
STATUTORY INSTRUMENTS

1985 No. 197 (S.16)

RATING AND VALUATION

**The Water Undertakings (Rateable Values) (Scotland)
Order 1985**

Laid before Parliament in draft

Made - - - 13th February 1985

Coming into Operation 14th February 1985

In exercise of the powers conferred on me by sections 6 and 35 of the Local Government (Scotland) Act 1975(a) and of all other powers enabling me in that behalf, and after consultation with such associations of local authorities, and of persons carrying on undertakings, as appeared to me to be concerned and with such local authority, person or association of persons with whom consultation appeared to me to be desirable, I hereby make the following order, a draft of which has been laid before and has been approved by resolution of each House of Parliament:—

Citation and commencement

1. This order may be cited as the Water Undertakings (Rateable Values) (Scotland) Order 1985 and shall come into operation on the date after the day on which it is made.

Interpretation

2.—(1) In this order, unless the context otherwise requires —

“the Act of 1975” means the Local Government (Scotland) Act 1975;

“the Assessor” means the Assessor of Public Undertakings (Scotland);

“district” means the area of a district council;

“headworks” means impounding reservoirs, river intakes, boreholes and any other headworks, wherever situated, and any land or works occupied or used in connection therewith;

“local authority” means a regional, islands or district council;

(a) 1975 c.30; section 6 was substituted by the Local Government (Scotland) Act 1978 (c.4), section 1.

“relevant year” means the year in respect of which the rateable value of lands and heritages occupied by a water undertaking is determined in accordance with this order;

“transmission works” means all mains, wherever situated, carrying water from one headworks to another or from headworks to treatment works and all mains within an undertaking’s limits of supply carrying water supplied in bulk to headworks or treatment works or carrying untreated water to be supplied in bulk to another undertaking, and any lands or works occupied or used in connection therewith;

“treatment works” means works for the treatment of water to make it potable together with the first reservoir or tank storing treated water on its discharge from being treated (unless the water must be pumped to reach such reservoir or tank), and any pipe carrying treated water to such a reservoir or tank, and any land or works occupied or used in connection therewith;

“the Valuation Acts” means the Lands Valuation (Scotland) Act 1854(a), the Acts amending that Act and any other Act relating to valuation;

and other words and expressions have the same meaning as in the Valuation Acts or the Water (Scotland) Act 1980(b).

(2) Any reference in this order to a numbered article shall be construed as a reference to the article bearing that number in this order.

Determination of rateable values

3.—(1) The aggregate amount of the rateable values of the lands and heritages occupied for the purposes of a water undertaking and to which paragraph 1 of Schedule 1 to the Act of 1975(c) applies shall —

- (a) for the year 1985–86 be £30 multiplied by the adjusted volume of supply of the undertaking in the year 1983–84; and
- (b) for the year 1986–87 and subsequent years be the aggregate amount of the rateable values of the said lands and heritages for the year immediately preceding the relevant year adjusted in accordance with the following formula, namely:—

$$£X \times \left(1 + \left(\frac{y-z}{2z}\right)\right)$$

£X being the aggregate amount of the rateable values for the year immediately preceding the relevant year;

y being the adjusted volume of supply in the year 2 years prior to the relevant year;

z being the adjusted volume of supply in the year 3 years prior to the relevant year.

(a) 1854 c.91.

(b) 1980 c.45.

(c) Paragraphs 1 to 4 of Schedule 1 were substituted by the Local Government (Scotland) Act 1978, section 2.

(2) For the purposes of this article and of article 4 —

(a) in the case of lands and heritages occupied by a water authority, the adjusted volume of supply in any year shall be calculated according to the following formula, namely:—

$$a + \frac{1}{3} b + \frac{2}{3} c + \frac{1}{2} d + \frac{1}{6} e + \frac{1}{3} f + \frac{5}{6} g$$

a being the number of megalitres of potable water produced by the authority and supplied for use;

b being the number of megalitres of potable water produced by the authority and supplied in bulk to another authority;

c being the number of megalitres of potable water received by the authority in bulk;

d being the number of megalitres of non-potable water produced by the authority and supplied for use;

e being the number of megalitres of non-potable water produced by the authority and supplied in bulk to another authority;

f being the number of megalitres of non-potable water received by the authority in bulk and supplied, as non-potable water, for use; and

g being the number of megalitres of non-potable water received by the authority in bulk for treatment and supply, as potable water, for use;

all as certified by the authority;

(b) in the case of lands and heritages occupied by a water development board, the adjusted volume of supply in any year shall be calculated according to the following formula, namely:—

$$\frac{1}{3} j + \frac{1}{6} k$$

j being the number of megalitres of potable water produced by the board and supplied in bulk to water authorities; and

k being the number of megalitres of non-potable water produced by the board and supplied in bulk to water authorities;

both figures being as certified by the board;

(c) references to the supply of water in bulk are references to a supply taken by a water authority for augmenting or constituting the supply to be given by the authority.

Apportionment of rateable value

4. Where lands and heritages, the aggregate amount of the rateable values of which are determined in accordance with article 3, extend to more than one district —

- (a) in the case of lands and heritages occupied by a water authority, that aggregate amount shall be apportioned among districts in accordance with the following formulae, namely:—

$$H \times \frac{p}{P} + T_n \times \frac{q}{Q} + T_t \times \frac{r}{R} + D \times \frac{s}{S}$$

H, T_n, T_t and D being derived in accordance with the following formulae, namely:—

$$H = C \times \frac{2}{15} \times (a+b+d+e)$$

$$T_n = C \times \left(\frac{1}{15} \times (a+b+d) + \frac{1}{30} \times (e+f+g) \right)$$

$$T_t = C \times \frac{2}{15} \times (a+b+g)$$

$$D = C \times \left(\frac{2}{3} \times (a+c+g) + \frac{3}{10} \times (d+f) \right)$$

C being the aggregate amount of the rateable values determined in accordance with article 3 for the relevant year divided by the adjusted volume of supply in the year 2 years prior to the relevant year;

a, b, c, d, e, f and g all being, for the purposes of this article, as defined in article 3(2), but in respect of the year 2 years prior to the relevant year;

p being the aggregate output, net of compensation water, of all the headworks of the authority in a district in the year 2 years prior to the relevant year; provided that where a reservoir, or other headworks, extends to more than one district its output shall be apportioned among the districts to which it extends in proportion to the extent of its area at top water level in each district;

P being the aggregate output, net of compensation water, of all the headworks of the authority in the year 2 years prior to the relevant year;

q being the aggregate of the volume of water transmitted through each of the transmission works of the authority in a district in the year 2 years prior to the relevant year multiplied by the length of the transmission works through which it is transmitted;

Q being the aggregate of the volume of water transmitted through each of the transmission works of the authority in the year 2 years prior to the relevant year multiplied by the length of the transmission works through which it is transmitted;

r being the aggregate volume of treated water discharged from treatment works of the authority in a district in the year 2 years prior to the relevant year;

R being the aggregate volume of treated water discharged from treatment works of the authority in the year 2 years prior to the relevant year;

s being the aggregate income of the authority from domestic water rate and water charges in respect of supplies of water provided by it in any district in the year 2 years prior to the relevant year;

S being the aggregate income of the authority from domestic water rate and water charges in respect of supplies of water provided by it in the year 2 years prior to the relevant year;

all figures, except as otherwise specified, being taken as certified by the authority;

- (b) in the case of lands and heritages occupied by a water development board, that aggregate amount shall be apportioned among districts in accordance with the following formulae, namely:—

$$Hb \times \frac{p}{P} + Tnb \times \frac{v}{V} + Ttb \times \frac{r}{R}$$

Hb, Tnb and Ttb being derived in accordance with the following formulae, namely:—

$$Hb = C \times \frac{2}{15} \times (j+k)$$

$$Tnb = C \times \left(\frac{j}{15} + \frac{k}{30} \right)$$

$$Ttb = C \times \frac{2j}{15}$$

C, p, P, r and R all being as defined in sub-paragraph (a), above with references to “the authority” construed as references to “the board”; j and k each being, for the purposes of this article, as defined in article 3(2), but in respect of the year 2 years prior to the relevant year;

v being the aggregate volume of water transmitted through each of the transmission works or other mains of the board in a district in the year 2 years prior to the relevant year multiplied by the length of the transmission works or other mains through which it is transmitted;

V being the aggregate volume of water transmitted through each of the transmission works or other mains of the board in the year 2 years prior to the relevant year multiplied by the length of the transmission works or other mains through which it is transmitted;

all figures, except as otherwise specified, being taken as certified by the board.

Supplementary provisions

5. The Assessor shall —

- (a) determine and apportion, in accordance with articles 3 and 4, the aggregate amounts of the rateable values for any relevant year;
- (b) transmit to each local authority, within 14 days of the coming into operation of this order, a copy of so much of any proposed direction to a local assessor to enter lands and heritages in the valuation roll as relates to the valuation for the year 1985–86 of lands and heritages in its area to which this order relates;
- (c) transmit to each water authority or water development board within 14 days of the coming into operation of this order, a copy of so much of any

proposed direction to a local assessor to enter lands and heritages in the valuation roll as relates to the valuation for the year 1985–86 of lands and heritages of the authority or board to which this order relates.

6.—(1) A local authority may within 28 days of the coming into operation of this order make representations to the Assessor about the rateable value apportioned to its area for the year 1985–86.

(2) A water authority or water development board may within 28 days of the coming into operation of this order make representations to the Assessor about the rateable value apportioned to any rating area in which lands and heritages of that authority or board are situated for the year 1985–86.

Amendment of enactments

7.—(1) (a) The exercise of the duties laid on the Assessor by article 5(a) shall be deemed to be a valuation of lands and heritages under subsection (1) of section 5 of the Act of 1975;

(b) subsection (4) of the said section 5 shall not apply and the effective date of an entry in the valuation roll, made in pursuance of a direction under subsection (2) of the said section, of a rateable value apportioned under article 4 shall be the 1st April of the relevant year.

(2) Section 24 of the Lands Valuation (Scotland) Act 1854 shall apply in relation to valuations for the year 1985–86 as if the requirement for the Assessor to copy to a water authority or water development board so much of any direction to a local assessor as concerns the lands and heritages of that authority or board were deleted.

Repeals

8. Section 16 of and Schedule 2 to the Local Government (Scotland) Act 1966(a) are hereby repealed in respect of any year subsequent to 1984–85.

Revocations

9. The Valuation (Water Undertakings) (Scotland) (No. 1) Order 1967(b), the Valuation (Water Undertakings) (Scotland) (No. 2) Order 1967(c) and the Valuation (Water Undertakings) (Scotland) (Adjustment) Order 1978(d) are hereby revoked, in respect of any year subsequent to 1984–85.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
13th February 1985.

(a) 1966 c.51.

(d) S.I. 1978/1178.

(b) S.I. 1967/601.

(c) S.I. 1967/517.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order prescribes the method by which the aggregate rateable values, for 1985–86 and subsequent years, of the lands and heritages comprising the operational undertakings of a water authority (regional or islands council) or a water development board are to be determined and apportioned (Articles 3 and 4). In consequence this order repeals or revokes the previous primary enactment or orders governing valuation of water undertakings (Articles 8 and 9).

SI 1985/197
ISBN 0-11-056197-X



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