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

Case No: CHG101138359

Sitting remotely using Microsoft Teams

Date: 27 January 2026

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — 2017 rating list; office and premises; greater end allowance sought for disruption caused by redevelopment works; appeal allowed in part.

Before:
MRS OO ROBSON
MS LS MARSHALL
MR S GILL

Between:

TILNEY SMITH AND WILLIAMSON — **Appellant**

- and -

NICOLA JOHNSON (VALUATION OFFICER) — **Respondent**

Regarding:
25 MOORGATE, LONDON EC2R 6BT
(the "appeal property")

Mr D Hill from CBRE (Appellant's Representative)
Mr P Brance (Respondent's Representative)

Hearing date: 15 January 2026

DECISION AND STATEMENT OF REASONS

DECISION

1. The appeal is allowed in part.

2. The Tribunal finds that the current assessment of £2,910,000 Rateable Value (RV), with effect from 8 November 2021 was unreasonable and determined the reduced value of £2,750,000 RV, with effect from 8 November 2021.

STATEMENT OF REASONS

Introduction

3. The appeal property was in the 2017 rating list with at £3,060,000 RV.

4. On 7 June 2022, the Valuation Officer (VO) altered the list by way of a notice to reduce the RV to £2,910,000 with effect from 8 November 2021 by applying a 5% end allowance in relation to demolition and redevelopment works at the adjacent property 63, 64-66 Coleman Street and 35-39 Moorgate.

5. The appellant's representative submitted a check on 29 March 2023 which was completed on 1 June 2023. This resulted in a challenge proposal which was submitted by the appellant's representative and was received by the Valuation Officer (VO) on 29 September 2023. Mr Hill argued that alteration made by the VO was inaccurate because the RV was incorrect, excessive and bad in law as the VO had not properly considered the significant disturbance caused by major demolition and construction works directly adjacent to the property starting in November 2021.

6. This was Mr Hill was seeking an allowance of 15% which would result in a reduced RV of £2,600,000.

7. The VO issued a decision notice on 28 April 2025 stating that the rating list entry was considered to be reasonable based on the evidence and information presented. The appellant's representative appealed that decision to this Tribunal on 27 August 2025.

8. Mr Hill appeared on behalf of the appellant as both advocate and expert witness and declared that he was employed on a contingency fee basis. In view of the Upper Tribunal's judgment in *Gardiner & Theobald LLP v David Jackson (VO)* [2018] UKUT 0253 (LC), Mr Hill understood and accepted that his duty is to the Tribunal in giving his evidence and he will comply with this as well as the requirements of his professional body regardless of whether or not the evidence supports his client's case.

9. The panel accepted this expert witness evidence on the above basis as the appeal is not complex and to do otherwise would be contrary to regulation 3 (Discharge of VTE functions – general) of the Procedure regulations and is 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).

10. The panel hearing the evidence considered the "expert" evidence and assessed what weight, if any, it should give to it in the context of the matters in issue before it.

11. Mr Brance was representing the VO in the dual role of advocate and expert witness.

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

Background

13. The appeal property was built in 2003-2004 and was refurbished in 2017. It was then renovated in 2025. It comprised of eight floors of office space with a club space on the eighth floor. It was located on the east side of Moorgate.

Discussion

14. Mr Hill detailed that there was major demolition works occurring at 63, 64-66 Coleman Street and 35-39 Moorgate which was directly adjacent to the appeal property. The works detailed in the planning notice stated that it was for the demolition of three existing buildings with the exception of the front façade of 63 Coleman Street. There was to be an erection of a new building with four levels below ground, ground, and seven upper storeys plus alterations to the retained façade for use as a health facility within Use Class D1.

15. The works impacted both the front, rear and side elevations therefore wrapping around the appeal property causing a substantial disturbance. There was one and a half party wall that was touching 35-39 Moorgate which caused major disturbances through noise, dust and vibrations. The demolition phase started on 8 November 2021 at the upper levels of the building on Moorgate and the Coleman Street sides of the site. The demolition works alone lasted one and a half years into 2023.

16. There were also a loss of amenity and a negative visual impact due to the scaffolding and scaffold covers. There were further disruptions caused by a pit late erected to enable the loading of up to eight to ten 8-wheel tipper lorries to collect demolition material daily.

17. Both parties had referred to comparable properties situated within London that had received an allowance due to disturbance / reconstruction works in support of their arguments. However, the panel held that some of these were not comparable as they were in relation to high rise buildings with different issues. The panel placed greater weight properties also situated on Moorgate where an allowance had been granted.

18. The panel had regard to 41 Moorgate which was situated on the adjacent side of the same set of disturbance works. Only part of the party wall was touching the works. The VO had applied a 7.5% allowance to five different assessments located on different floors to reflect the neighbouring party wall related works. The VO confirmed that had not been disputed indicating that the allowance had been accepted. These properties supported a greater allowance than the 5% already applied.

19. 48-53 Moorgate was situated 0.1 mile from the appeal property and an allowance of 7.5% had been given at the check stage to reflect the façade remained and the internal structures were reconfigured. This was in relation to a different set of works at 60 Moorgate. This also had not been challenged. The allowance had been upgraded to 15%. As this was in relation to a different set of works, the panel placed lesser weight on this evidence.

20. Having regard to settlement assessments at 41 Moorgate, the panel held that the appeal property had been impacted greater by the scheme of works and therefore warranted a greater end allowance than 5%. The properties at 41 Moorgate had been given a 7.5%

allowance, but the works were only on one side and did not wrap around the appeal property. Therefore, due to the greater impact the appeal property suffered in relation to the works, the panel were not persuaded that a 15% allowance should apply, but concluded that the allowance should be increased to 10%.

Conclusion

21. In view of the above findings, the panel held that the end allowance should be increased to 10% resulting in a revised RV of £2,750,000.

Item	Description	Area m2	£/m2	Value
1	Basement	8.60	£ 118.50	£1,019
2	Lower Ground	312.80	£ 154.04	£48,184
3	Ground (Reception / Entrance)	N/A	£ -	£0
4	Ground (Office)	375.20	£ 473.98	£177,837
5	First (Office)	1,072.10	£ 473.98	£508,154
6	Second (Office)	1,078.50	£ 473.98	£511,187
7	Third (Office	1,068.60	£ 473.98	£506,495
8	Fourth (Office)	1,085.20	£ 473.98	£514,363
9	Fifth (Office)	937.50	£ 473.98	£444,356
10	Sixth (Office	671.70	£ 473.98	£318,372
			Subtotal	**£3,029,967**
	Additional Features Of The Property Included In The Valuation			
	Surfaced Covered Spaces	10	3,500	£35,000
			valuation sub	£3,064,967
Item	**Adjustments**	**+ / -**	**%**	
1	35-39 Moorgte/63, 64-66 coleman	Allowance	-10.00%	£306,496
			Total	**£2,758,470**
			Say RV	**£2,750,000**

22. The appeal was allowed in part.

23. Accordingly, we order the VO to reduce the 2017 Rating List entry to £2,750,000 RV, with effect from 8 November 2021, within two weeks of the date of this Order.

Refund of fees

24. A refund of the paid fee will now be arranged (Regulation 13E of the NDR Alteration of Lists & Appeals Regs) provided there is no review of the Tribunal's decision. The refund will take around six weeks to process.

Right of further appeal

25. 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) using Form T385 (Notice of appeal) within **four weeks** of the date this decision and statement of reasons was issued.

26. 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 OO Robson, Senior Member (Chair)
Ms LS Marshall, Senior Member
Mr S Gill, Member
9 February 2026

Miss K Hendry
Clerk to the Tribunal
Date issued to the parties: 9 February 2026