

2011 No. 2743

RATING AND VALUATION, ENGLAND

**The Central Rating List (England) (Amendment) Regulations
2011**

Made - - - - *15th November 2011*

Laid before Parliament *22nd November 2011*

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by sections 53(1), (2) and (4), 64(3), 65(4), and 143(1) and (2) of the Local Government Finance Act 1988(a), makes the following Regulations:

Application, citation and commencement

1. These Regulations, which apply in relation to England only, may be cited as the Central Rating List (England) (Amendment) Regulations 2011 and shall come into force—

- (a) for all purposes other than those of sub-paragraphs (a), (b) and (c) of regulation 2(3), on 22nd December 2011,
- (b) for the purposes of sub-paragraph (a) of regulation 2(3), with effect from 1st April 2011, and
- (c) for the purposes of sub-paragraphs (b) and (c) of regulation 2(3), with effect from 1st August 2011.

Amendment of the Central Rating List (England) Regulations 2005

2.—(1) The Central Rating List (England) Regulations 2005(b) are amended as follows.

(2) In Part 3 of the Schedule (Communication Hereditaments), in the column headed “Designated person”, below the words “The company bearing the name T.M.I Telemedia International Limited on 1st September 2010” insert—

“The company bearing the name The JNT Association on 1st September 2011

The company bearing the name London Internet Exchange Limited on 1st September 2011”.

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- (a) 1988 c.41. Section 53 was amended by paragraph 29 of Schedule 5 to the Local Government and Housing Act 1989 (c.42). These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the reference to the Local Government Finance Act 1988 in Schedule 1. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.
 - (b) S.I. 2005/551, amended by S.I. 2008/429, S.I. 2010/456 and S.I. 2010/2692. There are other amending instruments but none is relevant.

(3) In Part 12 of the Schedule (long-distance pipe-line hereditaments), in the column headed “Designated person”—

- (a) for the words “with effect from 16th June 2006, the company bearing the name Ineos Manufacturing Scotland Limited on that date” substitute “with effect from 1st April 2011, the company bearing the name Ineos Chemicals Grangemouth Limited on that date”;
- (b) below “E.ON UK Gas Limited”, insert “with effect from 1st August 2011, the company bearing the name Essar Oil (UK) Limited on that date”; and
- (c) delete the words “Shell UK Limited”.

Signed by authority of the Secretary of State for Communities and Local Government

Bob Neill

Parliamentary Under Secretary of State

Department for Communities and Local Government

15th November 2011

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Central Rating List (England) Regulations 2005 (“the Central Rating List Regulations”).

Under sections 53, 64(3) and 65(4) of the Local Government Finance Act 1988 (“the Act”), the 2005 Regulations prescribe the hereditaments which are to be listed on central non-domestic rating lists for England compiled on or after 1st April 2005 and designate the persons who will be considered to be occupying or, if the hereditament is unoccupied, owning those hereditaments for the purposes of rating (“designated persons”). The Schedule to the Central Rating List Regulations lists all designated persons and sets out the description of hereditament prescribed in relation to each of them.

Regulation 2(2) of these Regulations amends Part 3 of the Schedule (Communications hereditaments) by adding, with effect from the date these Regulations come into force, two companies (“the companies concerned”) to the list of designated persons in relation to which the hereditaments described in regulation 8(2) of the Central Rating List Regulations are prescribed.

Regulation 2(3) makes amendments concerned with designated persons in Part 12 (long distance pipe-line hereditaments) of the Schedule to the Central List Regulations to reflect changes in occupation of certain long distance pipe-line hereditaments.

Section 53(4) of the Act provides that amending regulations altering the designated person in relation to a description of hereditament may have effect from a date earlier than that on which the amending regulations are made. Pursuant to that power, the two companies added to the list by regulation 2(3) are added with effect from the dates on which ownership of the relevant pipelines transferred to those companies.

A full impact assessment had not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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