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

Case No: CHG101061254

Sitting remotely using Microsoft Teams

Date: 20 October 2025

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — car showroom and premises; appeal against the accuracy of the rateable value of the hereditament; appeal dismissed.

Before:
MR S C KAMALAN
MR A SHETH

Between:

VERTU MOTORS PLC **Appellant**

- and -

KAREN GILES (VALUATION OFFICER) **Respondent**

Regarding:
SPEEDS OF NOTTINGHAM, NUTHALL ROAD, NOTTINGHAM, NG8 5AT
(the "subject property")

Mr W Secrett (instructed by Knight Frank LLP) for the **Appellant**
Mrs P Bailey for the **Respondent**

Hearing date: 23 September 2025

DECISION AND STATEMENT OF REASONS

Decision

1. The appeal is dismissed.

2. The Tribunal panel made no change to the rating list entry in respect of the subject property.

Introduction

3. This appeal has been brought in respect of Speeds of Nottingham, Nuttall Road, Nottingham, NG8 5AT, which entered the 2017 rating list as ‘car showroom and premises’, at £214,000 Rateable Value (RV) with effect from 1 April 2017.

4. 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 for the appeal property is not reasonable.

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

Background

6. The subject property is a purpose-built car showroom, constructed in 1994. The hereditament consists of separate Citroen and Hyundai showrooms to the front of the site and a detached workshop to the rear, which is in a triangular formation with the entrance in between the two. The area of the buildings is 2725m^2 and there are 126 display spaces.

7. The RV for the hereditament with effect from 1 April 2017 was £242,000 RV. This was assessed using a price of £130/m^2.

8. In the proposal, the Appellant sought a reduction to £200,000 RV with effect from 1 April 2017, which was based on a price of £110/m^2 and an end allowance of 5% for fragmentation.

9. As a result of the Challenge, the Valuation Officer had reduced the RV to £214,000 with effect from 1 April 2017, which was based on a reduced price of £120/m^2 and an end allowance of 5% for fragmentation.

10. The evidence submission before the panel comprised all the evidence disclosed and exchanged during the challenge which included rental evidence, comparable assessment evidence and photographs. In advance of the hearing, the Appellant’s representative advised the Tribunal that he wished to refer to the hereditament at 431- 436 Nottingham Road. Mrs Bailey had no objection to the inclusion of this evidence.

11. Mr Secrett appeared on behalf of the Appellant, in a dual capacity as both advocate and expert witness. He confirmed that although the firm was on a fixed fee, as an individual he was on a conditional fee arrangement. He acknowledged that, in providing expert evidence, his primary duty was to the Tribunal.

12. 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.

13. Mrs Bailey also appeared on behalf of the Valuation Officer in the dual role of advocate and expert witness.

Preliminary issue

14. Prior to the hearing, it was identified that the unit rate of £110/m^2 would not arrive at the Appellant’s proposed RV of £200,000 with effect from 1 April 2017. On that basis, Mr Secrett proposed that the unit rate be amended to £111/m^2. A revised valuation was submitted by Mr Secrett.

Relevant Law

15. 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). In respect of the subject appeal, the material day is 1 April 2017.

Discussion

16. The remaining issue for the panel to determine was the appropriate price/m^2 for the subject property. The Valuation Officer had already adjusted the rate from £130/m^2 to £120/m^2, citing the property’s location outside Nottingham’s prime car showroom area, known as the Lenton Lane Cluster, which was valued at £130/m^2. However, the Appellant contended that the rate should be further reduced to £111/m^2.

17. 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.

18. The starting point was the actual rent passing on the appeal hereditament. The lease had not been made available to the Valuation Officer at the time of the initial challenge submission. The initial lease was dated 29 November 2010 and commenced on 1 November 2010 for a period of 15 years with 5-yearly upward only reviews. The rent of £185,000 per annum was agreed for the new lease. At the 2015 rent review, the parties had been unable to reach agreement by negotiation, and the rent of £200,000 to be paid with effect from 1 November 2015 was determined by a RICS independent expert. Mr Secrett argued that open market rental evidence for car showrooms was limited, and this was the best evidence. The 2015 rent was close to the AVD and was fully negotiated and determined by an independent expert. Mrs Bailey considered that this evidence should carry little weight because it was not a new open market let and was therefore some distance from the conditions of the hypothetical tenant. The panel shared the reservations of the Valuation Officer as this was not a new letting and had not been agreed on the open market.

19. In terms of indirect rental evidence, the parties acknowledged that this was limited. The Valuation Officer had relied on the rents in respect of seven properties in Nottingham. Mrs Bailey argued that the best evidence was in respect of 199 Mansfield Road and 75 Mansfield Road (Skoda), as they were new leases in similar secondary locations. Mrs Bailey stated that

according to Forms of Return (FOR) data, the rent was in respect a new letting. The rent of £250,000 per annum in respect of the larger property at 199 Mansfield Road was effective from 29 November 2013. She had analysed this to £145.36/m^2 for an area of 3081.20m^2 and the unit value adopted was £120/m^2. The rent in respect of the smaller property at 75 Mansfield Road was effective from 1 September 2014. The 15-year lease had been agreed at £90,000 per annum and analysed to £117.74/m^2 over an area of 1111.76m^2 and a unit value of £115.00/m^2 had been adopted. Mrs Bailey contended that this property was on a more minor road than the subject hereditament, it was smaller, very cramped and had a small display area. She argued that this supported the view that the rateable value for the subject hereditament was not unreasonable.

20. Mrs Bailey also referred to the rent review in respect of 503 Valley Road as this was the closest in distance, approximately one mile from the subject in a similar location. The rent of £120,000 per annum was effective from 12 February 2015 and had been analysed to £126.79/m^2 with a unit value of £130/m^2.

21. In respect of this rental evidence Mr Secrett argued that the rent in respect of five of these properties was effective from 2013 and were too far removed from the AVD. Additionally, three were in the better location of the main showroom cluster, were more modern, and had been assessed at £130/m^2.

22. Mr Secrett further argued that 199 Mansfield Road was in a superior area, with more frontage and on a corner of a junction. Whilst the Valuation Officer had stated that the rent in respect of 75 Mansfield Road was a new letting, Mr Secrett argued that it was actually a lease renewal. He argued that Skoda had properties on both sides of the road, and that it was possible that the lease renewal in 2012 had been over bid. However, the panel noted that no evidence had been submitted to demonstrate this.

23. In relation to the comparable assessment evidence Mr Secrett referred to the assessment at 375 Mansfield Road (Peugeot Robin & Day). This property was assessed at £100/m^2 and was more comparable in terms of age and specification, with the subject property being more modern. He also referred to 431- 436 Nottingham Road (Suzuki/Mitsubishi) which had been assessed at £80/m^2. He stated that this property was close to 503 Valley Road. It was built in the 1990s with displays at the rear and showroom at the front. He argued that outside of the main cluster, there was a fluctuation in the rates depending on their proximity to junctions and that individual rents were the best indicator of value.

24. Mr Secrett argued that the subject property was not in the main cluster or prime car showrooms and was secondary or even tertiary to the prime location. It was set away from the main location away from Western Boulevard. There was a difference in opinion over the benefits of the locations as Mrs Bailey argued that Nuttall Road was a busy road, easily accessible to the city centre and ring road around Nottingham.

25. The panel acknowledged that the subject property was not located within the superior Lenton Lane cluster, but the Valuation Officer had reflected the difference in value by reducing the price/m^2 accordingly. The panel was therefore not persuaded that £120/m^2 was unreasonable for the subject property, based on the rental evidence relied on by the Valuation Officer and comparable assessment evidence. The panel was not persuaded that the subject property was located in a more inferior location to these assessments.

Determination

26. In view of the above findings and conclusions, the Tribunal was not satisfied that any reduction in the rating list was warranted. The appeal was therefore dismissed.

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/.

Mr S C Kamalan, Senior Member (Presiding)

Mr A Sheth, Senior Member

20 October 2025

Mrs K Edhouse-Thomas
Clerk to the Tribunal
Date issued to the parties: 20 October 2025