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## SCHEDULES

### SCHEDULE 6

Section 33.

### GAS BOARDS.

#### PART I

##### *Calculation of rateable value of notional hereditament*

- 1 The provisions of this Part of this Schedule shall have effect for the purpose of calculating for any rate period the rateable value of the hereditament which, by virtue of section 33(3) of this Act, a Gas Board are to be treated as occupying in any rating area.
- 2 (1) Subject to sub-paragraph (2) of this paragraph, for the purposes of this Part of this Schedule the basic total of rateable values of each respectively of the Gas Boards set out in the following Table shall be taken to be the amount so set out in relation to that Board.

TABLE

<i>Gas Board</i>	<i>Basic total of rateable values</i>
	£
Northern .	522,892
North-Western	1,589,871
North-Eastern	657,498
East Midlands	1,234,176
West Midlands	1,341,188
Wales	288,915
Eastern	504,574
North Thames	1,158,164
South Eastern	1,355,082
Southern	511,517
South Western	476,683

- (2) If it appears to the Minister that by reason of any substantial change of circumstances it is expedient so to do, he may, by order made after consultation with the Gas Council and with such associations of local authorities as appear to him to be concerned, and with any local authority with whom consultation appears to him to be desirable, vary for all Gas Boards the amounts to be taken as their respective basic totals of

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rateable values for the purposes of this Part of this Schedule ; but an order under this sub-paragraph shall not have effect until approved by a resolution of each House of Parliament.

- 3 For the purposes of this Part of this Schedule, the standard number of therms of a Gas Board shall be taken to be the number certified by the Board to be, in their estimation, the total number of therms in the gas supplied by them in the year 1957-58 to consumers in their area less one-half the number of therms in any gas purchased by the Board in that year.
- 4 (1) For each year each Gas Board shall—
- (a) estimate the number representing the total number of therms supplied by the Board or the Gas Council in the penultimate year to consumers in the Board's area less one-half the number of therms in any gas purchased by the Board in the penultimate year otherwise than from the Gas Council; and
  - (b) calculate and certify the amount by which that estimated number exceeds, or falls short of, the Board's standard number of therms ;
- and the Board's basic total of rateable values shall be adjusted for that year by multiplying it by the fraction of which the numerator is the Board's standard number of therms increased by one-fifth of the said excess or, as the case may be, decreased by one-fifth of the said deficiency, and the denominator is the Board's standard number of therms.
- (2) For the purposes of the foregoing sub-paragraph, gas purchased by the Gas Council from any person other than a Gas Board shall be treated as having been purchased by the Gas Boards in the respective quantities settled by a scheme or schemes made from time to time by the Gas Council and approved by the Minister of Power.
- 5 (1) Subject to sub-paragraph (4) of this paragraph and to section 33(5) of this Act, a Gas Board's basic total of rateable values, as adjusted for any year under paragraph 4 of this Schedule, shall be apportioned in accordance with sub-paragraph (2) of this paragraph for that year among all the rating areas in which in the penultimate year any therms were supplied to consumers, or were manufactured, or were produced by such an application of such a process as is mentioned in section 33(3)(6) of this Act, either by the Board or, in the Board's area, by the Gas Council.
- (2) The proportion of the adjusted total aforesaid to be allocated under sub-paragraph (1) of this paragraph to any one rating area shall be ascertained by multiplying that adjusted total by the fraction of which—
- (a) the numerator is the number of therms supplied to consumers in that rating area by the Board or, in the Board's area, by the Gas Council in the penultimate year, as estimated and certified by the Board, plus nine-tenths of the number of therms, if any, manufactured, or produced by such an application of such a process as aforesaid, in that rating area by the Board or, in the Board's area, by the Gas Council in the penultimate year, as so estimated and certified ; and
  - (b) the denominator is the total number of therms supplied to consumers in the Board's area by the Board or the Gas Council in the penultimate year, as so estimated and certified, plus nine-tenths of the total number of therms manufactured, or produced by such an application of such a process as aforesaid, in the Board's area by the Board or the Gas Council in the penultimate year, as so estimated and certified.

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- (3) For the purposes of sub-paragraph (2) of this paragraph, the number of therms produced by such an application of such a process as aforesaid shall be taken to be half the actual number thereof.
- (4) Subject to paragraph 14 of this Schedule, the Minister may by order provide that the adjusted total aforesaid shall, in the case of all Gas Boards or any Gas Board specified by the order, instead of being apportioned and allocated as provided by the foregoing provisions of this paragraph, be apportioned and allocated as provided by the order.
- 6 The amount which, in accordance with paragraph 5 of this Schedule, is allocated for any year to a rating area in the case of any Gas Board shall be the rateable value of the hereditament which, by virtue of section 33(3) of this Act, that Board are to be treated as occupying in that area for any rate period consisting of or forming part of that year.

## PART II

### *Supplementary provisions*

- 7 As respects each rating area in which a Gas Board will fall to be treated as occupying, during any rate period, a hereditament of a rateable value calculated in accordance with Part I of this Schedule, it shall be the duty of the Board, before the end of the month of October preceding the beginning of that period, to transmit to the rating authority and to the valuation officer a statement setting out particulars of all the matters estimated, calculated and certified for the purpose of computing the rateable value of that hereditament.
- 8 On receipt of a statement under paragraph 7 of this Schedule, the valuation officer shall calculate the rateable value of the hereditament which the Gas Board are to be treated as occupying during the rate period in question, and shall notify the amount of that rateable value to the rating authority before the end of the month of December preceding the beginning of that rate period.
- 9 The duty imposed on a Gas Board by paragraph 7 of this Schedule shall be enforceable by mandamus at the instance of the rating authority or of the valuation officer; and the duty imposed on the valuation officer by paragraph 8 of this Schedule shall be enforceable by mandamus at the instance of the rating authority.
- 10 Where the valuation officer notifies the amount of a rateable value to the rating authority in respect of a Gas Board in accordance with paragraph 8 of this Schedule—
- (a) the rating authority, in making and levying any rate for a rate period to which the notification relates, shall include the Gas Board as the occupier of a hereditament of that rateable value ; and
  - (b) the valuation officer, at or as soon as may be after the beginning of the year consisting of or comprising any such rate period, shall cause such alterations (if any) to be made in the valuation list as may be requisite for showing the Gas Board in the list as the occupier of a hereditament of that rateable value ; and if any such alteration is made after the beginning of the year, it shall be treated as having been made at the beginning of the year:

Provided that, if the year referred to in sub-paragraph (b) of this paragraph is a year beginning with the date on which a new valuation list comes into force, that sub-

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paragraph shall not apply, but the valuation officer shall include the Gas Board in the list as the occupier of a hereditament of the said rateable value.

- 11 (1) The provisions of this paragraph shall have effect, in the case of a Gas Board, where gas is manufactured by the Board, or in the Board's area by the Gas Council, in a gasworks which is situated partly in one rating area and partly in one or more other rating areas.
- (2) For the purposes of section 33 of this Act, the Gas Board or Gas Council shall be treated as manufacturing gas in each of the rating areas in which a part of the gasworks is situated, notwithstanding that no gas is actually manufactured in one or more of those areas.
- (3) For the purposes of paragraph 5 of this Schedule, the gas manufactured in the gasworks in any year shall be treated as apportioned between all the rating areas in which parts of the gasworks are situated, in such proportions as may be agreed between the rating authorities of those areas and the Gas Board:

Provided that if any apportionment required by this sub-paragraph for the purpose of apportioning the Board's adjusted total of rateable values for any year has not been agreed between the rating authorities and the Board before the end of the month of September preceding the beginning of that year, the apportionment required by this sub-paragraph shall be made by the Minister and notified by him to the rating authorities and to the Board as soon as may be after the end of that month.

- (4) In this paragraph—
- (a) the expression " gasworks " means any group of premises within one curtilage which is occupied by a Gas Board or the Gas Council for the purposes of the manufacture of gas ; and a group of premises shall not be treated as being otherwise than within one curtilage by reason only that it is traversed by a public highway ;
- (b) any reference to the manufacture of gas shall be construed as including a reference to the production of gas by such an application of such a process as is mentioned in section 33(3)(b) of this Act.
- 12 The powers conferred on the Minister of Power by sections 6(6) and 24(3) of the Gas Act 1948 (which authorise that Minister. in an order varying the area of a Gas Board, or transferring property between Gas Boards, to provide for certain matters arising out of the variation or transfer) shall include power, by an order made thereunder, to modify in the case of any Gas Board affected by the order—
- (a) the application of Part I of this Schedule ; and
- (b) the foregoing provisions of this Part of this Schedule.
- 13 For the purposes of section 33(2)(f) of this Act, paragraph 8 of Schedule 5 to this Act shall have effect as if in that paragraph—
- (a) for any reference to section 32(2)(b) of this Act there were substituted a reference to the said section 33(2)(f) ; and
- (b) for any reference to the Minister of Transport there were substituted a reference to the Minister of Power.
- 14 Before making any order under section 33(5) or (6) of this Act or under paragraph 5(4) of this Schedule, the Minister shall consult with the Gas Council, with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable; and any such order—

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- (a) may contain such incidental, supplemental and consequential provisions, including any provisions altering any enactment or instrument, as the Minister considers expedient for the purposes of the order ; and
- (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.