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

Case No: CHG101225204

Sitting remotely using Microsoft Teams

Date: 16 February 2026

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — end allowances carried forward from previous rating lists – Barnard & Barnard v Walker (VO) (1975) RA 383 – allowance to reflect disadvantage on site.

Before:
MR S P WOOD
MISS S AKHTAR

Between:

JOSEPH PARR GROUP LIMITED **Appellant**

- and -

AMANDA HITCHINGS (VALUATION OFFICER) **Respondent**

Regarding:
JOSEPH PARR (ALCO) LTD, HIGGINSHAW LANE, ROYTON, OLDHAM OL2 6HW
(the “subject property”)

Mr A Fowke of Ryan Tax Property Services UK Ltd, for the Appellant
Mr A Martland, for the Respondent

Hearing date: 20 January 2026

DECISION AND STATEMENT OF REASONS

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DECISION

1. The appeal is dismissed.

2. The Tribunal finds that the current entry in the 2023 Rating List at £150,000 is reasonable.

STATEMENT OF REASONS

Introduction

3. The appellant's representative made a proposal on 31 May 2024 to challenge the entry in the 2023 Rating List at £150,000 with effect from 1 April 2023. The valuation was based on £33.50/m^2. The appellant sought reinstatement of end allowances previously included in the valuation of the subject property in the 2010 and 2017 rating lists. The Valuation Officer (VO) did not find the proposal to be well founded, and a Challenge decision was issued on 16 May 2025, upholding the existing entry in the list. The appeal against the decision notice was received by the Tribunal on 8 August 2025.

4. Mr Martland stated that he was appearing as both Advocate and Expert Witness for the respondent, having carried out an inspection of the subject property. Mr Fowke was appearing as advocate only.

5. The hereditament is valued as a builder's merchant and premises and there was no dispute between the parties on the description or survey data. Mr Martland submitted that, following his inspection, it had been established that two of the offices benefitted from air-conditioning and he would be altering the valuation following this hearing to incorporate those elements. The sole issue in dispute was whether or not the valuation should include end allowances previously applied to the valuations in the 2010 and 2017 lists. Those allowances were 5% for layout and 5% for a sloping site.

6. The material day on which to consider the property and its locality was 1 April 2023, as this was a challenge to the compiled list entry. The property must be considered with regard to values on the antecedent valuation date (AVD) of 1 April 2021.

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

Relevant Law

8. The subject property must be valued by the statutory assumptions set out in Schedule 6 to the Local Government Finance Act 1988 as follows:

   "(1) The rateable value of a non-domestic hereditament, none of which consists of domestic property and none of which is exempt from local non-domestic rating, shall be taken to be an amount equal to the rent at which it is estimated the hereditament might reasonably be expected to let from year to year on these three assumptions—

   > *(a) the first assumption is that the tenancy begins on the day by reference to which the determination is to be made;*

(b) the second assumption is that immediately before the tenancy begins the hereditament is in a state of reasonable repair, but excluding from this assumption any repairs which a reasonable landlord would consider uneconomic;

(c) the third assumption is that the tenant undertakes to pay all usual tenant's rates and taxes and to bear the cost of the repairs and insurance and the other expenses (if any) necessary to maintain the hereditament in a state to command the rent mentioned above."

9. Mr Fowke referred the panel to the judgment *Barnard & Barnard v Walker (VO)* (1975) RA 383, "*When it comes to a consideration of differentials in the old valuation list, it seems to me that there must be a presumption that those differentials were correct." "But it is not sufficient for him simply to allege that the old list assessment is irrelevant*."

Discussion

10. In accordance with *Lotus & Delta Ltd v Culverwell (VO) and Leicester City Council* [1976] RA 141, the panel found that the starting point of the valuation should be any rent passing on the subject property. However, in this case the lease is between connected parties and therefore is likely not representative of an open market rent.

11. In the absence of a useful rent on the subject property, the panel would usually consider the rents or tone of values on comparable properties in the locality. However, in this case no comparable properties or rental analysis from the locality had been provided by either party.

12. Mr Fowke submitted that there had been no significant physical changes to the subject property and therefore the end allowances were still relevant and should be reinstated for the 2023 list. He drew the panel's attention to *Barnard v Walker* and contended that the differentials applied to the earlier lists were correct and no evidence had been provided by the VO to show they were no longer relevant.

13. Mr Martland did not disagree that the end allowances applied to the valuations in earlier lists were relevant, but he explained that the VO had changed its valuation approach for the 2023 list. He stated that the subject property is comprised of four different survey units and the first of which was valued on the matrix for Builders Merchants. The other three units were valued on a local general matrix depending on the age of the building. This produced the following price per m^2 for each building:

- 1974 build @ £30/m^2
- 2005 build @ £41/m^2
- 1994 build @ £33.50/m^2
- 2018 build @ £43/m^2

14. For the 2023 list, the VO had valued the whole site on a basic rate of £33.50/m^2. Mr Martland highlighted that the 2023 list valuation represents a 13% increase from that in the 2017 list, although he accepted that 10% of this reflects the removal of the end allowances. He submitted that to reinstate the allowances on this new unit price would result in just 2% increase from the previous list, which seems unrealistic for a six-year period.

15. The panel noted that the rate of £33.50/m^2 reflected a reduction in unit price for two of the subject property's buildings and a slight increase for the oldest part of the site. As there had

been at least a partial reduction overall in the unit price, the panel could appreciate Mr Martland's submission that to include end allowances as well would be double counting.

16. The panel was mindful that the starting point for any 2023 rating list entry must be evidence which relates to the AVD, 1 April 2021, rather than from the previous rating list, as this was sourced from an entirely different pool of rental information. The whole point of a revaluation was to re-assess the demands of the hypothetical tenant and movements in the market leading to changes in rents. The panel accepted there had been no physical changes to the site and acknowledged the relativities in the earlier lists but found that it must consider the 2023 list afresh on available evidence.

17. While it was accepted that the subject property suffers from some disabilities due to its layout and the sloping site, the VO contended that these disabilities were reflected in the revised unit price for the entire site. There was no evidence from the parties to show the tone of the list for this type of hereditament in the locality or rents on comparable sites to demonstrate AVD values. Therefore, the panel was unable to examine whether other similar sites, without the same disabilities, were valued at a higher rate.

18. The burden of proof in this type of appeal rests with the appellant's representative to demonstrate to the panel's satisfaction that the entry in the list is unreasonable. In this case, Mr Fowke merely contended that the allowances should be reinstated without providing any evidence that the 2023 list valuation was unreasonable compared to other similar sites in the locality. In the absence of any evidence that this site had been valued at the same level as other sites, the panel concluded that the revised valuation approach and adjusted unit price already reflected the disabilities as contended by the VO, and there was no justification for further allowances.

Conclusion

19. In view of the above findings and conclusions, the Tribunal is satisfied that the current entry in the 2023 list at £150,000 is reasonable and the appeal is dismissed.

Right of further appeal

20. 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.

21. 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 P Wood, Senior Member (Chair)
Miss S Akhtar, Member
16 February 2026

Mrs A Sloan, Clerk to the Tribunal
Date issued to the parties: 16 February 2026