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

Case Nos: CHG101293072
CHG101283306

Sitting remotely using
Microsoft Teams

Date: 10 October 2025

SCHEDULE 11 TO THE LOCAL GOVERNMENT FINANCE ACT 1988

RATING — Local Government Finance Act 1988 — factory and premises; price per m^2 in dispute; rental evidence; comparable assessments; appeals dismissed.

Before:
MR P BLYTHE-BARTRAM
MR A HUSSAIN

Between:

ALIAXIS UK LIMITED **Appellant**

- and -

KAREN GILES
(VALUATION OFFICER) **Respondent**

Regarding:
35, ST PETERS ROAD, HUNTINGDON, PE29 7DA
(the “subject property”)

Mr O Plumley from Ryan, representing the Appellant
Mr G Wright for the Respondent

Hearing date: 23 September 2025

DECISION AND STATEMENT OF REASONS

Decision

1. The appeals are dismissed.

2. The panel found that the entries in the 2023 rating list are not unreasonable, and confirmed the rateable value (RV) of £437,500 with effect from 1 April 2023, and £447,500 with effect from 2 February 2024.

Introduction

3. These are 2023 rating list appeals. 35 St Peters Road, Huntingdon, PE29 7DA (the 'subject property') had been entered in the 2023 rating list as 'factory and premises' at £437,500 RV with effect from 1 April 2023. Following an inspection, the Valuation Officer served a notice to increase to £447,500 RV, to reflect additional office space, and additional plant and machinery.

4. Challenge proposals were submitted by Altus Group (now Ryan) on behalf of Aliaxis UK Limited, and were received by the Valuation Officer on 28 October 2024 (CHG101283306) and 20 November 2024 (CHG101293072). They had been made on the grounds that the RV was inaccurate. Revised RVs of £230,000 (with effect from 1 April 2023) and £235,000 (with effect from 2 February 2024) were proposed, based upon a reduction in the price per m^2 from £35.00 to £17.50.

5. The Valuation Officer issued challenge case decision notices on 26 March 2025, which disagreed with the proposed alterations of the list, and stated that the current rating list entries were reasonable based on the evidence and information available.

6. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, the appeals to this Tribunal have been made on the grounds that the valuations for the hereditament are not reasonable. The appeals were received by the Tribunal on 15 April 2025.

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

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

9. The panel therefore considered the "expert" evidence and attached such weight to it as it saw fit.

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

Relevant Law

11. Rateable value is to be determined in accordance with paragraph 2(1) of Schedule 6 to the Local Government Finance Act 1988, which provides:

    "(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.

12. 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, in accordance with the Rating Lists (Valuation Date) (England) Order 2020.

13. 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 No. 556) as amended. In respect of the subject appeals, the material days are 1 April 2023 (CHG101293072) and 2 February 2024 (CHG101283306).

Discussion

14. The subject property is a warehouse situated on St Peters Road, Huntingdon, in a predominantly industrial area. It was constructed in the 1960s and later extended in 1975, with smaller extensions added in the 1980s.

15. The property is valued in scheme 642682 which is applicable to *"industrials of between 10,000 and 20,000 m^2 (total significant area) located within the Eastern Economic Region."* The total area of the subject property was 11,355.36m^2 as at 1 April 2023, and 11,920.07 m^2 with effect from 2 February 2024.

16. The present valuations are based on £35 per m^2 and an end allowance of 15% for shared site and mixed ages.

17. The appellant's representative sought a reduction to £17.50 per m^2, based on his rental analysis of 15 and 17 Windover Road. This resulted in revised RVs of £230,000 with effect from 1 April 2023, and £235,000 RV with effect from 2 February 2024. Mr Plumley highlighted that the price per m^2 had increased by 100% from the 2017 rating list.

18. The Valuation Officer defended £35.00 per m^2 with reference to rental evidence. He argued that low weight should be applied to the appellant's comparable properties.

19. Both parties referred to the leading judgment in the Lands Tribunal case of *Lotus and Delta v Culverwell (VO) and Leicester City Council* [1976] RA 141. This case set out the six propositions to have regard to when considering the weighting of evidence and expert opinion. The starting point is the consideration of the subject rent, however, the subject property is held freehold. The panel therefore turned to the rental evidence provided by the parties in support of their respective cases.

20. Mr Plumley relied on two rental transactions in support of his proposed price of £17.50 per m^2:

15 Windover Road, Huntingdon, PE29 7EA

This property formed part of the same building as the subject property. A rent review was agreed at £175,000 per annum, effective from 23 February 2020. Using an ITMS of 9,529.90m^2, the rent analysed to a rate of £18.32 per m^2, compared to the adopted tone of £40 per m^2. Mr Plumley highlighted that historically, 15 Windover Road and the subject property had been valued at the same unadjusted rate.

12 Windover Road, Huntingdon, PE29 7EB

A new letting effective from 1 March 2020 for a term of 16 years at a passing rent of £135,615 per annum, with an initial rent free period of six months. The adjusted rent analysed to a rate of £24.32 per m^2, compared to the adopted tone of £40 per m^2.

21. The Valuation Officer had attached little to low weight to Mr Plumley's rental evidence. With regards to 15 Windover Road, this was a rent review agreed on 1 January 2021 for an adjusted rent of £19.26 per m^2, which was not to open market value. In previous reviews it had been agreed to a percentage of open market value. Although this had been amended by a Deed of Variation, all of the facts behind the rents were unknown. The rent agreed for 12 Windover Road was not to true market value as it was conditional and required substantial works to be carried out, the full cost of which was unknown.

22. In support of the present adopted price of £35.00 per m^2, the Valuation Officer scheduled the following rental evidence:

1 Hurricane Close, Ermine Business Park, Huntingdon, PE29 6XX

A lease renewal agreed on 1 September 2021, for an analysed rent of £65.58 per m^2. As the property is half the size of the subject property, the Valuation Officer placed medium weight on this transaction.

Kitchen Range Foods, Kingfisher Way, Huntingdon, PE29 6FJ

A lease renewal agreed on 29 March 2021, close to the AVD, for an analysed rent of £50.79 per m^2. As the property is half the size of the subject property, the Valuation Officer placed medium weight on this transaction.

43 St Peters Road, Huntingdon, PE29 7DF

Situated on the same street as the subject property, and a similar size of 11,911.7m^2, but of later construction in 1986. A new letting had been agreed on 1 June 2021, only two months after the AVD, for an analysed rent of £61.36 per m^2. Due to its proximity to the subject property, similarity of size, and being close to the AVD, the Valuation Officer placed the most weight on this transaction.

23. In further support of £35 per m^2 for the subject property, the Valuation Officer referred to an agreement in respect of 6 Station Road, St Neots, PE19 1AR, in which the price per m^2 was reduced from £60 to £45 per m^2. In the absence of further details, such as size and age, the panel was unable to assess its relevance to the subject property.

24. Mr Plumley contended that the Valuation Officer's properties were not as comparable to the subject property as those on Windover Road. He submitted that 1 Hurricane Close and Kitchen Range Foods, Kingfisher Way are far superior units in terms of age, constructed in 1990 and 1995 respectively, and are half the size of the subject. He also highlighted that both transactions are renewals with the occupiers being of longstanding occupation. In respect of 43 St Peters Road, Mr Plumley noted that this was a 1986 build, suitable for storage and distribution, where the largest growth in rental values has been seen.

25. The panel heard from Mr Plumley that the subject property had been agreed at £17.50 per m^2 in the 2017 rating list. He submitted that an increase of 100% between the two AVDs was not supported by rental evidence. While the percentage increase had not been addressed directly in the Valuation Officer's submission, Mr Wright submitted that the growth in the industrial market did not support a nil increase from the 2017 rating list. As the issue in dispute related to the rental value as at 1 April 2021, the panel attached little weight to the assessment of the subject property in the 2017 rating list, which reflected rental values as at 1 April 2015.

26. In consideration of the evidence provided, the panel decided to attach most weight to 43 St Peters Road. Although it was acknowledged that this property was a newer build with superior features to the subject property, it was the closest in terms of size and locality. The analysed rent of £61.36 per m^2, and the adopted price of £55.00 per m^2 demonstrated to the panel that £35 per m^2 for the subject property was not unreasonable.

27. The panel decided to attach less weight to the appellant's comparable properties,12 and 15 Windover Road. Firstly, they were assessed in a different valuation scheme for properties below 10,000m^2. The panel heard from Mr Wright that the Valuation Officer always groups industrial properties according to size: properties under 5,000m^2, properties under 10,000m^2 and properties over 20,000m^2. This reflected the distinct markets for different sized industrial properties.

28. Secondly, the panel took into account the issues highlighted by Mr Wright: the Deed of Variation in respect of 15 Windover Road had altered the rent to open market value, but as a stepped rent, required adjustment and was therefore not a clean rent; the fit out costs for 12 Windover Road had not been reflected in Mr Plumley's analysis. It was also significant to the panel that both properties were presently assessed at £40.00 per m^2, which was at a higher level than the subject property.

29. The panel concluded that the appellant's representative had failed to demonstrate that the present adopted price of £35.00 per m^2 was excessive.

Determination

30. In view of the above findings, the Tribunal was satisfied that the rateable value of the subject property at 1 April 2023 and 2 February 2024 was not unreasonable and therefore the appeals were dismissed.

Right of further appeal

31. 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) within **four weeks** of the date this decision and statement of reasons is issued.

32. 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 P Blythe-Bartram, Senior Member (Presiding)

Mr Abid Hussain, Senior Member

10 October 2025

Mrs L Horne
Clerk to the Tribunal
Date issued to the parties: 10 October 2025