

Appeal No. VA95/1/044

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

**Henry & Bridget Goff**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

RE: Caravan park and offices at Map Ref: 12D, Townland: Ballaghblake, ED: Ardcolm, RD:  
Wexford, Co. Wexford  
Quantum - location

**B E F O R E**  
**Fred Devlin**

**FRICS.ACI Arb. (Acting Chairman)**

**Joe Carey**

**PC.DDSc.DBAdm. MIAVI.**

**Brid Mimmagh**

**Solicitor**

**JUDGMENT OF THE VALUATION TRIBUNAL**  
**ISSUED ON THE 15TH DAY OF FEBRUARY, 1996**

By Notice of Appeal dated the 20th day of April 1995 the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £71 on the above described hereditament.

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

- "1. the valuation is excessive and inequitable
2. the valuation is bad in law."

**The Property:**

The property is a caravan park located ½ mile from the village of Screen, which is some 2 miles east of the secondary route from Gorey to Wexford, and close to Curracloe.

**Valuation History:**

The property was first valued as a caravan park in 1971 with a rateable valuation fixed at £8 buildings and £24 absolute on caravan park. In 1990 the rateable valuation was increased from £24 absolute to £26 absolute. Following a change in ownership and a complete upgrading of the entire complex, the Commissioner established a rateable valuation of £8 on buildings, £63 absolute on the caravan pitches at 94/3 First Appeal.

**Written Submissions:**

A written submission was received on the 1st day of November 1995 from Mr. Des Killen, FRICS, FSCS, IRRV, a Fellow of the Society of Chartered Surveyors in the Republic of Ireland, and a Director of Donal O'Buachalla & Company Limited with 32 years experience as a Valuer on behalf of the appellant.

In the written submission, Mr. Killen described the premises and gave details of its development and expenditure. He said that the caravan park was purchased in April 1991 for £35,000. At that time there were 48 unserviced sites. Following planning permission and expenditure of approximately £100,000 the present park emerged as follows:

- 1) All 68 sites are fully serviced.
- 2) Former toilet block became store/office.
- 3) Roads were provided.
- 4) Children's playground was constructed.

He said that the caravan park is not registered with Bord Failte as it cannot meet the requirement of providing 20 sites for touring vans. He said that the appellants owned and managed the caravan park themselves and their only paid employee was their son who works part-time. In assessing net annual value Mr. Killen considered four methods as follows:-

**(a) *Rental Value***

Mr. Killen said that he had no evidence of actual or comparative caravan parks.

Nor could he provide evidence of actual rent of caravan parks. No valuation on this basis was proposed.

**(b) *Contractor's Theory & Investment Method***

He said that neither of these methods can be given credence because:

- (1) a depreciated replacement cost with the appropriate return on capital is required.
- (2) evidence of return on investment of capital in caravan parks is necessary.

**(c) *Comparative Basis***

In order to utilise this method he said that each of the comparisons must be analysed and one must compare like with like. Mr. Killen gave details of two comparisons as follows:

**(1) *Courtown Caravan Park Limited***

VO Lot: 3C  
RV: £7 (buildings) £40 (misc.).

**(2) *VO Lot: 16***

Description: House, Shop, Cafe, Caravan Park and Offices  
RV: £48 (buildings) £143 (misc.).

He said that this valuation was not assessed on NAV but at an RV of £1.30 per site. He said that it was a superior site to the subject both in location and development. Mr. Killen gave details of another comparison:-

**Michael Weafer**

Location: Riverchapel, close to Courtown.

He said that individual sites from this comparison were valued at RV £1 each.

On the comparative basis, Mr. Killen submitted the following valuation:-

68 sites at 75p per site = RV£51

Office, store shed 526 sq.ft. @ £2 = £1,050

RV = £5 viz. total = £56.

**(d) *Accounts Valuation***

Mr. Killen supplied as part of his précis details of accounts for the year ending March 1993/94 and December 1994. On this basis Mr. Killen proposed a rateable valuation not exceeding £40.

A written submission was received on the 1st day of November 1995 from Mr. Phil Colgan, District Valuer with 27 years experience in the Valuation Office on behalf of the respondent.

In the written submission, Mr. Colgan described the property, its location and valuation history as set out above. Commenting on the grounds of appeal, Mr. Colgan said that the grounds of appeal to the Tribunal had changed somewhat from the First Appeal grounds which he asked the Tribunal to consider. Mr. Colgan said that the occupancy was not based on two months but that yearly agreements existed with the tenants. Mr. Colgan based his assessment of net annual value on market value of the subject premises. On this basis he set out his calculation of the rateable valuation as follows:-

Estimated market value - Say £110,000 x 8 yp = £12,600

NAV - Say £12,600 x 0.5% = RV £63 (on sites).

Buildings/Admin Block

526 sq.ft. @ £3 = NAV £1,600 x 0.5% = RV £8

Total = RV £71.

**OR**

Total net rental income 68 sites @ £466.67/site = Say £31,733

Net of VAT

Say 50% Tenants contribution to rent = £15,866.78

NAV as at November 1988 = Say £14,200 x 0.5% = RV £71

**OR**

Buildings - 526 sq.ft. @ £3 = £1,600 x 0.5% = RV £8

63 serviced sites @ £1/site = RV £63 (abs)

Total = RV £71.

Mr. Colgan supplied details of seven comparisons which are summarised below.

- (1) **Seamus McKenna**  
12D Ballaghblake (near Curracloe village)  
51 unserviced sites @ £100/site = £5,100  
Net annual value £5,100 x 0.5% = RV £26 (abs), RV = £8 (buildings).
- (2) **Andrew Kavanagh**  
12ABac Cahore, Gorey  
1987 First Appeal  
125 pitches @ £1/pitch = RV £125 (abs).
- (3) **Ballymoney Mobile Home Park**  
Near Ballymoney Strand, Gorey  
1987 First Appeal  
56 sites serviced @ £1/site = RV £56 (abs).  
No shop.
- (4) **Courtown Caravan Park**  
3C Ballinatrav Lower, Courtown  
1987 First Appeal  
30 serviced sites @ £1.30/site = £39 = RV £40 (abs).
- (5) **Hedley Fleming**  
16 Ballinatrav Lower, Courtown, RD: Gorey  
1987 First Appeal  
110 serviced sites @ £1.30/site = RV £143 (abs).
- (6) **Tara Cove Holidays Limited**  
4C Seafield, ED: Courtown, RD: Gorey  
92/1 First Appeal  
150 serviced sites @ £1/site = RV £150 (abs).
- (7) **Michael Water**  
Middletown, Ardamine, Gorey  
220 serviced sites @ £1/site = RV £220 (abs).

**Oral Hearing:**

The oral hearing took place in Wexford on the 10th day of November 1995. Mr. Des Killen of Donal O'Buachalla & Company Limited appeared on behalf of the appellant and Mr. Phil Colgan of the Valuation Office appeared on behalf of the respondent.

During the oral hearing the Tribunal heard evidence that the caravan park, the subject premises of the appeal, was approximately one and a half miles from the beach and was owned and managed by the appellant and that their son was the only paid employee. Accounts were made available to show the income and expenditure involved herein and evidence was also given that the caravan park was only open between March and October but each tenant has a key with which to enter at other times. Further, the caravan park is only illuminated during the months of July and August and Bank Holiday weekends. Mr. Killen, on behalf of the appellant, submitted that the caravan park at Courtown was much superior, had better facilities and was much nearer to the beach.

He also submitted that the grounds as set out by him at appeal stage did not suggest any new grounds of appeal. However, nothing turned on this and no point of law was involved.

In his submission for the Valuation Office, Mr. Colgan said that the subject premises had a very good prospect of making profit, even if it was a high risk investment. He considered that it was an advantage that the caravan park was not directly beside the sea because of the late night drinking and general activity that goes on near the beach late at night.

Taking the written and oral evidence into account and the relevant comparisons offered, the Tribunal considers that this property is towards the bottom end of the market and because of its distance from the beach, it is at somewhat of a disadvantage.

The Tribunal therefore, determines the rateable valuation at £56.