IN THE VALUATION TRIBUNAL FOR ENGLAND
IN THE MATTER OF A 2017 RATING LIST APPEAL

Case No: CHG100727222

Sitting remotely using Microsoft Teams

Date: 10 June 2025

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — office and premises; appeal against the accuracy of the rateable value of the hereditament; appeal allowed.

Before:
MRS L MCDERMOTT
MRS F DUGGAN

Between:

ATLAS CLEANING LTD — **Appellant**

- and -

MS N JOHNSON (VALUATION OFFICER) — **Respondent**

Regarding:
6 ST GEORGES MEWS, 43 WESTMINSTER BRIDGE ROAD, LONDON, SE1 7JB
(the “subject property”)

Mr M Morrison (instructed by Ryan Property Tax Services UK Limited) for the **Appellant**
Ms R Begum for the **Respondent**

Hearing date: 20 May 2025

DECISION AND STATEMENT OF REASONS

Decision

1. The appeal is allowed.

2. The Tribunal panel determined a revised rateable value (RV) of £78,500 in respect of 6 St Georges Mews, 43 Westminster Bridge Road, London, SE1 7JB with effect from 1 April 2017.

Introduction

3. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeal has been made to this Tribunal on the grounds that the rateable value (RV) for the appeal property is not reasonable.

4. This statement of reasons is not and does not purport to be a full verbatim record of proceedings.

Background

5. The subject building is located on Westminster Bridge Road, within walking distance of Elephant and Castle, Lambeth North, Waterloo and Southwark Stations. The accommodation is arranged over ground, first and second floors, with a total area of 256.52m^2. Prior to 18 February 2017, the three floors had been assessed as two hereditaments. One hereditament was in respect of the ground and first floors, with the second hereditament comprising only of the second floor. The two assessments were merged on 18 February 2017. The Appellant stated that the property was built in 1989, however the Valuation Officer had been unable to confirm the exact age of the property.

6. The RV for the hereditament with effect from 1 April 2017 was £100,000 which was based on an unadjusted rate of £450/m^2.

7. The Appellant's representative was seeking a reduction to £77,000 based on an unadjusted rate of £350/m^2. In the proposed valuation, the Appellant's representative had not used the same relativities as the Valuation Officer and had included a different figure in respect of two car parking spaces. At the hearing, Mr Morrison stated that the Valuation Officer's relativities and valuation of the car parking spaces was correct, however he was still seeking an unadjusted rate of £350/m^2.

8. The evidence submission before the panel comprised all the evidence disclosed and exchanged during challenge which included comparable rental evidence and its analysis, comparable assessment evidence and photographs.

9. Mr Morrison appeared on behalf of the Appellant as both advocate and expert witness. He stated that his company was being paid on a contingency fee basis but was aware that in giving expert evidence his responsibility was to the Tribunal.

10. The panel accepted this expert witness evidence on the above basis, as to do otherwise would be contrary to regulation 3 (Discharge of VTE functions – general) of the Procedure regulations and was allowable due to the Tribunal's rules on admissibility of evidence (regulation 17(2)(a) where the Tribunal can admit evidence whether or not it would be admissible in a civil trial in England). The panel therefore considered the “expert” evidence and attached such weight to it as it saw fit.

11. Ms Begum for the Valuation Officer, appeared in the role of advocate only.

Relevant Law

12. The term “rateable value” was defined in Schedule 6 to the Local Government Finance Act 1988 (as amended). The value was required to reflect an annual rent on the property, assuming a new letting with the tenant responsible for all rates, taxes, repairs and insurance. In respect of the 2017 rating list, the Rating Lists (Valuation Date) (England) Order 2014 requires the rental levels to be taken on 1 April 2015, the antecedent valuation date (AVD).

Discussion

13. In the case under consideration, the panel analysed the competing evidence having regard to the authoritative guidance in *Lotus & Delta v Culverwell (VO) and Leicester City Council* [1976] RA 141.

14. The starting point for consideration was the actual rent passing on the appeal hereditament. In this case, there was no rent on the appeal hereditament as it was occupied on a freehold basis.

15. In terms of indirect rental evidence, Mr Morrison stated that when the challenge was initially made, he had been unable to find any rental evidence on HM Land Registry. However, the Valuation Officer had provided rents from the subject building from Forms of Return (FOR). The ground and first floors of the building had been merged with the second floor to form the subject hereditament, which was now known as 6 St Georges Mews with effect from 18 February 2017.

16. The Valuation Officer referred to the rents in respect of Gnd and 1st Floors Unit 6 St Georges Mews, 2nd Floor Unit 6 St Georges Mews and 3 St Georges Mews. The rents on the first two hereditaments were lease renewals effective from 2 February 2014. The Valuation Officer stated that the rent which had been adjusted to AVD was £526.72/m^2 in respect of the Gnd and 1st Floors and adjusted to £834.04/m^2 in respect of the 2nd Floor. The rent in respect of 3 St Georges Mews was a rent review effective from 1 March 2016. The Valuation Officer had adjusted this rent to £738.00/m^2. The hereditaments had all been valued at £450/m^2. Mr Morrison argued that the analysed rent did not match up with the unadjusted rate of £450/m^2 used by the Valuation Officer, and he contended that the large difference in the rents sent warning signals that they were unsafe. He further contended that according to HM Land Registry, these properties were occupied by Peabody Trust who also occupied other properties within the same postcode area, and there was a danger that the FOR’s had been mixed up or confused.

17. The Valuation Officer argued that the rent on the subject building was the best evidence, as they were lease renewals close to the AVD. However, at the hearing, Ms Begum was unable to explain how the figure of £450/m^2 had been reached in respect of the comparable rental assessments, considering the rent analysed a lot higher and there was a large variation between £526.72/m^2 and £834.04/m^2.

18. In terms of comparable assessment evidence Mr Morrison relied on six properties with unadjusted rates ranging between £300/m^2 and £350/m^2. The panel considered that the hereditaments within the same street were more helpful in determining the unadjusted rate in respect of the subject property.

19. The office adjoining the subject property to the left of the building was Romero House, 55 Westminster Bridge Road. Mr Morrison stated that the unadjusted rate for this property was £350/m^2 in the 2017 Rating List. He argued that this property was more modern than the subject building, having been built in 2010. Ms Begum argued that this property had a less superior floor plate as it was triangular as opposed to the rectangular floorplate of the subject property. However, apart from the photograph provided of the outside of the building by the Appellant's representative, no floor plan or further evidence was provided to demonstrate that this property was inferior to the subject property.

20. The second property relied on by the Appellant's representative was Lwr Gnd and Gnd Flr 35A Westminster Bridge Road. Mr Morrison stated that the unadjusted rate for the property in the 2017 Rating List was £350/m^2. This building was built in 2013, and he argued that the older subject building should not be assessed at a higher unadjusted rate. In respect of this property, Ms Begum argued that the commercial property had a residential element on the floors above which made it less superior to the subject property. The panel was not provided with any evidence to support the argument that the residential element would warrant a lower unadjusted rate.

21. The final property within the same street was 246 Westminster Bridge Road. Mr Morrison stated that whilst this was an older building it had been refurbished to a very high specification in 2005. The unadjusted rate was £500/m^2 however it had been reduced to £325/m^2. Ms Begum argued that this property was older and was 0.5miles away from the subject property.

22. The panel noted that the subject building had been built around 1989, and Mr Morrison stated that there had been little, or no improvement made to the building since it was built. Internal photographs of the subject property had been provided by the Appellant's representative to demonstrate this. The property did not benefit from raised floors, it only had comfort cooling on the first and second floors and there was an allowance for the lack of natural light on the ground floor. Mr Morrison had provided evidence of other comparable properties within the same street, two in particular that were very close to the appeal property, one which was adjoining. These properties had an unadjusted rate of £325/m^2 and £350/m^2. The panel was not satisfied that Ms Begum was able to explain why the subject property was assessed at £450/m^2.

23. Having considered all the evidence, the panel was more persuaded by the evidence presented by the Appellant's representative which was in respect of comparable properties next door and in the same road. The Valuation Officer's representative was unable to explain why the rents that they relied on were much higher but were only assessed at £450/m^2 and was unable to explain why the subject property was assessed at £100/m^2 more.

Determination

24. In view of the above findings and conclusions, the Tribunal panel determined that the RV in respect of the subject hereditament was unreasonable, and that an unadjusted rate of £350/m^2 more accurately reflected the appeal property. The panel calculated the revised valuations as shown below. The Appellant's representative had been seeking a revised RV of £77,000, however the revised figure of £78,500 was reached having regard to the Valuation Officer's relativities and the value for car parking spaces.

Hereditament Address					
6 St Georges Mews 43, Westminster Bridge Road, London, SE1 7JB					
Ref	**Floor**	**Description**	**Area (m^2)**	**Price (£/m^2)**	**Value (£)**
1.1	Ground	Office	38.20	£284.25	£10,858
1.2	First	Office	130.50	£314.21	£41,004
1.3	Second	Office	87.82	£284.29	£24,966
	Additional	**Features**			
		Surfaced covered spaces	2	£1,025	£2,050
				Total Value	£78,878
				Rateable Value	£78,500
				Effective Date	1 April 2017

25. As a consequence of the above decision, the Tribunal panel orders the Valuation Officer to reduce the 2017 Rating List entry in respect of 6 St Georges Mews, 43 Westminster Bridge Road, London, SE1 7JB to £78,500 RV with effect from 1 April 2017. The Valuation Officer must comply with this Order within two weeks of the date of its making.

26. The Appellant is entitled to a full refund of the fee paid in respect of the subject hereditament in accordance with regulation 13E(a)(a) of the Non-Domestic Rating (Alterations of Lists and Appeals) (England) Regulations 2009 (as amended).

Right of further appeal

27. Any party who is aggrieved at the Tribunal's decision, and who appeared or was represented at the hearing, has a statutory right of further appeal to the Upper Tribunal (Lands Chamber) pursuant to Regulation 42 of the Tribunal Procedure Regulations. A party does not require permission to appeal from the Tribunal. Any appeal must be made directly to the Upper Tribunal (Lands Chamber) within **four weeks** of the date this decision and statement of reasons is issued.

28. Further information regarding this statutory right of further appeal, and the parties' other rights, is contained in the guidance booklet "*A guide to tribunal decisions*" available on the Tribunal's website at www.valuationtribunal.gov.uk/guidance-booklets/.

Mrs L McDermott, Senior Member (Presiding)

Mrs F Duggan, Member

10 June 2025

Mrs K Edhouse-Thomas
Clerk to the Tribunal
Date issued to the parties: 10 June 2025