

## CHAPTER 3 Designated areas, designated streets, enterprise areas and multi-storey car parks in certain urban areas

Interpretation ). FA94 s38(1), (3) and (4); FA95 s35(1)(a); FA97 s26(a) 339.—(1) In this Chapter—

“designated area” and “designated street” mean respectively an area or areas or a street or streets specified as a designated area or a designated street, as the case may be, by order under section 340;

“enterprise area” means—

(a) an area or areas specified as an enterprise area by order under section 340, or

(b) an area or areas described in Schedule 7;

“lease”, “lessee”, “lessor”, “premium” and “rent” have the same meanings respectively as in Chapter 8 of Part 4;

“market value”, in relation to a building, structure or house, means the price which the unencumbered fee simple of the building, structure or house would fetch if sold in the open market in such manner and subject to such conditions as might reasonably be calculated to obtain for the vendor the best price for the building, structure or house, less the part of that price which would be attributable to the acquisition of, or of rights in or over, the land on which the building, structure or house is constructed;

“qualifying period” means—

(a) subject to subsection (2) and section 340 and other than for the purposes of section 344, the period commencing on the 1st day of August, 1994, and ending on the 31st day of July, 1997, or

(b) in respect of an area or areas described in Schedule 7, the period commencing on the 1st day of July, 1997, and ending on the 30th day of June, 2000;

“refurbishment”, in relation to a building or structure and other than for the purposes of sections 348 and 349, means any work of construction, reconstruction, repair or renewal, including the provision or improvement of water, sewerage or heating facilities, carried out in the course of the repair or restoration, or maintenance in the nature of repair or restoration, of the building or structure;

“the relevant local authority”, in relation to the construction of, conversion into, refurbishment of, or, as the case may be, construction or refurbishment of a building or structure to which subsection (2)(a) applies, means the council of a county or the corporation of a county or other borough or, where appropriate, the urban district council, in whose functional area the qualifying premises is situated;

“street” includes part of a street and the whole or part of any road, square, quay or lane.

(2) (a) Where in relation to the construction of, conversion into, refurbishment of, or, as the case may be, construction or refurbishment of a building or structure which is—

(i) to be an industrial building or structure to which section 341 applies,

(ii) a qualifying premises within the respective meanings assigned in sections 342 , 345 (other than a building or structure to which paragraph (a)(v) of that meaning in that section applies), 346 , 347 , 348 and 349, or

(iii) a qualifying building within the meaning of section 343,

the relevant local authority gives a certificate in writing, on or before the 30th day of September, 1997, to the person constructing, converting or refurbishing, as the case may be, such a building or structure stating that it is satisfied that not less than 15 per cent of the total cost of the building or structure had been incurred before the 31st day of July, 1997, then, the reference in paragraph (a) of the definition of “qualifying period” to ending on the 31st day of July, 1997, shall be construed as a reference to ending on the 31st day of July, 1998.

(b) In considering whether to give a certificate referred to in paragraph (a), the relevant local authority shall have regard only to the guidelines in relation to the giving of such certificates entitled “Extension from 31 July, 1997, to 31 July, 1998, of the time limit for qualifying expenditure on developments” issued by the Department of the Environment on the 28th day of January, 1997.

(3) Schedule 7 shall apply for the purposes of supplementing this Chapter.