

EXECUTIVE NOTE

The Town and Country Planning (Limit of Annual Value) (Scotland) Order 2005 (S.S.I 2005 / 594)

The above order is to be made in exercise of powers conferred on the Scottish Ministers by Sections 100 (3)(a) and 275(8) of the Town and Country Planning (Scotland) Act 1997. The instrument is subject to a negative resolution procedure.

Policy Objectives

The purpose of this Order is to update the 'limit of annual value' following the review of the value of properties by the Scottish Assessors' Association and to revoke the Town and Country Planning (Limit of Annual Value) (Scotland) Order 2001. Under the Town and Country Planning (Scotland) Act 1997 owner occupiers of land 'blighted' by a planning authority can, in certain circumstances, require the appropriate authority to acquire their property. This is subject to a provision, in the case of a non-resident owner-occupier, that the annual value of the non-domestic property does not exceed the prescribed limit which is raised from £24725 to £28000. The increase of around 13% is in line with the re-valuation of non domestic properties in 2005.

Consultation

The following organizations have been consulted during the preparation of the Order

Valuation Office Agency
Scottish Assessors' Association

Financial Effects

The Order will increase the limit of annual value by £3275. This increase is likely to have limited financial effects on acquiring authorities, e.g. local authorities and the Scottish Executive. It may however bring a number of small businesses within the threshold thus enabling them to serve a Blight Notice which will be welcomed by small businesses affected by public sector proposals or works. No Regulatory Impact Assessment has been prepared as the final implications are likely to be negligible.

Scottish Executive Development Department
November 2005