

Appeal No. VA98/3/093

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

Ballyboden Ltd.

APPELLANT

and

Commissioner of Valuation
RESPONDENT

RE: Factory and yard at Map Reference 35Hb, Drumnasillagh, E.D. Glenties, Co. Donegal

Quantum - 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 14TH DAY OF DECEMBER, 1999

By Notice of Appeal dated the 5 August 1998, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £245 on the above described hereditament.

Eight grounds of appeal were set out in a document attached to the Notice of Appeal.

The appeal proceeded by way of an oral hearing that took place on the 10th December 1999. Mr. Patrick McCarroll Chartered Valuation Surveyor, A.R.I.C.S, F.I.A.V.I. A.S.C.S. I.R.R.V., A.C.I. Arb appeared on behalf of the appellant. Mr. Christopher Hicks, Appeal Valuer appeared on behalf of the Commissioner of Valuation. Prior to the commencement of the hearing the parties had exchanged their precis of evidence and submitted the same to this Tribunal. Mr. McCarroll submitted his pressay to the Tribunal on the 30th November 1999 and Mr Hicks submitted his pressay to the Tribunal on the 29th November. Both valuers having taken the oath adopted their precis as being their evidence in chief. Submissions were also made. From the evidence so tendered the following emerged as being the facts relevant and material to and for the purposes of the appeal.

The Property

The premises comprise a two-story building together with single story factory premises to the rear. The premises are located in the townland of Drumnasillagh, which is situated c.0.25 miles west of the town of Glenties.

The agreed accommodation is:

Factory area	13,392 sq.ft.
First Flr. offices	2,609 sq.ft.
First Flr. store	1,135 sq.ft.
Ancillary	556 sq.ft.
Old buildings	6,600 sq.ft.

Valuation History

The old premises were last valued in 1984 at RV £37.50. The new building was constructed in 1996 and a revised valuation of £245 was issued in November 1997. No change was made to the valuation at first appeal. The appeal to this Tribunal was lodged on 5th August 1998.

Appellant's Valuation Assessment and Comparisons

Mr. McCarroll on behalf of the appellant assessed the rateable valuation on the subject premises as follows:

Valuation :

Factory	13,392 sq.ft. @ £2.00	=	£ 26,784
First floor offices	2,609 sq.ft. @ £1.85	=	£ 4,826
First floor Store	1,136 sq.ft. @ £1.00	=	£ 1,136
Ancillary	556 sq.ft. @ £ 1.00		£ 556
Total NAV £33,302 @ .5%	=	£166.50	
Plant (HP and Tanks)	=	25	= RV £186

Comparisons:

1. Hubert Plum RV £300

2. Burtonport Fisherman's Co-Op 96/4 - R.V. £165

Full details are attached as Appendix A.

Respondent's Valuation Assessment & Comparisons**Valuation:**

Factory including first floor offices	16,000.ft. @ £2.50	=	£40,000
First floor ancillary accommodation and stores	1692 sq.ft. @ £1.00	=	£ 1,692
Old Factory as rough store	6,600 sq.ft. @ £0.25	=	£ 1,650
Total NAV Buildings	£43, 342 @ .5%	=	£216.71
Motive Power 500 hp @ .5p		=	£25
Yard		=	£5
Total RV	=	£246.71	Say 245

Comparisons

1. Galtee Food Products Limited 1989 Revision/Appeal RV £2,075 – VA93/4/020

2. Polar West Boyle Co Roscommon 1992 Appeal RV £340

Full details are attached as Appendix B.

Tribunal Findings and Determination

Both parties in this appeal have relied on comparisons for the purpose of assessing the NAV. In relation to the comparisons submitted by the appellant the Tribunal makes the following comments:

(1) Hubert Plum

Cold room 3959 sq.ft. @ £2.25

This premises is not a finished processing plant but a basic cold store and is inferior to the subject

(2) Burtonport Fisherman's Co-Op

The chill processing area of 3848 sq.ft. @ £2.25 is used for primary processing rather than finishing for the shelf processing as in the subject and therefore we consider it to be inferior to the subject.

In relation to the respondent's comparisons:

(1) Galtee Food Products appears overall to be a far superior premises to the subject and not particularly relevant in this case.

(2) PolarWest, Boyle is in very similar use in producing finished products for the shelf as does the subject and as suggested by the appellant it is not to the same very high standard as required of the bacon processing plant.

However it is valued at £2.50 a sq.ft. for a larger area than the subject. We must therefore be guided by this figure of £2.50 per sq.ft. The most appropriate office comparison is also the premises in Boyle where on the main offices of 1,602 sq.ft the rate applicable is £3 and for the prefab offices of 1,820 sq.ft £2.25 is applied.

The NAV on the first floor and ancillary accommodation is agreed between the valuers at £1.00 per sq.ft. and the horse power is also agreed at £25. This means the old factory building of 6600 sq.ft. and the yard remain to be considered.

The old building is clearly put to some use and therefore must have an NAV and the rate per sq.ft. of .25p proposed seems reasonable. The yard at 10,000 sq.ft. appears appropriate to the size of premises and should be included in the overall figure.

We therefore determine the NAV as follows:

The main processing area	13,392 sq.ft @ £2.50 per sq.ft }
The offices	2,609 sq.ft. @ £2.50 per sq.ft. } = £40,002
The first floor store & ancillary accommodation	1,692sq.ft. @ £1.00 per sq.ft.=£1,692
The old factory	6,600 @ £0.25 per sq.ft. =£1,650
Total NAV	£43,344

And applying the fraction of .5% gives an R.V. of £216.72

To which is added the horsepower of £25 =£241.72

say R.V. £240

And the Tribunal so determines.