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

Case No: 1. CHG101266932
2. CHG101263497

Sitting remotely using
Microsoft Teams on
28 September 2026

Date: 26 October 2026

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — appeals against the accuracy of the rateable values for the hereditaments; industrial properties; appeals dismissed.

Before:

MS C JUKES
MR N SEKHON

Between:

BUNZL UK LTD **Appellant**

- and -

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

Regarding:

1. BUNZL UK LTD, DANNY MORSON WAY, BIRCH COPPICE BUSINESS PARK, WATLING STREET, TAMWORTH, B78 1SE

2. R & R C BOND (WHOLESALE) LTD, CORE 2, CORE 42 BUSINESS PARK, MERIDIAN DRIVE, TAMWORTH, B78 1TX
(the "subject properties")

Mr A Simons of Ryan Property Tax Services UK Ltd, for the **Appellants**
Miss E Lowe for the **Respondent**

DECISION AND STATEMENT OF REASONS

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DECISION

1. The appeals are dismissed.

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

STATEMENT OF REASONS

Introduction

3. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeals were made to the Tribunal on the grounds that the rateable values for the appeal properties were not reasonable.

4. At the parties' request, the panel consolidated the appeals for hearing, as the same supporting evidence was relied upon in each case. In addition, the Appellants were represented by the same agent, and the Valuation Officer was represented by the same caseworker.

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

Background

6. The appeals concerned two large distribution warehouses in Dordon, near Tamworth, which were entered in the 2023 rating list as warehouse and premises. The Bunzl UK Ltd property was situated on Birch Coppice Business Park and had a total area of 15,690.34 m². Core 2 was situated on Core 42 Business Park and had a total area of 9,964.50 m². Both properties were modern distribution warehouses and were valued within a scheme for similar properties over 8,000 m².

7. Bunzl UK Ltd had a rateable value of £1,010,000 and Core 2 had a rateable value of £645,000, both with effect from 1 April 2023. The properties had initially been valued at a price of £67.50/m². At the challenge stage, the Appellants sought a reduction to a price of £55/m², while the Valuation Officer reduced the adopted price to £65/m². In their supporting evidence, the Appellants proposed a price of £60/m², giving rateable values of £930,000 for Bunzl UK Ltd and £595,000 for Core 2.

8. Following the parties' original submissions, the Valuation Officer provided further evidence and revised the analysis of several rental comparable properties after receiving the relevant leases. An inspection of Core 2 in July 2026 also identified 22 storage containers within the property curtilage. The Valuation Officer included the containers in a revised valuation and proposed a rateable value of £650,000 for Core 2. Under regulation 38(5) of the Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009, the Tribunal could only order an increase in rateable value from the date of its decision. As the 2023 rating list had closed, any increase in the rateable value could not take effect.

9. Following consideration of the further evidence, Mr Simons revised the proposed price on behalf of the Appellants to £62.50/m², giving rateable values of £970,000 for Bunzl UK Ltd

and £625,000 for Core 2. The Valuation Officer maintained the price of £65/m². The issue for the Tribunal was which price better reflected the rental value of the appeal properties.

10. The evidence before the panel comprised all the evidence disclosed and exchanged during the challenge, together with additional evidence agreed between the parties before the hearing. This included comparable rental evidence and its analysis, comparable assessment evidence and photographs.

11. Mr Simons appeared on behalf of the Appellants as an expert witness. He stated that his company was being paid on a contingency fee basis but was aware that, in giving expert evidence, his responsibility was to the Tribunal.

12. The panel accepted the expert evidence on that basis. To do otherwise would have been contrary to regulation 3 of the Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009. The evidence was also admissible under regulation 17(2)(a), which allows the Tribunal to 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 considered appropriate.

13. Miss Lowe appeared for the Valuation Officer in the dual role of advocate and expert witness.

Relevant Law

14. The term “rateable value” is defined in Schedule 6 to the Local Government Finance Act 1988, as amended. The value must reflect the annual rent at which the property might reasonably be expected to let, assuming a new letting and that the tenant is responsible for rates, taxes, repairs and insurance. For the 2023 rating list, the Rating Lists (Valuation Date) (England) Order 2020 (SI 2020/832) requires rental levels to be considered as at 1 April 2021. The material day for these appeals is 1 April 2023.

Discussion

15. The panel considered the competing evidence in accordance with the guidance in *Lotus & Delta Ltd v Culverwell (VO) and Leicester City Council* [1976] RA 141. It considered the available rental evidence, including the rent on the Bunzl UK Ltd property, before considering other lettings, rent reviews and comparable assessments.

16. Of the two appeal properties, Bunzl UK Ltd was held leasehold and Core 2 was freehold. The rent review on the Bunzl UK Ltd property took effect in February 2019 and the Valuation Officer analysed it at £69.56/m² without adjustment. The panel noted that the rent review was about two years before the 1 April 2021 valuation date. Core 2 had no rent of its own to analyse.

17. Mr Simons relied principally on Unit 5 Tamworth Logistics Park, to which he gave the most weight. It was a new 15-year letting from 1 January 2021, close to the valuation date, at a rent of £2,087,825 a year. The letting included 21 months rent free. Mr Simons had obtained information from the rating agent acting for the tenants, who said that 7.5 months of the rent-free period related to fitting out. After adjusting for those incentives, Mr Simons analysed the rent at £59.17/m².

18. Mr Simons also relied on Plot E3 Birch Coppice, a rent review from 1 May 2021. His revised analysis recorded an annual rent of £1,229,729 for an area of 21,443 m², producing an

analysed price of £57.35/m². The revised analysis identified an issue concerning the rent review clause and the fitting-out element under the original 2006 lease, which resulted in a higher valuation. Mr Simons also referred to Ace 135, a new 10-year letting from 1 July 2021 at an annual rent of £920,640, with 15 months rent free. He adjusted the rent to £791,268 and analysed it at £61.90/m². However, Mr Simons treated this evidence with caution and gave it less weight because he considered the occupier to be a special purchaser, as it stored and distributed Covid vaccines and personal protective equipment.

19. Mr Simons also relied on assessments agreed at £62.50/m² at Magna Park, which he regarded as an important location for large distribution warehouses. Standing back from the evidence, he considered £62.50/m² to be fair and reasonable for both appeal properties.

20. Miss Lowe submitted that the rental evidence supported £65/m². She said that limited weight should be given to Unit 5 because the combined incentive was unusually large and there was insufficient information to separate the market incentive from any allowance for the tenant's fitting-out costs. The lease was for 15 years without a break. Allowing a more typical nine-month rent-free period over the full term produced an analysed price of about £63.08/m², while reflecting the guaranteed minimum 1% increase at each rent review increased the figure to about £65.67/m².

21. For Plot E3, Miss Lowe stated that the rent review assumed an unfitted property and excluded items including warehouse heating, lighting and power, sprinklers, fire protection systems, raised floors, data cabling and office air conditioning. Even with those exclusions, and after removing the second-floor area, the rent analysed at about £63.66/m². Miss Lowe stated that the figure would have been higher if further fitting-out items had been reflected.

22. She also referred to Units 7 and 8 Tamworth Logistics Park, a new letting from 1 February 2022 of a property of a similar size. After allowing for the rent-free and half-rent periods, fitting-out time and analysing the transaction over 10 years, the Valuation Officer arrived at £68.73/m². Miss Lowe accepted that the letting was after the valuation date but considered that it showed an upward rental trend and supported the view that £65/m² was not unreasonable. She did not accept that Ace 135 should be disregarded as a special purchaser and considered that, with appropriate adjustments, it provided a useful market benchmark. She also relied on the Bunzl UK Ltd rent review and other evidence at Birch Coppice and nearby estates, which she stated showed a consistent pattern around or above £65/m².

23. The panel preferred the Valuation Officer's evidence. It found the evidence from Birch Coppice, Tamworth Logistics Park and the surrounding area more comparable because it concerned similar distribution warehouses closer to the appeal properties. Unit 5 required caution because the evidence did not allow the panel to determine how much of the unusually large incentive related to fitting-out costs rather than a market incentive. Plot E3 analysed at about £63.66/m² despite the rent review assuming an unfitted property and excluding several items normally found in a fitted warehouse. Units 7 and 8 analysed at £68.73/m² and, although the letting was after the valuation date, provided some support for an upward rental trend. The Bunzl UK Ltd rent review also provided a useful cross-check.

24. The panel attached less weight to the Magna Park evidence. Those properties were about 40 miles away and there was sufficient evidence from more comparable properties in and around Tamworth. Standing back and considering the evidence as a whole, the panel found that the local rental evidence supported values around or above £65/m². It was therefore not persuaded that the price of £62.50/m² proposed by Mr Simons better reflected the rental

value of either appeal property. The Appellants had not shown that the existing rateable values were unreasonable.

Conclusion

25. For these reasons, the panel concluded that the price of £65/m² was reasonable for both appeal properties. The appeals were dismissed and no changes were made to the rating list entries.

Right of further appeal

26. 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.

27. 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/.

Ms C Jukes, Senior Member (Chair)
Mr N Sekhon, Senior Member
26 October 2026

Mrs K Edhouse-Thomas
Clerk to the Tribunal
Date issued to the parties: 26 October 2026