

Business Rate Supplements Bill

COMMONS DISAGREEMENTS, REASONS AND AMENDMENT IN LIEU

[The page and line references are to HL Bill 30, the bill as first printed for the Lords.]

Clause 1

LORDS AMENDMENT NO. 1

- 1 Page 1, line 3, at beginning insert “Subject to the provision of section 4,”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

Clause 4

- 2 Page 3, line 21, leave out paragraph (c) and insert –
“(c) a ballot on the imposition of the BRS has been held and the
imposition of the BRS approved,”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

Clause 7

- 3 Page 4, line 32, leave out from “BRS” to end of line 42

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

Clause 8

- 4** Page 5, line 10, leave out from beginning to second “the”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

Clause 10

- 5** Page 6, line 12, leave out from beginning to second “a” in line 13

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

- 6** Page 6, line 46, leave out from “BRS” to end of line 13 on page 7 and insert “in a case within subsection (2)”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

Clause 29

LORDS AMENDMENT NO. 11

- 11** Page 19, line 2, at end insert –

“() A statutory instrument containing regulations under this Act may not impose on a ratepayer retrospective liability to pay a BRS without error or default on the part of a ratepayer.”

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 11 for the following Reason –

- 11A** *Because it would affect the levy of local revenue, and the Commons do not offer any further Reason, trusting that this Reason may be deemed sufficient.*

LORDS AMENDMENT NO. 12

- 12** Page 19, line 2, at end insert –

“() For the avoidance of doubt, it is hereby declared that Regulation 14(6) of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2005 (S.I. 2005/659) (which provides that the alterations made to correct inaccuracies in local rating lists shall have effect from the day on which alteration is made) shall apply to any lists affecting the liability to pay BRS; and where such an alteration affecting liability to pay BRS is

made, it shall in no case have retrospective effect without error or default on the part of a ratepayer.”

COMMONS DISAGREEMENT AND REASON

The Commons disagree to Lords Amendment No. 12 for the following Reason –

- 12A** *Because it would affect the levy of local revenue, and the Commons do not offer any further Reason, trusting that this Reason may be deemed sufficient.*

Schedule 1

- 13** Page 22, line 35, leave out from “to” to end of line 37 and insert “the requirement under section 7 to hold a ballot”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu.

- 14** Page 22, line 38, leave out from “to” to end of line 41 and insert “the result of the ballot held under section 7”

COMMONS DISAGREEMENT AND AMENDMENT IN LIEU

The Commons disagree to Lords Amendments Nos. 1, 2, 3, 4, 5, 6, 13 and 14, but propose Amendment 14A in lieu –

- 14A** Page 22, line 35, leave out paragraphs 19 and 20 and insert –

- “19 In an initial prospectus –
- (a) a statement as to whether there is to be a ballot on the imposition of the BRS;
 - (b) if there is to be a ballot, a statement as to whether there is to be one by virtue of paragraph (a) or (b) of section 7(1);
 - (c) if there is to be a ballot by virtue of paragraph (b) of section 7(1), an explanation of why the authority thinks that there should be one;
 - (d) if there is not to be a ballot, an explanation of why the authority thinks that there should not be one.
- 20 In a final prospectus –
- (a) a statement as to whether there was a ballot on the imposition of the BRS;
 - (b) if there was a ballot, a statement as to whether there was one by virtue of paragraph (a) or (b) of section 7(1);
 - (c) if there was a ballot by virtue of paragraph (b) of section 7(1), an explanation of why the authority thought that there should be one;
 - (d) if there was not a ballot, an explanation of why the authority thought that there should not be one.”