IN THE VALUATION TRIBUNAL FOR ENGLAND
IN THE MATTER OF A 2023 RATING LIST APPEAL

Case No: CHG101216859

Sitting remotely using Microsoft Teams

Date: 19 January 2026

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — 2023 rating list appeal; Office and premises; Compiled List Entry; Price per square metre; Rental evidence/assessment of comparable properties; Lotus and Delta v Culverwell (VO) & Leicester City Council [1976] RA 141; Appeal allowed in part.

Before:
DR S PENNI
MRS S PATEL
MISS E CROSS

Between:

SOCIETY FOR ENDOCRINOLOGY **Appellant**

- and -

LUCY FORMELA-OSBOURNE (VALUATION OFFICER) **Respondent**

Regarding:
GND & 1ST FLR UNIT 1600, BRISTOL PARKWAY NORTH, NEWBRICK ROAD, BRISTOL, BS34 8YU
(the "appeal property")

Mr J Sweet from Ryan Property Tax Services UK (Appellant's Representative)
Mr S Gedara (Respondent's Representative)

Hearing date: 8 January 2026

DECISION AND STATEMENT OF REASONS

DECISION

1. The appeal is allowed in part.

2. The Tribunal finds that the current assessment of £135,000 Rateable Value (RV), with effect from 1 April 2023 was unreasonable and determined the reduced value of £131,000 RV, with effect from 1 April 2023.

STATEMENT OF REASONS

Introduction

3. The challenge proposal was submitted by the appellant's representative and was received by the Valuation Officer (VO) on 8 May 2024. It had been made on the grounds that the RV shown in the rating list of £135,000 on 1 April 2023 was inaccurate. A revised RV of £126,000 was proposed with effect from 1 April 2023, based upon a reduced unadjusted rate from £150/m^2 to £140/m^2. The VO issued a challenge decision notice on 10 June 2025.

4. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeal to this Tribunal has been made on the grounds that the valuation for the hereditament is not reasonable. The appeal was lodged by the appellant's representative on behalf of the appellant, and received by the Tribunal on 16 July 2025.

5. Mr Sweet 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 Sweet 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.

6. 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).

7. 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.

8. Mr Gedara was representing the VO in the dual role of advocate and expert witness.

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

Background

10. The appeal property was an office located in a business park approximately one mile from Bristol Parkway railway station. The property consisted of ground floor and first floor office space with a total area of 800.66m^2. It had a total area in Terms of Main Space (ITMS) of 820.68m^2. It had been valued at a rate of £150/m^2 in a valuation scheme applicable to offices

in neighbourhood and surrounding of South Gloucestershire and Bristol. There was also 44 car parking spaces.

Relevant Law

11. The issue before the panel was to determine the correct valuation for the subject property with effect from 1 April 2023. In respect of an appeal against an entry in the 2023 rating list, the rental levels are to be taken as those passing at the antecedent valuation date (AVD) of 1 April 2021.

12. The material day (the date by which physical factors have to be taken into account) was provided by the Non-Domestic Rating (Material Day for List Alterations) Regulations 1992 (SI 1992/556) as amended. In respect of the subject appeal, the material day is 1 April 2023.

13. The subject property must be valued for the purpose of non-domestic rating on the basis of the rent at which it might reasonably be expected to let from year to year on a number of assumptions (see paragraph 2(1) of Schedule 6 of the Local Government Finance Act 1988).

14. The panel was aware of the Lands Tribunal judgment of *Lotus & Delta Ltd v Culverwell (VO) and Leicester City Council* [1976] RA 141 cited by the parties. This case had established six propositions, which gave clear guidance to be followed, namely:

    (1) ‘Where the hereditament which is the subject of consideration is actually let that rent should be taken as the starting point.

    (2) The more closely the circumstances under which the rent agreed both as to time, subject matter and conditions relate to the statutory requirements contained in the definition of Gross Value in s.19(6) of the General Rate Act 1976 the more weight should be attached to it.

    (3) Where rents of similar properties are available, they too are to be properly looked at through the eye of the valuer in order to confirm or otherwise the level of value indicated by the actual rent of the subject property.

    (4) Assessments of other comparable properties are relevant. When a valuation list is prepared these assessments are to be taken as indicating comparative values estimated by the Valuation Officer. In subsequent proceedings on that list therefore they can properly be referred to as giving an indication of that opinion.

    (5) In light of all the evidence an opinion can then be formed of the value of the appeal hereditament, the weight to be attributed to the differing types of evidence depending on the one hand on the nature of the actual rent and on the other hand, on the degree of comparability found in other properties.

    (6) In those cases where there are no rents available of comparable properties a review of other assessments may be helpful but, in such circumstances, it would be clearly more difficult to reject the evidence of the actual rent.’

Discussion

15. Mr Sweet stated that the current rate was excessive and argued that the evidence supports a reduced tone of £140-£145/m^2. The VO was defending the current rate in the list of £150/m^2.

16. Both parties provided a schedule of comparable properties to support their case. The panel had regard to the map provided and noted that the majority of comparables were widely spread across the locality, some distance from the appeal property. The panel held that the best comparables were 1st Floor Unit 3110 Great Western Court and Unit 3120 Great Western Court as they were the closest. They were both located only 0.3 miles away from the appeal property and the rent had been agreed five months post AVD on 1 September 2021. Both of these units were in the valuation list at a rate of £150/m^2, however the VO confirmed that they had outstanding appeals which indicated to the panel that the tone had not been set.

17. The VO had analysed the rent on Unit 3110 to £144.33/m^2 and Mr Sweet had arrived at a figure of £138.62/m^2. This rent was a new letting effective from 1 September 2021. The panel noted that this unit was half the size of the appeal property at a total area of 477.16m^2 and a ITMS total area of 489.09m^2.

18. Unit 3120 was much closer in size to the appeal property at 793.29m^2 with an ITMS area of 814.15m^2. This was a rent review effective from 1 September 2021. The VO had analysed this rent to £146.73/m^2. Mr Sweet did not provide an analysis of this rent.

19. Mr Sweet notified the panel that the appeal property had been in the 2017 list at a rate of £140/m^2. He had also informed the panel that other offices in the locality had seen an increase in value between the lists of 3.1%, whereas the current rate of £150/m^2 was a 7.15% increase in value and therefore out of kilter with the tone in the locality. This supported that there had been growth in the locality and therefore could not accept the rate sought by Mr Sweet of £140/m^2. Having regard to the comparable properties rent analysing to £144.33/m^2 and £146.73/m^2, the panel adopted a revised rate of £145/m^2.

Conclusion

20. In view of the above findings, the panel held that the unadjusted rate should be reduced from £150/m^2 to £145m^2 resulting in a reduced RV of £131,000 with effect from 1 April 2023.

Item	Description	Area m2	Relativity	£/m2	Value
1	Ground Office	408.44	1.025	£ 148.63	£60,704.40
2	First Office	392.22	1.025	£ 148.63	£58,293.70
				Subtotal	**£118,998.09**
	Car Parking				
	44 Car parking spaces				£12,012.00
				Total	**£131,010.09**
				Say RV	**£131,000**

21. The appeal is allowed in part.

22. Accordingly, we order the VO to reduce the 2023 Rating List entry to £131,000 RV, with effect from 1 April 2023, within two weeks of the date of this Order.

Refund of fees

23. 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

24. 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.

25. 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/.

Dr S Penni, Senior Member (Chair)
Mrs S Patel, Senior Member
Miss E Cross, Member
26 January 2026

Miss K Hendry
Clerk to the Tribunal
Date issued to the parties: 26 January 2026