

To: Michelle Murdoch[Michelle.Murdoch@ofgem.gov.uk]; William Elliott[William.Elliott@ofgem.gov.uk]
Cc: Lindsay Goater[Lindsay.Goater@ofgem.gov.uk]
From: Marcus Porter
Sent: 2012-09-12T09:05:54Z
Importance: Normal
Subject: RE: Single domestic premises
Received: 2012-09-12T09:05:55Z
[rates.docx](#)

Michelle

The best way to respond to what Peter says is to send him Will's recent analysis on this subject. I have therefore attached it. Peter will see on reading this that the 1977 Order provides only part of the answer.

As to who is best placed to deal, in my view DETI are (with or without the assistance of their lawyers) as, unsurprisingly, we are not familiar with the NI legislation in this area.

I don't feel that bottoming this out need hold up consultation if that hasn't been done by 20/9 given that, as I said yesterday, the relevant paras seems to be in a generally good state. However the whole issue of what is and isn't a private residential dwelling etc. has been quite a thorny one for the GB Regs Ops team so the clearer and more complete we can make the NI guidance on this issue the better for all concerned. If need be we can i think get away with adding during the consultation period whatever else may need to be added.

Can I take this opportunity to reiterate that we ought to be urging DETI to read through the guidance themselves before they commence consultation, in case they identify any issues with it, either arising from differences in Northern Ireland practices or legislation or otherwise. It is after all guidance that relates to their Regulations and it goes without saying that it is in their interests to check that it fulfils their needs.

Marcus

From: Michelle Murdoch
Sent: 11 September 2012 20:15
To: William Elliott
Cc: Marcus Porter
Subject: FW: Single domestic premises

Hi Will
Please see below from Peter.
Kind Regards
Michelle

From: Hutchinson, Peter [Peter.Hutchinson@detini.gov.uk]
Sent: 11 September 2012 16:43
To: Michelle Murdoch
Cc: McCutcheon, Joanne
Subject: Single domestic premises

Michelle,

In regards to the final query on the spreadsheet (single domestic premises), I wonder if the most appropriate NI legislation to reference in the guidance is the Rates (Northern Ireland) Order 1977, specifically Schedule 5 that deals with the definition of a dwelling-house. I have attached the link to the legislation below.

<http://www.legislation.gov.uk/nisi/1977/2157/contents>

Will might be best placed to answer whether this would deal with queries relating to definition of domestic dwellings and hereditaments but think it should provide some clarity.

If you need anything further on this point let me know.

Thanks,
Peter

Peter Hutchinson

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