

Appeal No. VA97/6/035

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

Four Seasons Hotel

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Licensed hotel and land at Map Ref: 3c.12, Coolshannagh (pt. of), UD: Monaghan, Co. Monaghan

Quantum - Relevant comparisons

B E F O R E

Con Guiney - Barrister at Law

Deputy Chairman

Barry Smyth - FRICS.FSCS

Member

Finian Brannigan - Solicitor

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 24TH DAY OF JUNE, 1998

By Notice of Appeal dated the 17th day of October 1997 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £600 on the above described hereditament.

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

"The valuation is excessive, inequitable and bad in law when rental levels and other factors are taken into consideration."

The relevant valuation history is that in 1994/4 the Local Authority requested that the subject premises be revised. A valuation of £600 was placed on the subject premises. Following the 1994/4 first appeal there was no change to the valuation.

A written submission prepared by Brian Bagnall of Brian Bagnall & Associates on behalf of the Appellant was received by the Tribunal on 13th May 1998. Mr. Bagnall is an Associate of the Royal Institute of Chartered Surveyors and the Society of Chartered Surveyors. He is also a member of the Irish Auctioneers and Valuers Institute. Mr. Bagnall has been in private practice for nineteen years.

The written submission set out Mr. Bagnall's opinion of a fair rateable valuation of the subject premises as follows:-

Gross floor area	43,500 sq.ft.
Rent @ £2.20 psf =	£95,700 x 0.5% = £478.50. Say £480.

Mr. Bagnall's written submission contained one comparison, namely the Nuremore Hotel, Carrickmacross, Co. Monaghan. This property was the subject of a Tribunal decision (VA95/1/047).

A written submission on behalf of the Respondent prepared by Patrick McMorrow, B.Ag.Sc.(Econ), G.Dip. P & D Economics was received by the Tribunal on 14th May 1998. Mr. McMorrow is a Valuer in the Valuation Office.

Mr. McMorrow's written submission contained a schedule of three comparisons.

Mr. McMorrow's opinion of a fair rateable valuation for the subject premises was as follows:-

43,652 sq.ft. @ £2.75 psf = £120,043

$$\text{NAV} = \text{£}120,000 \times 0.5\% = \text{£}600 \text{ RV.}$$

The appeal proceeded by way of an oral hearing which took place in the Circuit Court Office, The Courthouse, Monaghan on the 27th day of May 1998. The Appellant was represented by Mr. Brian Bagnall. The Respondent was represented by Mr. Patrick McMorrow. Having taken the oath both Valuers adopted as their evidence in chief their respective written submissions which in accordance with the procedure of the Tribunal had been submitted to the Tribunal and exchanged between them in advance of the hearing.

At the commencement of the hearing a slight discrepancy in the areas between the parties was resolved. The areas so agreed were;

Gross area 43,576 sq.ft.

Mr. McMorrow stated that this agreement did not alter his opinion of the rateable valuation of the subject premises.

In his evidence Mr. Bagnall dealt with his only comparison, namely the Nuremore Hotel, Carrickmacross, Co. Monaghan. This hotel was of a higher standard than the subject premises. The Tribunal decision had placed a value of £2.25 psf on the hotel building. Mr. Bagnall stated that in putting a value of £2.20 psf on the subject premises he had made all the appropriate adjustments in the valuation.

In his evidence, Mr. McMorrow stated that his main comparison was the Ardboyne Hotel. This hotel had a gross area of 36,900 sq.ft. and was valued at £3.44 psf. Mr. McMorrow stated that the Ardboyne's location with reference to Dublin was positive for functions but negative for commercial travellers.

The Tribunal has considered the written submissions and the evidence submitted by both parties to it. Looking at Mr. Bagnall's one and only comparison, The Nuremore Hotel, the Tribunal considers that this is an inappropriate comparison as it is 100% greater in area than the subject. Therefore the Tribunal has decided that the most appropriate comparison is the Ardboyne Hotel which was produced by the Respondent. It is similar in terms of area and bedrooms and various

other aspects of the hotel. Furthermore when the Tribunal looks at the rate per square foot on the Ardboyne which is £3.44 psf the Tribunal considers that Mr. McMorrow when fixing a figure of £2.75 for the subject has made a reasonable reduction and therefore the Tribunal affirms the decision of the Commissioner of Valuation in fixing a rateable valuation of £600 on the subject premises. The Tribunal determines the rateable valuation of the subject premises to be £600.