

Status of Judgment: Distributed

Appeal No. VA97/6/030

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

Dr. Michael McCarthy

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Guest House (unregistered) at Lot No. 14, Dyke Parade, Mardyke, C.B. Cork, County Borough of Cork.

Struck out for non - appearance

B E F O R E

Liam McKechnie - Senior Counsel

Chairman

Barry Smyth - FRICS.FSCS

Member

George McDonnell - F.C.A.

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 10TH DAY OF FEBRUARY, 1999

By Notice of Appeal dated the 15th day of October 1997 the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £88.00 on the above described hereditament.

The Grounds of Appeal as set out in the said Notice of Appeal are that "listed building in Cork Corporation Schedule 1994; High maintenance and repair costs to fabric of building due to area subsidence and traffic density; Hostel accommodation with planning submission pending to bring building in line with current tourism traffic Act; Owner/Family occupied; Reduced square footage area of public access due to Family occupancy and enforcement notice city manager; Valuation is excessive and inequitable."

The appeal proceeded by way of an oral hearing which took place in the County Hall, Cork County Council, Victoria Cross, Cork on the 10th day of February 1999. Mr. Tom Costello, a District Valuer with over thirty six years experience in the Valuation Office appeared on behalf of the Commissioner of Valuation. In accordance with practice and as required by the rules of this Tribunal, Mr. Costello had prior to commencement of the hearing submitted his précis to the Tribunal. No précis of evidence was received from the appellant Dr. McCarthy.

The Tribunal sat for the purposes of hearing this appeal on February 10, 1999 in Cork. Notification of the date of hearing was given to the parties on 24 November 1998. This appeal was previously listed for hearing in Cork on 16th July 1998. Application on behalf of the appellant was made for an adjournment on July 3, 1998 on the grounds that the appellant was detained abroad on business. The Tribunal reluctantly granted the adjournment on that occasion, despite the objection of the Commissioner of Valuation. On this occasion no contact has been made by the appellant with the Tribunal and in the circumstances of the non-appearance of the appellant at the hearing today, the Tribunal hereby strikes out the appeal with liberty to apply within 14 days.