

Appeal No. VA97/5/014

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

Soundtrax Music Systems

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Showroom at Map Ref: 11bcd, (incl. 15a Knapp Square), Townland: John Redmond Street,
Ward: Gurrabraher, Shandon A, County Borough of Cork
Quantum

B E F O R E

Con Guiney - Barrister at Law

Deputy Chairman

George McDonnell - F.C.A.

Member

Anita Geraghty - Solicitor

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 23RD DAY OF JUNE, 1998

1. By Notice of Appeal dated the 13th day of August 1997 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £110 on the above described hereditament.
2. The ground of appeal as set out in the said Notice is that:-
"The valuation is excessive."

3. The larger property was revised in November 1996 to take account of subdivision and reconstruction. A rateable valuation of £110 was fixed on the subject property and no change was made at first appeal which was issued on 18th July 1997.
4. A written submission prepared by Mr. Edward Hanafin, BSc (Surv.), ARICS, ASCS, MIAVI of Lisney, Chartered Surveyors, 67/69 South Mall, Cork was received by the Tribunal on the 7th May 1998. The written submission stated that a fair rateable valuation of the subject premises was £72. A written submission on behalf of the Respondent prepared by Mr. Frank Twomey, a District Valuer in the Valuation Office was received by the Tribunal on the 30th April 1998.
5. Although the areas were agreed between the parties in advance of hearing, at the beginning of the hearing, as there remained some slight discrepancies between the areas submitted respectively by the Appellant and the Respondent, Mr. Hanafin handed in a written statement showing the agreed areas for the subject property and his now revised rateable valuation. He submitted that the rateable valuation should be £74 and not £72. The areas agreed were:

Ground floor	showroom front	1,119 sq.ft..
	rear	1,044 sq.ft.
Mezzanine Offices		395 sq.ft.
Lower Ground	store	2,296 sq.ft.

6. The appeal proceeded by way of an oral hearing which took place in the County Hall, Cork County Council on the 20th day of May 1998. The Appellant was represented by Mr. Edward Hanafin and Mr. Frank Twomey appeared on behalf of the Respondent. Having taken the oath both Valuers adopted as their evidence in chief their respective written submissions, which in accordance with procedure, had been submitted to the Tribunal and exchanged between them in advance of hearing.

In his evidence Mr. Hanafin dealt in greater detail with the three comparisons which had been contained in his written submission. In further evidence, Mr. Hanafin described the secondary location of the subject premises. There was little pedestrian traffic there. Furthermore, the property was located on a major traffic route into Cork city centre and consequently no on-street car parking was allowed.

In his evidence, Mr. Twomey dealt with the three comparisons contained in his written submission. He stated that the most appropriate comparison was Academy Electronics Ltd. This property adjoined the subject premises and at one time formed a single hereditament with it.

In the course of his cross-examination of Mr. Twomey, Mr. Hanafin sought to establish that the subject premises was not as well fitted out in terms of its roof and display windows as Academy Electronics Ltd. Furthermore, his contention that access to the rear of the shop was unimpeded in the case of Academy Electronics Ltd., unlike the subject where there were a number of steps leading to the back of the shop, was not contradicted by Mr. Twomey.

7. The Tribunal has considered the written submissions of both parties and the evidence given to this Tribunal here today. The Tribunal considers that as a starting point it should take the first comparison of the Valuation Office namely Academy Electronics Ltd., in arriving at its judgment. However, this comparison namely Academy Electronics Ltd., has a better internal fit-out than the subject both in terms of its roof and display windows. Again access to the rear of this property is unimpeded whereas there are a number of steps leading to the rear of the shop area in the subject premises.

The Tribunal has therefore decided that some discount must be given for these negative factors in the subject premises in arriving at a rateable valuation. The Tribunal considers that the rateable valuation should be determined as follows;

Front shop	1,119 sq.ft. @ £5 psf	£ 5,595
Rear shop	1,044 sq.ft. @ £4 psf	£ 4,176
Offices	395 sq.ft. @ £4 psf	£ 1,580
Store	2,296 sq.ft. @ £2 psf	<u>£ 4,592</u>
		<u>£15,943</u>

NAV £15,943 @ 0.63% = £ 100.44 Say £100.

The Tribunal therefore determines the rateable valuation of the subject premises at £100.

