

**Appeal No: VA19/5/0861**

**AN BINSE LUACHÁLA  
VALUATION TRIBUNAL**

**NA hACHTANNA LUACHÁLA, 2001 - 2015  
VALUATION ACTS, 2001 - 2015**

**Premier Jewellers**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

**In relation to the valuation of**

Property No. 1944439, Retail (Shops) at 23A/ Unit 1 Trimgate Street, Navan, County Meath

**JUDGMENT OF THE VALUATION TRIBUNAL  
ISSUED ON THE 27<sup>TH</sup> DAY OF OCTOBER, 2023**

**BEFORE**

Frank O'Grady - MA, FSCSI, FRICS

**Member**

**1. THE APPEAL**

- 1.1 By Notice of Appeal received on the 14<sup>th</sup> day of October, 2019 the Appellant appealed against the determination of the Respondent pursuant to which the net annual value '(the NAV)' of the above relevant Property was fixed in the sum of €17,200.
- 1.2 The Grounds of Appeal are fully set out in the Notice of Appeal. Briefly stated they are as follows: "Valuation is excessive"
- 1.3 The Appellant considers that the valuation of the Property ought to have been determined in the sum of €8,600.

**2. RE-VALUATION HISTORY**

- 2.1 On the 15<sup>th</sup> day of March, 2019 a copy of a valuation certificate proposed to be issued under section 24(1) of the Valuation Act 2001 ("the Act") in relation to the Property was sent to the Appellant indicating a valuation of €17,200.
- 2.2 A Final Valuation Certificate issued on the 10<sup>th</sup> day of September, 2019 stating a valuation of €17,200.
- 2.3 The date by reference to which the value of the Property, the subject of this appeal, was determined is the 15<sup>th</sup> day of September 2017.

### **3. DOCUMENT BASED APPEAL**

3.1 The Tribunal considered it appropriate that this appeal be determined on the basis of documents without the need for an oral hearing and, on the agreement of the parties, the Chairperson assigned the appeal to one member of the Tribunal for determination.

3.2 Both parties were requested to submit precis of evidence in writing to the Tribunal in accordance with standard practice, in this instance no submission was received from the Respondent. Despite several reminders to do so at the date of appointment of a member to determine the case, no information had been provided to the Tribunal.

### **4. FACTS**

4.1 The parties are agreed as to the following facts.

4.2 The subject property is a ground floor lock-up retail unit trading as a jeweller and giftware outlet in a 2-storey mid terraced building on Trimgate Street in the centre of Navan town.

4.3 The floor areas are not contested and agreed between the parties.

4.4 The property is held freehold.

### **5. ISSUES**

5.1 The matter at issue is quantum.

### **6. RELEVANT STATUTORY PROVISIONS:**

2.1 The net annual value of the Property has to be determined in accordance with the provisions of section 48 (1) of the Act which provides as follows:

“The value of a relevant property shall be determined under this Act by estimating the net annual value of the property and the amount so estimated to be the net annual value of the property shall, accordingly, be its value.”

6.2 Section 48(3) of the Act as amended by section 27 of the Valuation (Amendment) Act 2015 provides for the factors to be taken into account in calculating the net annual value:

“Subject to Section 50, for the purposes of this Act, “net annual value” means, in relation to a property, the rent for which, one year with another, the property might, in its actual state, be reasonably be expected to let from year to year, on the assumption that the probable annual cost of repairs, insurance and other expenses (if any) that would be necessary to maintain the property in that state, and all rates and other taxes in respect of the property, are borne by the tenant.”

## **7. APPELLANT'S CASE**

7.1 Mr. Tadhg Donnelly for the Appellants submitted his precis and gave details on the location, size, and title.

7.2 To assist his case he provided details of 2 retail outlets in the centre of Navan, Ludlow Street and Church Hill both a short distance from the subject (Appendix 1- N/A to public), with levels significantly below the figures stated in the final Valuation Certificate.

7.3 He stated that there were several vacant buildings on Trimgate Street due to the trade moving to the main shopping centre. He further opined that the unit itself was narrow and restricted in space and that parking was limited along the street.

7.4 Mr. Donnelly sought to have the valuation of the subject property in line with comparable properties in the list and requested the Tribunal to reduce the NAV to €8,600.00.

## **8. RESPONDENT'S CASE**

8.1 There was no additional evidence presented by the Respondents who had fixed the NAV at €17,200 in the Final Valuation Certificate.

## **9. SUBMISSIONS**

9.1 There were no legal issues.

## **10. FINDINGS AND CONCLUSIONS**

10.1 On this appeal the Tribunal must determine the value of the Property so as to achieve, insofar as is reasonably practical, a valuation that is correct and equitable so that the valuation of the Property as determined by the Tribunal is relative to the value of other comparable properties on the valuation list in the rating authority area of Meath County Council.

10.2 The Tribunal in this instance having had only one submission has no alternative other than reduce the valuation in accordance with the evidence offered by the Appellant.

## **DETERMINATION:**

Accordingly, for the above reasons, the Tribunal allows the appeal and decreases the valuation of the Property as stated in the valuation certificate to €8,600.00.