

Appeal No. VA88/0/067

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

Unifish Limited

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Lot 15C Rossaveal, Co. Galway

B E F O R E

Paul Butler

Barrister (Acting Chairman)

Mary Devins

Solicitor

Brian O'Farrell

Valuer

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 20TH DAY OF JANUARY, 1989

By notice of appeal dated the 16th day of August 1988, the appellants appealed against the decision of the respondent fixing the rateable valuation of the above described hereditament at £300.

The hereditament in question is a fish processing factory situated in Rossaveal, 25 miles from Galway city. The property comprises the main factory building, a two-storey block accommodating offices, canteen and kitchen, and various other buildings including cold storage

facilities, machine housing and storage tanks. The main factory was built in 1971/1972 and was subsequently extended in 1986.

The valuation history of the property is that it was first valued as a new building under the 1972 annual revision at £110. It was again revised in 1978 at which time the valuation increased to £165. Following an appeal to the Commissioner this valuation was reduced to £150. In 1985 the valuation was revised to £245.

In 1987, Galway County Council listed lot 15C Rossaveal for revision and the valuation increased to £470. This valuation was appealed and Mr John Colfer B.Sc. (Surveying), a valuer in the Valuation Office with eight years experience was appointed by the Commissioner to investigate the grounds of appeal. Following an inspection it was determined that a portion of the buildings valued under the 1987 revision was standing on lots other than lot 15C Rossaveal. Whilst the Commissioner affirmed the overall valuation of £470, that portion which applied to the buildings standing on lots other than 15C Rossaveal was struck out. The resultant valuation of £300 forms the basis of this Tribunal appeal.

At the oral hearing which took on 11th January, 1989 in Galway, Mr Patrick J Nerney, Valuer, on behalf of the appellants, elaborated on his written submission dated 29th December, 1988. He stated that among several disadvantages pertaining to the premises, the fact that Rossaveal was not a traditional herring fishing area meant that a large proportion of fish had to be brought in to the factory by road from other fishing ports in the country, notably from Killybegs which is more than 150 miles away.

He pointed out that the factory site is not served by a pier and therefore that fish landed at the existing pier have to be transported by truck to the factory. It was also stated by Mr Nerney that the existing pier is inadequate to accommodate large fishing boats.

In his written submission Mr Nerney referred to one comparison, viz; Protein Eisc, Rossaveal, another property owned by Unifish Ltd. He pointed out that this factory was leased from Udaras na Gaeltachta at a rent of £5,715 p.a., which rent equates to 66p per square foot. He argued that a fair net annual value for the entire premises of Unifish Ltd., (including portions outside lot 15C which lot is the subject of this appeal), would be £25,000.00 p.a., i.e. 40p per square foot.

Mr John Colfer, Valuer, on behalf of the Commissioner of Valuation, by written submission dated 19th December, 1988 offered certain comparisons which are appended hereto. He referred to the comparison offered by Mr Nerney viz; Protein Eisc and pointed out that firstly leases from Udaras na Gaeltachta are subsidised and therefore do not represent a true net annual value and secondly that the lease in question referred only to lands and not to the factory buildings.

In his written submission Mr Colfer stated that because the industrial letting market in the West of Ireland is largely dominated by Udaras na Gaeltachta which subsidises rents to a considerable extent, a ratio of 1:100 between rateable value and net annual value appears standard in this area. He estimated that a net annual value for the entire property, including portions outside lot 15C would be £43,000. Applying a ratio of 1:100 and deducting the rateable valuation of the buildings outside lot 15C, a figure of £270 was arrived at for the subject premises.

The Tribunal notes Mr Nerney's evidence as to the disadvantages of the location of the premises. It is aware that part of the buildings was constructed below the original high water mark and that the Commissioner has accordingly suggested amending the figure determined on 1st appeal to £270.

However, in the course of the oral hearing, Mr Frank Maher, of Unifish Ltd. agreed that the appellants had researched the situation before purchasing the premises and that the disadvantages of the location were known to them before the purchase.

In all the circumstances the Tribunal has come to the conclusion that the correct rateable valuation for the premises is £270.