

Appeal No. VA01/3/052

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

Veronica Doherty & Louise Lafferty

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Shop at Map Reference: 17.19 Unit 2, Bridge Street, Townland: Churchland
Quarters, ED: Carndonagh, RD: Inishowen County Donegal

B E F O R E

Fred Devlin - FSCS.FRICS

Deputy Chairman

Patrick Riney - FSCS. MIAVI

Member

Frank O'Donnell - B.Agr.Sc. FIAVI

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 2ND DAY OF MAY, 2002

By Notice of Appeal dated the 16th day of October 2001, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of €25.39 on the above described hereditament. The Grounds of Appeal as set out in the said Notice of Appeal are that;

- "1. The valuation is excessive and inequitable.
2. Not valued in accordance with the Valuation Acts and related legislation"

The oral hearing took place at 9.30am on Friday the 22nd February 2002 at Letterkenny Court House, Letterkenny, Co. Donegal. Mr. Patrick McCarroll, Rating Consultant and Chartered Valuation Surveyor, of Chapel Street, Carndonagh, Innisowen, Co. Donegal, represented the appellants Veronica Doherty and Louise Lafferty of 17/19 Unit 2, Churchland Quarters, Carndonagh, and Mr. Damien Curran, Chartered Valuation Surveyor, and District Valuer with 21 years experience in the Valuation Office represented the Commissioner of Valuation.

The Property

The premises comprises a hairdressing salon situated on the western side of Bride Street off the Diamond in the centre of Carndonagh.

Tenure

Lease two years from 2/5/00 @ £6,000 p.a.

Valuation History

Premises was revised for the first time in November 2000 at R.V. €25.39. No change was made at first appeal.

Mr. McCarroll on behalf of the appellant, adopted his précis of evidence as his evidence-in-chief and highlighted various points in his submission to support his case. He pointed out that the property was located on the northern side of Bridge Street directly opposite the junction with New Road, and some 300m west from the town centre. This was a secondary location where a high percentage of retail units are held under short-term tenancies with a high level of vacancies. He summarised the rate per square metre used in the comparisons as between €6.35 to €15.25 and also stated that five of the comparisons were revision figures from pre-1988 and that the Bridge Street Café was much larger than the subject property.

He stated that the property comprised a ground floor lock-up shop in a detached building. It is fitted out as a Hair Salon with a small toilet at the rear. Agreed floor area between the parties was 36.71 square metres.

In commenting on the tenure, Mr. McCarroll stated the lease was for a term of 2 years from 1st May 2000 at a monthly rent of £500 (€634.87). He also stated the rent paid for this unit was exceptional when compared to comparable properties in the town. One of the most striking features about the level of retailing activity in Bridge Street is the high turnover of tenants and the fact that there are few leases. He analysed comparisons of eight properties located nearby and concluded by giving his opinion that an R.V. of €1 was fair and reasonable in this case.

Mr. Damien Curran presented his case on behalf of the Commissioner of Valuation and adopted his précis of evidence as his evidence-in-chief. He described the property as the ground floor of a three storey over basement, terraced, mixed commercial and residential development. The property was leased for two years from the 2nd May 2000 at £6,000pa.

Mr. Curran's valuation is set out below:

Ground Floor Retail	36.71 sq. m.	@	€17.60 / sq. m.
Or Passing Rent May 2000		=	€7,618.42
To '88			€4,317.10
Rateable Valuation			€21.58

The adjoining properties were predominantly commercial with good access and with good parking in the vicinity. This property had been completely re-developed on a prominently located old site close to the centre of Carndonagh.

It is used as a hairdressing salon run by Ms. Doherty and Ms. Lafferty.

Mr. Curran analysed three comparisons on Pound Street, Carndonagh, which in his opinion justified his R.V. of €1.58.

Determination

The Valuation Tribunal have considered the submissions and all of the evidence given at the Oral Hearing, and are of the opinion that there is quite a difference in the location of properties at Pound Street/Market Place and those located at Bridge Street. In view of this the Tribunal considered that the most relevant comparison was the Bridge Street Café and hereby determine the valuation as follows:

36.71 sq. m.	@	€7 per square metre	=	€3,193.77
	@	0.5%	=	€15.96
Rateable Valuation			say	€16