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VALUATION TRIBUNAL

AN tACHT LUACHÁLA, 1988

VALUATION ACT, 1988

Seamus Furlong <u>APPELLANT</u>

and

Commissioner of Valuation

RESPONDENT

RE: Workshop at Lot No: 7.9 Barrack Lane, U.D. New Ross, E.D. New Ross, Co. Wexford Quantum - Inspection, poor quality building

BEFORE

Paul Butler S.C. (Acting Chairman)

Mary Devins Solicitor

Padraig Connellan Solicitor

JUDGMENT OF THE VALUATION TRIBUNAL ISSUED ON THE 2ND DAY OF APRIL, 1993

By Notice of Appeal dated the 5th November, 1992 the appellants appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £9 on the above described hereditament.

The grounds of appeal as set out in the Notice of Appeal are that:-

"the premises is only built of concrete block with asbestos roofing and would be of little commercial use to anybody except the appellant who only carries out some part-time work and indeed regards it as a hobby carried on in the premises. Also any income generated from this is on a commission basis only and due to economic depression at this moment in time in New Ross the company is not making enough to justify the above rates."

The Property:

The property is situated on Barrack Lane which runs parallel to South Street which is the main shopping street in New Ross, and is about 2 minutes walk from the town centre. It is also within a few yards of the towns main carpark.

The premises is a single storey workshop constructed with concrete block walls and asbestos roof. It has water and electricity supplied.

Valuation History:

The property was listed for revision in 1991 by the local authority with a request to value new studio. The valuation was fixed at £9. No change was made to the valuation at First Appeal.

Written Submissions:

A written submission was received on the 15th March, 1993 from Des Moloney, M.I.P.A.V., Auctioneer and Valuer of Moloney Auctioneers and Valuers, 16, North Street, New Ross, Co. Wexford, on behalf of the appellant. In the written submission, Mr. Moloney set out the grounds for the appeal as follows:-

- 1) The building is in a bad state of repair and Mr. Furlong cannot afford to do anything with it.
- 2) The property was built to carry out a small business for Mr. Furlong but due to the recession and ill health he has derived hardly any income from same.
- 3) Mr. Furlong does not carry out any work at this premises at present due to ill health.

A written submission was also received from Mr. Tom Cuddihy, a District Valuer with 25 years experience in the Valuation Office, on the 25th March, 1993. In the written submission Mr. Cuddihy set out details of the property and valuation history as described above. Commenting on the appellant's grounds of appeal he stated that the R.V. is in line with other recently revised properties in the area, that is, the valuation is approximately .5% of the N.A.V.. He said that the workshop was presently in use as a workshop but because of its central location it would also have a number of alternative uses, for example, a storage space for shops in city centre.

Mr. Cuddihy set out his calculation of the rateable valuation on the premises as follows:-

Valuation Method

Given the nature of the premises and the availability of recently revised similar properties the comparative method of valuation is relied upon.

Rateable Valuation And Net Annual Value

In arriving at the rateable valuation particular regard was had to the relationship of R.V.'s to rental levels for recently revised comparable properties in the area.

Valuation Basis

Mr. Cuddihy also gave details of four comparisons and these are summarised below:-

1) No. 5 Barrack Lane

2) Part No. 1 Barrack Lane - New Ross Glass Company Workshop 3,195sq.ft. @ £1.50 psf = £4,792

R.V. £25.00

3) No. 6Ab Bohernashunn - H.S. Commercials Limited

Offices

$$337 \text{sq.ft.}$$
 @ £2.50 psf = £ 842

 Workshop
 $4,559 \text{sq.ft}$ @ £2.00 psf = £9,118

 Total
 £9,760

4) No. 12-22 Waterford Road - Bemico Limited

Stores 5,550 sq.ft. @ £1.60 =
$$£8,832$$

Total £9,154 Est. N.A.V. = £9,000 x .5% = £45.00 R.V. £45.00

In conclusion Mr. Cuddihy stated that the comparisons indicated that a figure of £2 per square foot for the subject premises is fair in relation to its size and location.

Oral Hearing:

At the oral hearing which took place in Wexford on the 1st April, 1993 Mr. Des Moloney, Auctioneer and Valuer, appeared on behalf of the appellant. Mr. Moloney stated, in evidence, that while there was no dispute between the parties as to the area of the subject premises he felt that his client's premises should not be compared with other commercial buildings in the area. He described the subject premises as of simple concrete block asbestos roofing and estimated its R.V. as approximately one-quarter of those of the comparisons. He explained that the premises were being used by a retired hairdresser now a sculptor and purely on a part-time basis. The estimated the N.A.V. of the subject property to be in the region of £400-£500 and said that in his opinion the property simply could not be rented.

Mr. Cuddihy, in evidence explained that the site had been give free by the Urban District Council and the building of the property by Mr. Furlong had been grant aided. Mr. Cuddihy accepted that the condition of the building was not ideal, but he argued that it could be rented as a workshop or indeed as a store. Mr. Cuddihy referred the Tribunal to the comparisons appended to his written submission, in particular the properties at No. 1 Barrack Lane and No. 5 Barrack Lane.

The Tribunal having carried out an inspection of the subject premises, and having seen some of the comparisons above referred to, notes the very poor quality of the subject property, which appears to have been finished to the most basic of standards. In particular, the Tribunal noted the comparative property which immediately abuts the subject, and which appears to have been finished to a much superior standard. The Tribunal is of the opinion that the comparisons known as No. 1 Barrack Lane is also a superior building but taking into account the quantum allowance, the Tribunal is of the opinion that the correct N.A.V. per square foot for the subject property is in the region of £1.50 per square foot.

In the circumstance the Tribunal is of the opinion that the correct R.V. of the subject property is £7 and so determines.