

Appeal No. VA92/6/075 - 76

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

Aer Lingus

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: (1) Car Park at Map Ref: 25C, Townland of Corballis (Dublin Airport),
D.E.D. Airport, R.D. Dublin - Fingal - (VA/92/6/075) R.V. £375.00

(2) Car Park at Map Ref: 25C, Townland of Rock (Dublin Airport),
D.E.D. Airport, R.D. Dublin - Fingal - (VA/92/6/076) R.V. £180.00
Co. Dublin

Quantum

B E F O R E
Henry Abbott

S.C. Chairman

Mary Devins

Solicitor

Joe Carey

P.C. M.I.A.V.I.

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 22ND DAY OF DECEMBER, 1993

By Notices of Appeal dated the 30th day of October, 1992 the appellants appealed against the determination of the Commissioner of Valuation in fixing Rateable Valuations on the above described hereditaments as follows:- (1) R.V. £375.00 and (2) R.V. £180.00.

The grounds of appeal as set out in the Notice of Appeal are that "the valuation is excessive, inequitable and bad in law".

A written submission was submitted by the Respondent to the Tribunal on the 4th October, 1993 and a written submission was also received on the 8th October, 1993 from the appellant.

Oral Hearing

The oral hearing took place in the Tribunal Offices in Dublin on the 20th October, 1993. Mr. Frank O'Donnell, B.Agr.Sc, F.I.A.V.I., M.I.R.E.F. of Frank O'Donnell & Company, Valuation, Rating & Property Consultants appeared for the appellant and Mr. Frank O'Connor a Valuer with 13 years experience in the Valuation Office appeared on behalf of the Respondent.

The oral hearing proceeded on the basis that both Valuers hotly debated their valuations. This was not surprising by reason of the great difference in the valuations put forward by both sides. The Respondent sought to bind the appellant by Mr. O'Donnell's letter proposing to agree an overall valuation for the appellant's hereditaments in respect of which he was instructed. In this letter a figure was agreed as part of an overall package deal which did not materialise. The Tribunal therefore proposes to ignore that letter and to look to the reality of the valuations of the subjects. The Tribunal is satisfied that the appellant has approached the valuation from much too low a base, so equally the Tribunal considers that given the restrictions on the use of the car park arising from the essential requirement of having parking facilities for staff under high pressure, such as pilots and other flight support staff, the Respondents approach of using the very commercialised public parking area where there was free for all queuing type usage available at all times was not quite suitable either. The Aer Rianta car park cited as a comparison would probably be the most valid comparison available although the use may not be as high pressured as the subject, in terms of the need to have available marked spaces on a seniority, or other basis lying idle, awaiting the chosen occupant for large periods of time.

Having regard to the foregoing circumstances and all the comparisons offered, the Tribunal finds that the valuation of the car parks is as follows:-

- (1) Corballis (Dublin Airport) R.V. £125.00
- (2) Rock (Dublin Airport) R.V. £60.00

