

Status of Judgment: Distributed

Appeal No. VA98/1/002

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

Fulflex International Co. Ltd.

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Factory and Grounds at Lot No: 2D, Townland: Galvone, Ward: Galvone A, County
Borough of Limerick
Quantum

B E F O R E

Con Guiney - Barrister at Law

Deputy Chairman

Anita Geraghty - Solicitor

Member

Ann Hargaden - FRICS.FSCS

Member

**JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 23RD DAY OF FEBRUARY, 1999**

By Notice of Appeal dated the 12th day of December 1997 the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £1,400 on the above described hereditament.

The Grounds of Appeal as set out in the said Notice of Appeal are that "the valuation is excessive and unwarranted and unjustified taking the nature and location of the property".

Description

The appeal proceeded by way of an oral hearing, which took place in the Council Chamber Limerick Corporation, City Hall, Limerick on the 3rd Day of February 1999. Mr. Frank O'Grady MA FRICS FSCS a partner of Harper O'Grady, Auctioneers, Surveyors, Valuers and Estate Agents appeared on behalf of the Appellant. Mr. Patrick Conroy, a District Valuer in the Valuation Office appeared on behalf of the Commissioner of Valuation. Mr. Eamonn Goode, General Plant Manager also gave evidence. In accordance with practice and as required by the rules by this Tribunal the parties had, prior to commencement of the hearing, exchanged précis of evidence and submitted same to us. Having taken the oath each valuer adopted as his evidence-in-chief, his précis. From the evidence so tendered the following facts either agreed or so found are considered by the Tribunal to be relevant to this appeal.

Location

The property is located on the southern perimeter of Limerick City in the Galvone Industrial Estate. This Estate is bounded to the North by Childers Road, which is the southern ring road around Limerick city, linking the N7 (Dublin Road) with the N20 (Cork/Kerry Road), and to the south by the Southhill housing estate. Galvone Industrial Estate was first developed in the early 1970's but for various reasons a number of sites within the estate remain undeveloped. As a result, the overall impression is that it is an inferior industrial estate in Limerick.

Property Description

The building comprises a detached factory premises incorporating a mixture of office, production and ancillary areas, together with ancillary items. The building is of standard construction for its age and type and eaves height is approximately 4.5 metres. The original premises was extended a number of times since its was first constructed and the most recent addition was a facility to house plant used in the manufacturing process, known as the "Banbury Plant". The occupier has also re-roofed the building and has carried out some repairs and maintenance over the years. Both parties advise that the premises are in reasonable repair, however, there is serious evidence of subsidence throughout the structure, which necessitates repair on an ongoing basis.

Submissions of the Parties

Mr. O'Grady assessed rateable valuation on the subject premises at £830 as follows:

Offices	4,636 sq.ft. @ £2.25	=	£10,431
Works Offices	1,395 sq.ft. @ £1.50	=	£ 2,092
Canteen & Staffroom	3,305 sq.ft. @ £1.50	=	£ 4,957
Factory	92,500 sq.ft. @ £1.00	=	<u>£92,500</u>
Sub Total	101,836 sq.ft.	=	£109,980 NAV
R.V.		=	£ 692
Horsepower	2,700 h.p. @ £0.05	=	<u>£ 135</u>
	Total R.V.	=	£827
	Say	=	£830

He said that the subject premises suffered from the following difficulties;

- (a) The restricted access and limited parking and loading space with the property.
- (b) The dated nature of the construction particularly the roof and floor construction which now requires continual maintenance.
- (c) The poor condition of the road surface of the estate due to lack of maintenance by the local authority.

Mr. O'Grady offered three comparisons as set out in Appendix One.

Mr. Conroy in support of the valuation assessed, offered four comparisons, three in the Galvone Estate and one in the Dock Road, Limerick, as set out in Appendix Two. He said that the problems associated with the Galvone Estate had been taken into account in assessments in the Estate i.e.-

£2.00 p.s.f. for production as against £2.45 p.s.f. elsewhere. He further stated that the particular subsidence problems of the subject had resulted in a lower p.s.f. assessment on the subject than on similar premises in Galvone i.e. £1.75 p.s.f.

Findings of the Tribunal

1. The Banbury plant has without doubt added to the footprint of the building and we are obliged to value this as part of the facility, even though it is entirely in use as a shelter in effect to house the plant.
2. The appellant has agreed that the additional miscellaneous items are to be valued to include the boilers, cooling pond and oil tanks and that they should be valued in accordance with the agreed rates as indicated by the respondent.
3. It is also agreed that the horsepower is 2,890 HP.
4. The most comparable properties must be the adjacent properties within the estate. Out of these No. 1 seems to be of similar vintage, similar eaves height and more importantly is of a similar size but it suffers less from the subsidence problems that both parties agree exist in the subject.

The Tribunal therefore determines that the R.V. of the subject premises should be £1,258 calculated as follows:

	SQ. FT - PSF	£
Offices	4,636 @ £3.00	£ 13,908.00

Production Areas	92,508 @ £1.50	£138,762.00
Canteen/Staff Rooms	3,305 @ £2.50	£ 8,262.50
Two-Storey Offices	1,395 @ £2.50	£ 3,487.50
'Banbury' Mix Area	3,048 @ £2.00	£ 6,096.00
TOTAL		£170,516.00
N.A.V. @ 0.63%		£ 1,074.25
SAY	Sub Total	£ 1,074.00

Plus Miscellaneous Items:

160,000 gallons @ £0.10/1,000 gals	£16.00
Oil Tanks 8,800 gallons @ £0.20/1,000 gals	£1.75
Boilers 8.560 ibs/hour	£21.40
Horse Power 2,890 @ £0.05/HP	<u>£144.50</u>

TOTAL	Sub Total	£183.65
TOTAL RV		£1,257.65
SAY		£1,258.00
		R.V.