

Appeal No. VA88/0/049

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

Timothy Hurley, Golf Links Hotel

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Licensed Hotel offs and Land Lot 3, Reenmeen East, Co. Cork

B E F O R E

Hugh J O'Flaherty

S.C. Chairman

Paul Butler

Barrister

Mary Devins

Solicitor

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 20TH DAY OF NOVEMBER, 1988

By notice of appeal dated 10th day of August, 1988, the appellant appealed against the decision of the respondent fixing the rateable valuation of the above mentioned hereditament at £145.

The hereditament in question is known as the Golf Links Hotel and is a two storey premises situated outside Glengariff on the main Bantry Road.

The property was built around the turn of the century and comprises a bar, lounge, dining-room, kitchen, 24 guest bedrooms, two staff bedrooms, laundry and stores. There is a single storey wooden structure attached to the main building comprising the function room. There are several other buildings separate from the main block, among them stores and a dormitory for staff.

Before the 1987 revision the property's rateable valuation was £120.00. In 1987, the property was listed for revision and, because of several extensions to the property, the most recent of which was completed approx. 5 years ago, the valuation was increased to £150.00.

Following first appeal and subsequent inspection the valuation was reduced to £145.00.

In the course of the oral hearing which took place on the 18th November, 1988, Miss Mary Ellen Ring, Barrister, (instructed by Wolfe & Co., Solicitors, Bantry, Co. Cork) appeared for the appellant and stated that her client felt that the rateable valuation of £145.00 was excessive, in view of the dramatic falling-off in recent years in this type of hotel business and in view of the seasonal nature of the trade. She pointed out that the accounts for the hotel, if required, would show the poor earning ability of the premises.

Mr Timothy Hurley, the proprietor of the hotel, pointed out that the hotel remained closed for the greater part of the year and that no functions of any kind were held in the hotel. He stated that in earlier years the main part of his business came from bus tours organised by the Carmelite Fathers White Friar Street, Dublin, but that, in recent years, due to the lack of modern facilities in his hotel, this business had fallen away.

Mr & Mrs Hurley gave evidence that at no stage during what would traditionally be called high season would the hotel achieve even 50% bed occupancy. They referred to the fact that only one of the bedrooms in the hotel was "en suite" and that for this reason, among others, tourists were going to more modern hotels or guest-houses.

Mr Colman Forkin, B.Sc. Dip. Envir. Econ., a valuer with seven year's experience in the Valuation Office, pointed out that he could not arrive at an estimated net annual value of the property without seeing audited turnover figures. He referred to certain comparisons set out in his written submission, and appended hereto. (See Appendix A.)

He stated that these comparisons might not be completely satisfactory but that they did refer to similar type premises in the neighbouring area.

The Tribunal in reaching its decision, has taken into account the down-turn in this type of hotel business, due, no doubt, to the increasing popularity of foreign holidays, the emergence of more and more guest houses which can operate on a much smaller margin of profit, and the lack of amenities which most modern holiday makers will require.

Since no evidence of Net Annual Value was offered by either of the parties the Tribunal need not concern itself in this case with what a hypothetical tenant might be expected to pay for it, taking one year with another.

The Tribunal was impressed with what Mr & Mrs Hurley had to say and regard them as credible witnesses. The Tribunal was, therefore, satisfied to act on their evidence without calling for sight of Accounts.

In all the circumstances the Tribunal has come to the conclusion that a fair rateable valuation of the property would be £100.00, which figure, as it happens, coincides with two of the comparable properties offered by Mr. Forkin in his submission. But the Tribunal would emphasise that this corroborates only what it would have determined in any event.