

Appeal No. VA00/2/060

AN BINSE LUACHÁLA
VALUATION TRIBUNAL
AN tACHT LUACHÁLA, 1988
VALUATION ACT, 1988

Sheehan's Fishing Company Ltd.

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Warehouse at Lot No.9AB/10 Dinish Island, ED: Killaconenagh RD: Castletown, Co. Cork.

B E F O R E

Fred Devlin - FSCS.FRICS

Deputy Chairman

John Kerr - MIAVI

Member

Michael Coghlan - Solicitor

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 21ST DAY OF DECEMBER, 2000

By Notice of Appeal dated the 4th day of July 2000, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £80 on the above described hereditament.

The grounds of appeal as set out in the said Notice of Appeal are that "the main usage of the floor area is for storing gear for our own fishing vessels. It is not feasible to pay this much money for storage space."

The appeal proceeded by way of an oral hearing which took place in the County Hall, Cork County Council, Cork on the 13th day of December, 2000. The appellant was represented by Mr. Greg Casey B.Ed. from Casey & Company Solicitors and the Respondent was represented by Mr. Daniel Griffin M.I.A.V.I., a District Valuer with 20 years experience in the Valuation Office. Mr. Casey prepared a written submission which was exchanged with the Valuation Office and the Tribunal on 11th December, 2000. Mr. Daniel Griffin also prepared a summary of his evidence which was exchanged with Mr. Casey and received in the Tribunal on the 25th November 2000.

Valuation History

1999/4 Revision: First Valuation R.V. assessed @ £80.00

1999/4 First Appeal: No change made. Appellant appealed to the Valuation Tribunal against the Rateable Valuation of £80.00.

The Property

The property is situated on Dinish Island, Castletownbere. The town is an important fishing town with local and foreign fishing fleets using its facilities. The island is accessed via a bridge off the Banty Road, on the eastern side of the town centre. It has a number of industrial buildings associated with the fishing industry.

Description

The property comprises a modern industrial type building occupied by a fishing company. It is used for the storage of the company's fishing equipment and for low volume retailing of nets and fishing equipment to the fishing community. The building is a twin bay portal-framed steel covered building. The walls are steel cladded on low block walls.

Agreed Accommodation:

Warehouse 942 sq. m. (With eaves height of 5m)
 There is a lofted storage area and
 a basic Office within the warehouse of 95.7 sq. m.

Services

Single phase electricity and usual services.

Site

The site extends to 1530 sq.m. It is fully developed, with parking to the front.

Tenure

The site is leased from the Department of the Marine under a 35 year lease from 1st January 1998 with 5 year rent reviews. The rent for the first 5 years is £2,500 per annum.

Mr. Griffin on behalf of the respondent assessed the R.V. as follows:

Respondent's Valuation

Net Annual Value

Warehouse	942 sq. m. @ £16.14 sq. m.		
Loft	95.7 sq. m. @ £5.38 sq. m.	=	£15,718.75
	Say		£16,000 (to include parking)
R.V. @ 0.5% of Net Annual Value		=	£80.00

£90,000 has been spent on the construction and finish. Part of the workmanship was the appellant's own labour, not costed in the above figure.

Respondent produced three comparisons as set out below:

1. Lot 9AB/9 Dinish Island

Occupier – Shellfish De La Mer
R.V. £95 '97/04 Appeal

Basis

Offices	84.26 sq. m.	@	£32.293 sq. m.
Cold Stores	280.83 sq. m.	@	£23.68 sq. m.
Dry Store	81.28 sq. m.	@	£16.146 sq. m.
Factory	398.26 sq. m.	@	£18.83 sq. m.
Plant	52.95 sq. m.	@	£13.45 sq. m.

2. Lot 9C Dinish Island

Occupier – Castletownbere Fisheries Co-Op
R.V. £150 '94 Revision

Basis

Office	205.5 sq. m.	@	£ 32.29 sq. m.
Factory	1313 sq. m.	@	£ 16.14 sq. m.
Yards	1596 sq. m.	@	£ 1.076 sq. m.

3. Lot 9AB/3 Dinish Island

Occupier – Eirenova Fisheries Ltd.
R.V. £335.00 '97/02 Revision

Basis

Offices	179 sq. m.	@	£32.29 sq. m.
Factory	1821 sq. m.	@	£16.146 sq. m.
Cold Store	1059.4 sq. m.	@	£21.53 sq. m.
Store	600 sq. m.	@	£16.146 sq. m.

Determination

Mr. Casey on behalf of the appellant submitted that the valuation was excessive in that part of the premises was needed for laying out and storing nets and other equipment and not used in connection with the appellant's wholesale business. As a consequence a substantial portion of the premises is not fully utilised on an ongoing basis.

The Tribunal noted that Mr. Casey did not advance any valuation evidence. Therefore the only evidence of value that has been adduced in this appeal is that on behalf of the Commissioner of Valuation.

The Tribunal has carefully considered the evidence and examined the comparisons put forward in some detail and has come to its conclusion that the rateable valuation put forward by the appellant is fair and reasonable and in line with other assessments in the vicinity. Accordingly, therefore the Tribunal affirms the rateable valuation of £80.