

Appeal No. VA98/4/010

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

Brooks Group Ltd. t/a Brooks Thomas

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Warehouse at Map Reference 12F-56Bc/2, Townland: Singland, Ballysimon Road,
Ward: Abbey & Singland, Singland B, County Borough of Limerick
Quantum - location, yard for circulation or to be valued

B E F O R E

Con Guiney - Barrister at Law

Deputy Chairman

Barry Smyth - FRICS.FSCS

Member

George McDonnell - F.C.A.

Member

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

By Notice of Appeal dated the 28th day of October 1998, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £550 on the above described hereditament.

The Grounds of Appeal as set out in the said Notice of Appeal are that; "the rateable valuation is excessive and inequitable and bad in law having regard to the provisions of the Valuation Acts and on other grounds also".

The appeal proceeded by way of an oral hearing that took place on the 4th day of June 1999 in the Council Chamber, Limerick Corporation, City Hall. The appellant was represented by Mr. Tom Davenport ARICS ASCS, Chartered Surveyor, Lisney Estate Agents, Auctioneers. Mr. Brian O'Flynn with twenty-four 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 the parties had prior to commencement of the hearing exchanged précis of evidence and submitted same to us. Having taken the oath each party adopted as his evidence in chief his précis.

The Material facts so found and agreed

The location of the premises was not in dispute. It is on Ballysimon Road not far from the Childer's road junction.

The Premises

The floor areas are agreed and will be set out in detail later in the Judgment. The yard areas while they were agreed between the parties, whether or not they should be valued was in dispute. The basic dispute rested on an estimate of the N.A.V.

The Appellant's Case

In the appellant's case Mr. Davenport set out his valuation and applied a series of rates p.s.f. to the various areas: the principal sections being;

Showroom	6,231 sq.ft. @ £2.50 p.s.f.
Main Warehouse	18,627 sq.ft. @ £1.75 p.s.f.

Other areas were;

Offices	1,742 sq.ft. @ £2.50
<i>1st Floor</i>	
Offices/Stores	399 sq.ft. @ £2.00
Mezzanine Stores	1,344 sq.ft. @ £0.50
External Store	2,108 sq.ft. @ £1.00

He put no further value on what he described as the circulation area around the premises or the car-parking area but the yard that he clearly identified as being for storage purposes extended to 33,804 sq.ft. and on that he put a value of £.10 p.s.f. This gave an N.A.V., rounded up to £60,000 per annum, and applying the factor of 0.63% derived an R.V. of £380.

Mr. Davenport provided comparisons, which are appended to the determination and these comparisons comprise:

- The ESB warehouse on Ballysimon Road - a considerably larger premises at 37,700 sq.ft. with 30ft headroom. The analysis of the N.A.V. and R.V. produced a figure of £2.25 p.s.f. on the warehouse area and £0.04½ p.s.f. on a particularly large yard area of 5.5 acres.
- BMS Ireland Ltd on Ballysimon Road, formerly Atari.
Rent reviewed in 1997, which produced rents of £1.75 p.s.f. on offices and £1.22 p.s.f. on a factory/warehouse.
- Hanover Tyres Ballysimon Road formerly Brooks Thomas
Analysis of the 1989 rent indicated £1.35 p.s.f. on the warehouse and £3.00p.s.f. on relatively small offices. He also provided rents in that case of a concrete yard @ £0.10 p.s.f. and hard core area of £0.05 p.s.f.
- Buckley Ltd. Builder's Providers Ballysimon Road
His analysis of the R.V. on this comparison was not in line with the agreed analysis provided by that the Valuation Office and which is set out below.
- Dairygold Co-Op Shop on the Raheen Roundabout Cork Road which was some distance from the subject premises.
- O'Neill's Industrial Sales a relatively small premises located close to the subject.

Respondent's Case

The respondent's valuation on the premises was as follows;

Shop	6,321 sq.ft. @ £4.00 p.s.f.
Offices (grd. flr.)	1,742 sq.ft. @ £3.00 p.s.f.
Offices (1st flr.)	399 sq.ft. @ £2.50 p.s.f.
Mezzanine store over offices	1,344 sq.ft. @ £1.00 p.s.f.
Warehouse	18,627 sq.ft. @ £2.25 p.s.f.
Open store	2,108 sq.ft @ £1.25 p.s.f.
Yard (20 spaces)	9,810 sq.ft..... circulation
Yard – tarmac	34,875 sq.ft. @ £0.15 p.s.f.
Yard – concrete/hardcore	31,853 sq.ft. @ £0.15 p.s.f.
N.A.V.	£87,047
@ 0.63% = R.V.	£548.39
R.V. Say	£550

In his comparisons, which are set out in full in the Appendix to this determination, he also used Buckleys which is located nearby but closer to the roundabout at Childer's Road and he gave the following analysis:

Offices/Shop	4,664 sq.ft. @ £3.00
Warehouse (old) 6m eaves	17,069 sq.ft. @ £2.00
Stores (old) 7m eaves	15,154 sq.ft. @ £2.00
Stores (new) 8m eaves	10,351 sq.ft. @ £2.25
Offices:	579 sq.ft. @ £3.00
Stores, pt. open	1,861 sq.ft. @ £1.50
Stores, open, corr.iron	540 sq.ft. @ £1.00
Tarmac car park	5,382 sq.ft. @ £0.15
Yard, concrete/hardcore	101,505 sq.ft. @ £0.12

Further comparisons he gave were:

- Heatmerchants Ltd. which appears to be more of a retail warehouse premises than the subject premises,

- Wurth Ireland Ltd. which analysed at 17,220 sq.ft. @ £2.25 p.s.f.
- O.M.C. Engineering Ltd. which had a warehouse/production area of 11,362 sq.ft. @ £2.25 p.s.f.
- Telecom Eireann premises which is on a 7 acre site fronting to Tipperary Road. He provided information on the tarmac and concrete yard, which is 193,000 sq.ft. less 20% circulation @ £0.15 p.s.f.
- Linen Supply Company which analysed at 13,180 sq.ft. @ £0.15 p.s.f. (concrete yard) and a very small warehouse 5,035 sq.ft. @ £2.45.

He also gave evidence on Chadwicks which is on Childer's Road close to the junction with Punches Cross and that is a premises in a very similar business to the subject premises and there the analysis of the R.V. and N.A.V. produces the following figures;

Shop	6,959 sq.ft. @ £4.25 p.s.f.
Offices	699 sq.ft. @ £3.50 p.s.f.
Warehouse	11,378 sq.ft. @ £2.50 p.s.f.
Workshop	856 sq.ft. @ £2.50 p.s.f.
Offices & Canteen	736 sq.ft. @ £3.50 p.s.f.
Mezzanine Stores	706 sq.ft. @ £0.75 p.s.f.
Yard Area	45,946 sq.ft. @ £0.15 p.s.f.

Determination

The Tribunal having considered the evidence considers that the appropriate approach to this premises relates particularly to the comparisons Buckley's and Chadwicks, acknowledging the more prominent location of Buckleys from an advertising point of view in its position on the roundabout but equally the difficulty of access for traffic travelling away from the city having to cross the lane of traffic. Furthermore account has been taken of the fact that the buildings are considerably older and do not have the same eaves height as the subject premises. Chadwicks is a more modern premises and in the opinion of the Tribunal better located than the subject premises but nonetheless is a useful comparison in that it is in a very

similar business. The other comparisons were accorded less weight in our consideration in so far as the buildings were in different uses or different locations or of different ages.

Deriving our decision from these comparisons, the Tribunal determines the rateable valuation on the subject premises as follows:

Main warehouses 18,627 sq.ft. @ £2.25 p.s.f.

This reflects both the E.S.B. premises which is larger and with higher headroom and Buckley's and Chadwick's which are better located than the subject.

Showroom/retail space 6,231 sq.ft. @ £3.00 p.s.f.

The level applied here is similar to the Buckleys level but lower than the Chadwicks, which in our opinion is better located for the purpose for which it is utilised.

Balance:

Offices	1,742 sq.ft. @ £3.00 p.s.f.
1st. floor offices	399 sq.ft. @ £2.50 p.s.f.
Mezzanine	1,344 sq.ft. @ £0.50 p.s.f.
Open Store	2,108 sq.ft. @ £1.25 p.s.f.
Yard areas, total	66,728 sq.ft. @ £0.15 p.s.f.

The Tribunal has amalgamated the two figures produced by the Valuation Office and as it is the nature of these businesses to use such areas in relation to their businesses rather than purely for circulation space, we have applied a rate to these areas which in line with the evidence presented.

Neither valuer put a rent on the car parking spaces and we think that is appropriate, and we have not done so either

Total N.A.V = £80,143.25.

Applying the fraction of 0.63% gives an R.V. of £504.90. Say £505.00.

The Tribunal so determines.

