

Appeal No. VA95/1/058 &  
VA95/1/059

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

**Dublin Greyhound & Sports Association & Bord na gCon**      **APPELLANT**

**and**

**Commissioner of Valuation**      **RESPONDENT**

RE: Stadium and offices at Map Ref: 151a and 151b, Harold's Cross Road, Ward: Rathmines West, County Borough of Dublin

Quantum - Attendances, Trading accounts, economic reality

**B E F O R E**

**Mary Devins**

**Solicitor (Acting Chairman)**

**Brid Mimmagh**

**Solicitor**

**Paddy Farry**

**Solicitor**

**JUDGMENT OF THE VALUATION TRIBUNAL**  
**ISSUED ON THE 15TH DAY OF NOVEMBER, 1995**

By Notices of Appeal dated the 25th day of April 1995 the appellant appealed against the determination of the Commissioner of Valuation in fixing rateable valuations of £500 (VA95/1/058) and £60 (VA95/1/059) on the above described hereditaments.

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

- "1. the rateable valuation is excessive, inequitable and bad in law.
2. the rateable valuation is excessive by comparison with other similar properties."

**The Property:**

The hereditament comprises a greyhound racing stadium together with floodlit running track, viewing stand and ancillary service buildings and car park. Part of the hereditament is occupied by Bord na gCon as totaliser offices. It was agreed that the hearing for both appeals would proceed at the same time.

**Accommodation:**

The facilities provided in the stadium are as follows:-

- 1) Greyhound racing track with floodlights, fencing and electric rail.
- 2) Main stand, 45 metres long and 29 metres deep including covered terracing and 22 steps. The ground floor contains concourse area, tote offices, administrative offices, stores, tunnel and ladies & gents toilets. The first floor contains snack bar, passage, ladies & gents toilets, landing, stairs and lift. The second floor contains bar, tote offices, seating and judges box overhead.
- 3) Bookmaker pitches.
- 4) Weigh room, kennels, stores, disused tote offices, results board, tower, entrance stiles and car park.

**Valuation History:**

Prior to 1951:	Rateable valuation £400 (including £10.50 land).
1951:	Rateable valuation £500 (including £10.50 land).
1961:	Rateable valuation £500 (stadium including £10.50 land). Tote offices £100.
1961 C.C. Appeal:	Tote offices reduced to £50.
1979:	Revision rateable valuation £1,200 (buildings including tote). Advertising £20 absolute.
1979 Appeal:	Rateable valuation £1,200 reduced to £840.
1986 Revision:	No change.
1986 Appeal:	Rateable valuation £840 reduced to £800.
1986 C.C. Appeal:	Outstanding.
1994 Revision:	Rateable valuation £800 (stadium) and rateable valuation £20 (advertising) amalgamated and reduced to rateable valuation £500. Tote offices separately valued rateable valuation £60.
1994 First Appeal:	No change.

**Written Submissions:**

A written submission was received on the 13th day of October 1995 from Mr. Frank O'Donnell, Principal of Frank O'Donnell & Company, Valuation Rating and Property Consultants on behalf of the appellant.

In the written submission Mr. O'Donnell described the premises, set out the areas and gave a background to the performance of the greyhound stadium to date. He said that attendances at Harold's Cross throughout the '80's were high. This trend had not carried through to the 1990's, when there had been a serious downturn in numbers attending race meetings. He set out in tabular form the attendance and total betting between 1983 and 1994.

<b>Year</b>	<b>Attendance</b>	<b>Total Betting</b>
<b>1983</b>	<b>91,750</b>	<b>£5.38m</b>
<b>1984</b>	<b>79,079</b>	<b>£5.22m</b>
<b>1990</b>	<b>53,662</b>	<b>£5.44m</b>
<b>1991</b>	<b>49,039</b>	<b>£4.76m</b>
<b>1992</b>	<b>49,099</b>	<b>£4.16m</b>
<b>1993</b>	<b>51,300</b>	<b>£3.47m</b>
<b>1994</b>	<b>41,268</b>	<b>£3.48m</b>

He said that the stadium was currently running at a loss of approximately £100,000. Mr. O'Donnell gave details of the background to the decline of the Harold's Cross track and particularly emphasised that it had been the intention of Bord na gCon to sell Harold's Cross but that this had not been possible up until the present time. He said that no development had taken place in Harold's Cross as a result other than essential maintenance. Mr. O'Donnell calculated the net annual value on the subject premises on a square foot basis and on a market value basis as set out below:-

**(A) Square Foot Basis****(1) Stadium**

<u>Stand Complex</u>	<u>Area (sq.ft)</u>	<u>Rate/sq.ft.</u>	<u>Net Annual Value</u>
Stand	7,309	£0.50	£3,654.50
Stores under Terrace	1,453	£0.75	£1,089.75
Concourse (Passage)	3,348	£1.00	£3,348.00
Balance - Offices etc	2,800	£3.00	£8,400.00
First Floor	2,500	£2.00	£5,000.00
Second Floor	6,329	£1.00	£6,329.00

**Outside**

Tower (ground floor)	258		
Weigh Room	366		
Kennels	1,012		
Store	646		
Old WC (Now Store)	409		
Entrance	280		
	<u>2,971</u>	£0.75	£2,228.25

**Disused Buildings (No Value)**

Workshop	398	No value	
Old Workshop	194	No value	
Results Board	1,518	No value	
			£30,049.50

**Rateable valuation @ 0.63% = £189.31. Say £190.**

**(2) Tote**

	<u>Area (sq.ft)</u>	<u>Rate/sq.ft.</u>	<u>Net annual value</u>
In stand (gr.fl)	1,238	£1.00	£1,238.00
(2nd fl)	344	£1.00	£ 344.00
Outside - Disused	1,206		
			<u>£1,582.00</u>

**Rateable valuation @ 0.63% = £9.97.**

**(B) Market Value Basis**

As an alternative method of calculating NAV/RV, the rateable valuation is calculated on the market value basis. Bord na gCon were recently offered £1.2m for the Harold's Cross complex. This figure included the greyhound racing stadium and the accompanying 10 acres.

Market value of entire (including 10 acres)		£1,200,000.00
Market value of buildings	Say	£ 300,000.00
NAV @ 10%		£ 30,000.00

**RV @ 0.63%****£ 189.**

In conclusion, Mr. O'Donnell submitted that the appropriate valuation should be £190 on the stadium, £10 on the tote. Mr. O'Donnell gave details of four comparisons which are set out at Appendix 1.

A written submission was received on the 16th day of October 1995 from Mr. Tom Costello, District Valuer with over 30 years experience in rating valuation in the Valuation Office on behalf of the respondent.

In his written submission he described the property, its location and accommodation. He gave details of the valuation history as set out above. Commenting on the general developments in the greyhound industry, Mr. Costello said that Dublin Greyhound and Sport Association is a wholly owned subsidiary of Bord na gCon. It has a drink licence regulated by the Act, allowing sales during race nights and from a half hour before and after the last race. He said that 145 greyhound meetings were held each year. He said that in summary Bord na gCon's involvement in tracks as an overall development agency for the industry is a complicating factor. If tracks were to survive unaided he said that only a few would survive, as each one closed viability of the remainder would be enhanced. Harold's Cross stadium he said is a showcase for the industry and could be run at a loss while profits are taken out of the sport/industry at other levels. Having taken this into consideration he set out his calculation of rateable valuation as follows:-

**Valuation**

Stand (forecourt & terracing)	7,309 sq.ft @ £1.00	=	£7,309
Stores under terracing	1,453 sq.ft. @ £1.00	=	£1,453
Concourse area	3,348 sq.ft. @ £3.00	=	£10,044
Offices	2,800 sq.ft. @ £4.00	=	£11,200

**First Floor**

Snack bar, etc	2,500 sq.ft. @ £4.00	=	£10,000
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**Second Floor**

Bar, passage, seating	5,576 sq.ft. @ £4.00	=	£22,304
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Judges Box	753 sq.ft. @ £2.00	=	£ 1,506
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**Old Buildings**

Tower (gr.fl. only)	258 sq.ft.
Weigh Room	366 sq.ft.

Kennels	1,012 sq.ft.
Store	646 sq.ft.
Store	409 sq.ft.
Workshop	398 sq.ft.
Old workshop	194 sq.ft.
Results board	1,518 sq.ft.
Entrance stiles	280 sq.ft.

Car parking	7,566 sm	81,410 sq.ft. @ £0.10	=	£ 8,141
		Total	=	<u>£79,533</u>
		RV £79,533 x 0.63%	=	£501.05
		Add for 3 advertising signs	=	<u>£ 10.00</u>
				<u>£511.05</u>
		Say RV	=	£500.00.

Mr. Costello offered three comparisons which are summarised below:-

**1) VA88/151 - Cork Greyhound Racing Company**

RV £220 (Tote separately valued RV £35 and £10 - Total £45).

Advertising separately valued RV £15).

He said that the rateable valuation of £110 on the old buildings were agreed. He said

that at 1988 First Appeal the new stand was included in the valuation based on construction cost as follows:

Old Valuation	£110.00
Deduct bookmakers pitches (now in new stand)	£ 14.00
	<u>£ 96.00</u>
Add for new stand cost	£327,245
Yield 6½%	£ 21,270
NAV £21,270 x 0.63%	£134.00
Deduct tote offices @ £10	£124.00
<b>Rateable valuation</b>	<b>£124 + £96 = £220.</b>

**2) VA93/3/035 - Punchestown Racecourse**

The net annual value as assessed by the Commissioner of Valuation was £78,373 x 0.5% = RV £375. He said that the Valuation Tribunal reduced the valuation to £300 which represented a 20% reduction.

**3) VA88/147 - Limerick Greyhound Racing Track Company Limited**

Agreed prior to hearing.

1 Mulgrave Street, Ward: Market

RV £160. Tote Offices £30. He said the rateable valuation was calculated on the square metre basis.

**Conclusion:**

Mr. Costello said that the rateable valuation on the subject hereditament was fair and reasonable and comparable to similar properties recently revised. He said that while it was admitted that attendances had fallen low profitability did not automatically result in low rental values.

**Oral Hearing:**

The oral hearing took place in Dublin on the 23rd day of October 1995. The Tribunal took into account the written submissions of both parties. The Tribunal also heard oral evidence from Mr. Frank O'Donnell, Principal of Frank O'Donnell & Company and Mr. Thomas Costello, District Valuer in the Valuation Office.

Evidence was heard from Mr. O'Donnell that the Harold's Cross Greyhound Track was being wound down and that the Shelbourne Park Greyhound Stadium was being upgraded. The Tribunal also heard evidence that the attendance was down consistently in the last number of years, and that the downward trend in this type of sport is common and comparisons were made to horse racing tracks. Evidence was also given that there had been an agreement to sell Harold's Cross Greyhound Track, but this has not yet been agreed by the Greyhound Owners Association. It was further stated that while the zoning is presently amenity, obviously any prospective purchaser could make a further application with the planning authority. The party interested at the time, was the Irish Rugby Football Union.

Mr. Costello on behalf of the Valuation Office pointed out that there were three meetings a week being held in Harold's Cross Greyhound Stadium and that the stand was well maintained. It was built in 1979 at a cost of £400,000. He also pointed out that the tote offices in Shelbourne Park and Harold's Cross Stadiums were similar.

**Determination:**

The Tribunal considers that no additional or new information has been produced to the Tribunal to persuade it to amend the current rateable valuation on the stadium. Considering all of the deliberations herein and in light of the full submissions adduced the Tribunal therefore

affirms the rateable valuation of £500 on the stadium -VA95/1/058. In the light of comparisons adduced the Tribunal reduces the valuation to £50 on the tote office - VA/95/1/059.

