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

Case No's: CHG101226133
CHG101226806

Sitting remotely using
Microsoft Teams

Date: 12 March 2026

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

2023 Rating List Appeal: Local Government Finance Act 1988; accuracy of the rateable value in the list at 1 April 2023; shops and premises; rental evidence; comparable assessments; appeals allowed

.Before:
MRS M CHRISTOPHER,
MRS AE FIELDER AND MS AG COLE ROBERTS

Between:

ANGLO GLOBAL PROPERTY LIMITED AND PUREPAY RETAIL LIMITED — **Appellants**

- and -

KAREN GILES (VALUATION OFFICER) — **Respondent**

Regarding:
53-56 AND 69-70, SHOPPING PAVILION, HIGH STREET, WALTHAM CROSS EN8 7AW
(the "subject properties")

Mr M Clayton, on behalf of **The Appellants**
Mr L Stevens, for the **Respondent**

Hearing date: 24 February 2026

DECISION AND STATEMENT OF REASONS

DECISION

1. The appeals are allowed.

2. The assessments were reduced to rateable value (RV) £29,500 and RV £24,250 respectively with effect from 1 April 2023.

STATEMENT OF REASONS

Introduction

3. This appeal has been brought in respect of 53-56 and 69-70, Shopping Pavilion, High Street, Waltham Cross EN8 7AW (the “subject properties”), which were each entered in the 2023 rating list as ‘shop and premises’ at RVs £55,000 and £47,250 respectively, effective from 1 April 2023.

4. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appellants have made an appeal to the Valuation Tribunal for England (VTE). The appeals were made because the appellant did not agree with the Valuation Officer’s decision to reduce the RVs to £51,000 and £43,250 respectively in the 2023 rating list following the challenge. The appellant sought reductions to RV £29,500 and £24,250 with effect from 1 April 2023.

5. The appellants’ representative, Mr Clayton, when appearing as expert witness, stated that he was on a conditional fee arrangement. However, he also stated that he understood and accepted that his first duty was to the VTE in giving his evidence, whether or not the evidence supported his client’s case.

6. The panel have 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 Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009 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. It was therefore appropriate for the panel to consider the ‘expert’ evidence and assess what weight, if any, to give it in the context of the matters in issue before it.

8. The respondent’s representative appeared as both expert witness and advocate.

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

Background

10. 53-56, and 69-70, Shopping Pavilion, High Street, Waltham Cross EN8 7AW are both shops situated in the Shopping Pavilion in Waltham Cross. 53-56, Shopping Pavilion comprises of ground floor retail space and first floor ancillary space with a total area of 316.09m^2, which equates to 180.54m^2 in terms of zone A (ITZA) and 69-70, Shopping Pavilion, comprises of ground floor retail space with a total area of 678.18m^2 which equates to 180.96m^2 ITZA.

11. The appellant's representative argued for a revised list entries of RVs £29,500 and £24,250, respectively with effect from 1 April 2023, based on a reduced tone of value to £155/m^2. This was based on the rents for the subject properties.

Relevant Law

12. The term 'rateable value' is defined in Schedule 6 to the Local Government Finance Act 1988 (as amended):

"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."

Discussion

13. In accordance with the Rating Lists (Valuation Date) (England) Order 2014 (SI:2014 No.2841), I had to determine the rateable value for the appeal property, which represented a rent that a hypothetical landlord and tenant would agree, as at the AVD, 1 April 2021. This common date was used to ensure that every property was treated in a consistent way.

14. The Lands Tribunal judgment in *Lotus and Delta* v *Culverwell (VO) and Leicester City Council* [1976] RA 141 provided authoritative guidance on the weight to be attached to rental and assessment evidence. The rent on the subject property was considered to be the correct starting point but, where available, rents on similar properties were also to be considered. The assessments on other comparable properties may also be relevant. All of the evidence could then be weighted.

15. The panel noted that the lease on the subject properties were new open market lettings which had been agreed on 12 April 2021, only 11 days post the AVD, for a period of five years 69-70, Shopping Pavilion also had a four and a half month rent free period. The rents were agreed £30,000 per annum for each property which analysed to £157.57/m^2 (£180.54/m^2 ITZA) for 53-56, Shopping Pavilion and £153.24/m^2 (£180.54/m^2 ITZA) for 69-70, Shopping Pavilion. Mr Clayton argued that this analysis supported RVs of £29,500 and £24,250 respectively with effect from 1 April 2023. The panel found these rents to be good evidence, and it attached significant weight to them.

16. Mr Stevens argued that the rents on the subject properties had been agreed at a time when both of the appellant companies were struggling financially and he opined that the rents had

been negotiated below open market values to retain the tenants. The panel noted that there was no evidence to support Mr Stevens' opinion.

17. Mr Stevens argued that there had been two challenges agreed within the Shopping Pavilion which reduced the tone from £300/m^2 to £275/m^2. These were 17-18, Swans Court, High Street, Waltham Cross EN8 7BH and 86-87 Shopping Pavilion, High Street, Waltham Cross EN8 7BZ. The panel noted Mr Clayton's argument that these units were situated in more prominent positions in the main thoroughfare of the pavilion and were smaller than the subject properties.

18. Mr Stevens also referred to rental evidence for 86-87 Shopping Pavilion which had a ten year lease of £52,500 per annum which analysed to £330.10/m^2 (£146.59/m^2 ITZA) and had been agreed on 17 December 2019 and 71 Shopping Pavilion which was a five year lease for £55,000 per annum which had been agreed on 1 October 2021 only six months post AVD and analysed to £338.48/m^2 (£162.45/m^2 ITZA). The tone adopted for these two properties was £275/m^2 and £300/m^2 respectively.

19. The panel noted that the rent on 71 Shopping Pavilion was unchanged since the 2016 lease and therefore could be considered a nil increase lease renewal which did not give an accurate representation of the hypothetical tenant coming fresh to the scene in 2021. Furthermore, the rent on 86-87 Shopping Pavilion was agreed in 2019 which was too remote from the AVD to be useful. The panel could therefore attach only moderate weight to this evidence.

20. Having considered the basket of evidence before it the panel found that the current RVs were not reasonable. The best evidence was the new lettings on the subject properties close to the AVD and it determined that the tone should be reduced to £155.00/m^2 to reflect these rents. The RVs were therefore reduced as follows.

53-56, Shopping Pavilion,

				UAR	**£155**
Line	**Floor**	**Description**	**Area (m2)**	**£/m2**	**Value**
1	ground	Retail Zone A	113.25	162.75	£18,413
2	ground	Retail Zone B	108.4	81.38	£8,821
3	first	Internal Storage	81.76	7.75	£634
4	first	Kitchen	8.68	7.75	£67
5	first	Office	4	7.75	£31
		TOTAL	**316.09**	**TOTAL**	**£27,985**
	Air Conditioning	System	221.7	7	£1,552
			Total Value		**£29,537**
			Rateable Value		**£29,500**

69-70, Shopping Pavilion

Line	Floor	Description	Area (m2)	£/m2	Value
				UAR	£155
1	ground	Retail Zone A	75.64	£135.05	£10,215
2	ground	Retail Zone B	75.64	£67.52	£5,107
3	ground	Retail Zone C	75.64	£33.76	£2,554
4	ground	Remaining Retail Zone	138.46	£16.89	£2,338
5	ground	Office	6.6	£13.50	£89
6	ground	Mess/Staff Room	6.7	£13.50	£90
7	ground	Internal Storage	125.2	£13.50	£1,619
8	ground	Office	16.3	£13.50	£220
9	ground	Internal Storage	158	£13.50	£2
		TOTAL	**678.18**	**TOTAL**	**£24,439**
			Total Value		**£24,439**
			Rateable Value		**£24,250**

Conclusion

21. In view of the above findings and conclusions, the appeals were allowed.

22. Under the provisions of regulation 38(4) of The Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009, the Valuation Tribunal for England orders the Valuation Officer to amend the entries in the rating list to show revised assessments of RV £29,500 and £24,250 with effect from 1 April 2023.

23. Under regulation 38(9), the Valuation Officer must comply with this order within two weeks of the date of its making

24. The appellants are also entitled to a full refund of the fees paid in accordance with regulation 13E(1)(a) of the Non-Domestic Rating (Alterations of Lists and Appeals) (England) Regulations 2009 (as amended) provided there is no review of the Tribunal's decision. The refunds 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 M Christopher, Senior Member (Chair)
Mrs AE Fielder, Senior Member and Ms AG Cole Roberts, Senior Member
12 March 2026

Mrs H Beresford
Clerk to the Tribunal
Date issued to the parties: 12 March 2026