

Appeal No. VA14/4/014

AN BINSE LUACHÁLA
VALUATION TRIBUNAL
AN tACHT LUACHÁLA, 2001
VALUATION ACT, 2001

East Coast Catering (Ireland)

APPELLANT

and

Commissioner of Valuation

RESPONDENT

In relation to the issue of Quantum of Valuation in respect of:

Property No. 5004085, Hospitality (Centre for Asylum Seekers), at Baleskin Refugee Centre, St Margaret's Road, Finglas, County Borough of Dublin.

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 30TH DAY OF JUNE 2015

BEFORE:

Barry Smyth - FSCSI, FRICS, MCI Arb

Deputy Chairperson

Mairead Hughes – Hotelier

Member

Dolores Power - MSCSI, MRICS

Member

By Notice of Appeal received on the 10th day of November, 2014, the Appellant appealed against the determination of the Commissioner of Valuation in fixing a net annual value of €407,000 on the above described relevant property on the grounds as set out in the Notice of Appeal as follows:

“Pursuant to s. 35(1) & (2) and 48 & 49 - The valuation is incorrect and does not reflect the character, size, specification and location of the property.”

“Pursuant to subsection 49(2)(a) of the Valuation Act 2001, the subject property must be valued on the basis of the NAV in accordance with 48(1) of the Act.”

The Tribunal, having examined the particulars of the property the subject of this appeal; having confirmed its valuation history; having examined and considered the written evidence and having heard the oral evidence adduced before us on the 17th day of April 2015 by Mr Robert McHugh of DTZ Sherry Fitzgerald for the Appellant and by Mr Dean Robinson of the Valuation Office for the Respondent,

Finds as follows:

1. That the property comprises approximately 4,532 sq. metres of residential accommodation provided in porta-cabins adapted to that use for use as a refugee centre.
2. The fair maintainable turnover is €2,918,158 having allowed for the level of repair and maintenance required for a property of this type of construction in this use, private transport services necessary because of its location and remove from public transport and the ground rent costs.
3. The methodology utilised in the Appellant's comparison Hatch Hall, Hatch Street, Dublin 2, while not at all a similar property nor in the same rating area but utilised for a similar purpose as the property under appeal is a methodology that is appropriate to assess the NAV in this case.
4. Properties including porta-cabins utilised for office purposes and others within the and beside the Dublin Airport area are not appropriate comparisons for the subject property.

The Tribunal determines that the valuation of the property be as follows:

The fair and maintainable turnover €2,918,158 at 9.9% = €288,897.

NAV Say €289,000 Reduced.

In addition to the points noted above, this valuation reflects the temporary nature of the buildings, the significant reinstatement liability at the termination of the use and /or lease and the Emergency Planning Exemption status.