas terminals, gas research stations, pressure reduction stations, governor stations, holder stations, mains, services and radio stations, insofar as any of them is used for any of the foregoing purposes.

Aggregate amount of rateable values for financial years 2000-01 to 2004-05

4. For the purposes of section 6(1) of the 1975 Act the aggregate amount of the rateable values of the prescribed class of lands and heritages for each of the financial years 2000-01 to 2004-05 is hereby prescribed as £59,194,405.

Apportionment of aggregate amount of rateable values

5. For the purposes of section 6(2) of the 1975 Act, the aggregate amount of the rateable values of the prescribed class of lands and heritages for each of the financial years 2000-01 to 2004-05 prescribed by article 4 above shall be apportioned among the local authorities specified in column 1 of the Schedule to this Order in the amount shown opposite the name of each such local authority in column 2 of that Schedule.

Amendment of enactments

6. The following amendments shall be made to the enactments specified in articles 7 and 8 below in their relation to the valuation of the prescribed class of lands and heritages for each of the financial years 2000-01 to 2004-05.

7. In section 6(1) of the Valuation and Rating (Scotland) Act 1956(**3**), after the words "this Act", there shall be inserted the words "and to any Order made by the Scottish Ministers under section 6 of the Local Government (Scotland) Act 1975".

8.—(1) Section 2(1)(c) of the 1975 Act(**4**) shall be amended by inserting at the end of the following:–

"(iii) upon their ceasing to be lands and heritages within the class of lands and heritages prescribed in the BG Transco plc (Rateable Values) (Scotland) Order 2000 (hereinafter in this Act referred to as "the 2000 Order");".

(2) Section 2(1)(d) of that Act shall be amended by inserting after the words "lands and heritages" the following words:–

(**3**) 1956 c. 60: section 6(1) was amended by the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47), Schedule 6 and the Local Government and Housing Act 1989 (c. 42), Schedule 6, paragraph 3.
(**4**) Section 2(1)(c)(i) was repealed by the Local Government and Rating Act 1997 (c. 29), Schedule 4.