

Appeal No. VA90/3/021

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

Cantrell & Cochrane Limited

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Offices, Factory, Warehouse & Yard at Lot No. 8/12 Courtstown, Co. Cork

B E F O R E
Mary Devins

Solicitor (Acting Chairman)

Brian O'Farrell

Valuer

Joe Carey

P.C. M.I.A.V.I.

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 1ST DAY OF MAY, 1991

By notice of appeal dated the 17th day of September, 1990, the appellants appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £1180.00 (buildings) and £120 (Absolute) on the above described hereditament.

The grounds of appeal are 'inter alia' that the valuation is excessive and inequitable.

Valuation History

The property was first valued in 1981 at £830 and no change was made at first appeal. In 1985 the rateable valuation was increased to £880 and on appeal was reduced to £875. The rateable valuation was increased to £920 in 1987 and it was not appealed. In 1989 it was increased to £1,300 and no change was made at appeal stage except it was apportioned as £1,180 buildings and £120 absolute. It is against this determination that the appeal now lies to the Tribunal.

Location and Description of Property

The property is situated in Little Island Industrial Estate, approximately 5 miles from Cork City centre and one mile off the Cork Middleton Road. The property is well serviced with good water, sewerage, telephone, telex, road, natural gas, three phase electricity services and adjacent to Cork port. It comprises a bottling and warehouse complex constructed in 1981. The complex consists of a single storey bottling hall, adjoining warehouse and single and two storey service block containing offices, laboratory, workrooms, stores, canteen, locker and toilet facilities. The complex has been extended a number of times.

Written Submissions

A written submission was received on the 24th April, 1991 from Mr Thomas F. Davenport ARICS, Chartered Surveyor, of Lisney, 24 St. Stephen's Green, Dublin 2. In this Mr Davenport describes the main building as being constructed on a concrete portal frame with insulated metal deck roofing, concrete block and metal deck insulated external walls, concrete floors with a quarry tiled finish inside. He says that the service and office block has concrete block and stud internal partitioning with a plaster and part tiled wall finish. The new warehouse is constructed with concrete block walls to 7ft. with remainder of walls having metal cladding. Mr Davenport describes the accommodation as follows:-

<u>Buildings</u>	Sq. ft.
Two storey offices	6,574

Bottling Hall	14,042
Original warehouse	16,603
Workshop/stores	10,825
Lean-to stores	4,508
New rear warehouse	20,724
Pump house	172
Canopy	1,905

Absolute Column

- (1) Various tanks as follows:
 - 1 x 20 ton CO2 tank
 - 2 x 10,000 gallon fuel tanks
 - 1 x 5,000 diesel tank
 - 1 x 2,000 litre sulphuric acid tank
 - 3 x 20,000 litre cider tanks
- (2) Boiler and various pipework
- (3) 32 car spaces
- (4) Concreted yrd c. 18,800 sq. ft.
- (5) Horsepower 408

The accommodation has been agreed with the Commissioner of Valuation. Mr Davenport also states that it has been agreed with the Commissioner that the rateable valuation should be estimated on the basis of calculating the net annual value of the subject premises at November 1988 and that the appropriate factor to apply to the net annual value is 0.63% to give the rateable valuation.

Mr Davenport gives his estimate of net annual value as follows:-

Offices 6,574 sq. ft. @ £2.75	=	£ 18,078
Bottling Hall 14,042 sq. ft. @ £2	=	£ 28,084
Warehouse 16,603 sq. ft. @ £1.50	=	£ 24,905
Workshop/stores 10,825 sq ft @ £1.25	=	£ 13,531
Lean-to stores 4,508 sq. ft. @ £1	=	£ 4,508
New extension 20,724 sq. ft. @ £1.50	=	£ 31,086
Pump house 172 sq. ft. @ £1	=	£ 172
Canopy 1,905 sq. ft. @ £0.20	=	£ 381
TOTAL		£120,745
	Say	£120,000

Using the agreed factor of 0.63% Mr Davenport's estimate of rateable valuation would be £756 for buildings.

With regard to the absolute valuation a number of the items have been agreed with the Commissioner. These are General pipework R.V. £13, boiler R.V. £11, horsepower R.V. £20, two fuel tanks R.V. £4 and an R.V. of £1 for both the diesel and sulphuric acid tanks giving a total of £50 agreed. The items under dispute are as follows:- (1) 20 ton carbon dioxide tank, (2) three stainless steel cider tanks, (3) the concrete yard and (4) the 32 car spaces. Mr Davenport, in his written submission, gave his estimate of net annual value for items (1), (2) and (3) and applying the agreed percentage of 0.63 arrived at the following rateable valuations. (1) 20 ton tank R.V. £16. (2) Three cider tanks R.V. £10. (3) Concrete yard R.V. £12. Mr Davenport said that the rental values that he has applied to the buildings reflect the fact that there is car parking available and he does not propose to value the car spaces separately. Therefore Mr Davenport's estimate of rateable valuation is £88 for absolute.

Mr Davenport also submitted five comparisons and these are appended to this judgment as Appendix "A".

A written submission was received from Mr Terence Dineen B.Agr.Sc., a valuer with 17 years experience in the Valuation Office in which he outlined the valuation history of the subject, described the premises and location and gave details of the various items at issue. He outlined his calculation of the buildings and absolute items as follows:-

Buildings

N.A.V. say £190,000 x 0.63% = £1,197. Say £1,180.

Absolute

Mr Dineen gave a list of the agreed items which we have already referred to. The agreed figure for these items is £50. He values the disputed items as follows:-

(i)	Cider tanks	£15.00
(ii)	CO2 vessel	£24.00
(iii)	32 car spaces @ 40p	£13.00
(iv)	Concrete yard	£25.00
	TOTAL	£77.00

Total absolute £127. Say £120.

Total valuation **£1,300.00**

Mr Dineen gave details of rental values in Little Island/Courtstown and of large industrial rentals in Cork City. These are attached as Appendix "B".

Oral Hearing

At the oral hearing which took place in Cork on the 30th April, 1991 Mr Thomas Davenport represented the appellant and Mr Terence Dineen represented the respondent. After considerable discussion the parties agreed the rateable valuation on the absolute items at £105. After a further discussion it emerged that the difference between the parties on the rent per square foot on the outstanding buildings were as follows:-

<u>Item</u>	<u>Appellant rate</u>	<u>Respondent rate</u>
Offices	£2.75	£3.00
Bottling Hall	£2.00	£4.00
Warehouse	£1.50	£2.25
Workshop	£1.25	£2.50
Lean-to stores	£1.00	£2.00
New extension	£1.50	£2.00
Pumphouse	£1.00	£1.50
Canopy	£0.20	£0.50

The Tribunal accepts the evidence of comparisons adduced by Mr Davenport. It is satisfied that these comparisons are of a similar function and in an exactly similar location.

It does appear, however, that the bottling section of the subject hereditament is of unusually good quality.

In the light of evidence given in relation to the rental levels of factory/warehouses in the Cork area and taking into account the quantum allowance argued for by Mr Davenport the Tribunal has decided that the correct rateable valuation of the subject premises is £1,050, which is apportioned at £945 Buildings and £105 Absolute.