

Appeal No. VA14/5/135

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

Neptune Rowing Club

APPELLANT

And

Commissioner of Valuation

RESPONDENT

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

Property No. 732846, Leisure (Club House), Floors 0, 1, 11A Chapelizod Road, Phoenix Park, County Borough of Dublin.

**JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 11th DAY OF AUGUST, 2015**

BEFORE:

Rory Lavelle – M.A., FRICS, FSCSI, ACI Arb Deputy Chairperson

Michael Lyng – Valuer Member

Dolores Power – MSCSI, MRICS Member

By Notice of Appeal received on the 3rd day of September, 2014 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a net annual valuation of €37,300 on the above described relevant property on the grounds as set out in the Notice of Appeal as follows:

"The valuation is incorrect, excessive and inequitable in respect of the Valuation Act, 2001, most notably section 48 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 by Mr John Algar of GVA Donal O Buachalla and Ms Áine Moore for the Appellant and by Mr Anthony Mulvey of the Valuation Office for the Respondent, on the 25th day of May, 2015,

DETERMINES

That the net annual value of the subject property be as set out below:

€27,500

The reasons being as follows:

The property is situated in a particularly suitable location for a Rowing Club.

The building is purpose-built for its function between 2004 and 2009. The agreed floor area is 1236.60 sq. metres.

The Respondent applies a rate of €35.00 per sq. metre to the Club House and the Appellant applies €20.00 per sq. metre. The rate applied to the stores is €10.00 per sq. metre and agreed.

Six Rowing Clubs are located on this stretch of the river, two of which are exempt from rates, three of which are under appeal and the last one of which, Municipal Rowing Club, is dealt with below.

The comparisons put forward are all of Club Houses on the list, no market evidence is provided.

The Respondent's case stated that there were 70 Club Houses in the Dublin City Council area and of these only three are before the Tribunal, all of which are Rowing Clubs.

The agreed method of valuation is a rate per sq. metre. The contractors method would lead to a higher valuation in this case. The profits method was not used but the Appellant did produce accounts to show that the NAV could not be sustained.

Arguments that the Club House turnover could be improved by functions is somewhat negated by the presence of six other clubs in the vicinity and the Rules of the Club.

The comparisons put forward by the Respondent include:

- Poolbeg Yacht & Boat Club – 438.61 sq. metres @ €40.00 per sq. metre and 95 berths @ €300 per berth.
- Clontarf Yacht & Boat Club – 539.82 sq. metres @ €45.00 per sq. metre and €20.00 per sq. metre for stores.
- Two GAA Clubs – Liffey Gales, Ballyfermot @ €35.00 per sq. metre for 1136.4 sq. metres and Raheen GAA Club, Dublin 5 – 1236.19 sq. metres @ €40.00 per sq. metre.
- Homefarm Football Club, Dublin 9 – basic building 131.46 sq. metres, changing rooms 73.60 sq. metres @ €35.00 per sq. metre, portacabin changing rooms at €30.00 per sq. metre and steel container 14.40 sq. metres @ €25.00 per sq. metre.
- Municipal Rowing Club (Dublin City Council), Chapelizod Road, Islandbridge – 319.86 sq. metres @ €40.00 per sq. metre plus mezzanine stores 45.25 sq. metres @ €10.00 per sq. metre. The Respondent concedes that this would have been reduced if appealed.

The Appellant's comparisons include:

- Good Council GAA Club, Dublin 8 – Club House @ €35.00 per sq. metre and 81 sq. metres of stores @ €25.00 per sq. metre.
- Crumlin GAA Club, Dublin 12 – 780.80 sq. metres @ €35.00 per sq. metre and stores 77.40 sq. metres @ €25.00 per sq. metre.
- The Appellant also include Poolbeg Yacht & Boat Club.

In the absence of market informers the comparisons put forward are all emerging 'tone of the list' evidence. Further the comparisons are not Rowing Clubs situated on a river with the exception of Municipal Rowing Club which the Respondent concedes would have been reduced on appeal and the occupier is Dublin City Council and a particular set of circumstances apply that reduce the weight, if any, that can be applied to this comparison.

Comparisons of other types of Club House which are smaller or situated in more populated areas and are suitable for other sporting uses are of limited benefit in arriving at a NAV. This is particularly the case for the GAA and Soccer Clubs which have certainly greater potential to generate an income from their Club Houses and a larger membership.

Taking into account location factors, the purpose built nature of the building, the presence of other Rowing Clubs at this location and the limited membership of the Club the Tribunal has applied a rate of €25.00 per sq. metre to the Club House element and reduced the valuation.

0	Club House	523.67 sq. metres @ €25.00 per sq. metre =	€13,091.75
1	Club House	463.72 sq. metres @ €25.00 per sq. metre =	€11,593.00
0	Stores	276.21 sq. metres @ €10.00 per sq. metre =	€ 2,762.10
			€27,446.85

NAV Say €27,500.00.