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

Case No: CHG101304154

Sitting remotely using Microsoft Teams on 12 May 2026

Date: 1 June 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 as at 1 April 2023; offices and premises; rental evidence; comparable assessments; appeal dismissed

Before:

MISS S BALLENTINE
MRS V TUNNICLIFFE

Between:

VANAWAYS UK LIMITED — **Appellant**

- and -

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

Regarding:

68, EDEN OFFICE PARK, MACRAE ROAD, BRISTOL BS20 0DD
(the "subject property")

Miss K Cooper of Ryan Group, for the Appellant
Mr M Donaldson, for the **Respondent**

DECISION AND STATEMENT OF REASONS

DECISION

1. The appeal is dismissed.

2. The assessment was confirmed at rateable value (RV) £105,000 with effect from 1 April 2023.

STATEMENT OF REASONS

Introduction

3. This appeal has been brought in respect of 68, Eden Office Park, Macrae Road, Bristol BS20 0DD (the “subject property”), which was entered in the 2023 rating list as ‘offices and premises’ at RV £141,000, effective from 1 April 2023.

4. In accordance with regulation 13A of the Non-Domestic Rating (Alteration of Lists and Appeals) (England) Regulations 2009, an appeal was made to the Valuation Tribunal for England (VTE) on behalf of Vanaways Uk Limited. The appeal was made because the appellant did not agree with the Valuation Officer’s decision to reduce the RV to £105,000 in the 2023 rating list following the challenge. The appellant sought a reduction to RV £95,500 with effect from 1 April 2023.

5. The appellant’s representative, Miss Cooper, when appearing as expert witness, stated that she was on a conditional fee arrangement. However, she also stated that she understood and accepted that her first duty was to the VTE in giving her evidence, whether or not the evidence supported her 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 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. This statement of reasons is not and does not purport to be a full verbatim record of proceedings.

Background

9. The subject property comprises the ground floor, and first floor of a brick built two storey property providing office accommodation. The property is located on the east side of the Eden Office Park. Eden Office Park is a well-known and established suburban business park located in Ham Green, Bristol. The office park is accessed from the A369 leading along Pill Road and Macrae Road. There is also access to the motorway network at Junction 19 of the M5 just 3 miles to the West. To the east the A369 leads to Clifton and Bristol City Centre. The subject property has a total significant area of 850.52m^2.

10. The appeal to the VTE was made on the grounds that the valuation for the subject property was not reasonable.

11. The base level of value adopted for the subject property was not agreed. The valuation officer had adopted £100/m^2, however, the appellant's representative sought a reduction to £90/m^2 which resulted in a rateable value of £95,500.

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. The panel had to determine the rateable value for the subject 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 taken into account. The assessments on other comparable properties may also be relevant. All of the evidence could then be weighted.

15. The panel noted that in this appeal the subject property had a rent which was a new letting effective 1 September 2022 with an initial annual rent of £65,778.13 until 3 September 2023, followed by £112,762.50 from 4 September 2023 for two years. The parties had analysed this rent to £89.93/m^2. The panel noted that this rent was agreed more than one year after the AVD, however, it determined that it formed a good starting point for deciding the RV.

16. Miss Cooper referred to evidence of recent settlements which she believed superseded the rental evidence and supported her argument for a reduction in the tone to £90/m^2. She argued that the rental evidence referred to properties which were smaller than the subject property or were situated in different locations. Miss Cooper attached the most weight to 1st

Floor, 61 Eden office park, which had an area of 205.90m^2, this was an agreement reached on 2 April 2026 for an RV of £23,250 based on a tone of £110/m^2 which had been reduced from £150/m^2.

17. Miss Cooper also argued that in Somerset there was evidence of quantum; the larger an office was the lower the tone would be, she referred to The Mendip Centre, Rhodyate, Blagdon, which had an area of 1748.90m^2 and a tone of £75/m^2. Miss Cooper went on to refer to evidence of recent settlements on the Eden Office Park, she pointed out that three offices with an area over £500m^2 had been agreed in February 2026 at a tone of £100/m^2 whilst 1st Floor, 61 Eden office park had been agreed at £110/m^2. Miss Cooper argued that these agreements supported a tone of £90/m^2 for the subject property.

18. Mr Donaldson pointed out that the RV of the subject property had already been reduced from £141,000 RV to £105,000 RV based on a tone of £100/m^2 which was in line with the other settlement of properties in the Eden Office Park with an area over 500m^2 as referred to by Miss Cooper the largest of which was 746.93m^2 as compared to 850.52m^2 for the subject property.

19. Mr Donaldson referred to *Lotus and Delta* v *Culverwell* and the principle that the rental evidence should carry the most weight. He considered the rent on the subject should attract medium weight as it was agreed 17 months after the AVD. He went on to refer to other offices which were closer in size to the subject property. In particular the panel noted that Ground & 1st Floor, Harbour Place, Serbert Road, Portishead, which was a 13 minute drive from the subject property, was a new letting agreed 1 December 2022 it had an area of 578.23m2 and analysed to £153.12/m^2 the tone adopted for this property was £125.00/m^2. Further, 2 River Mead Court, Kenn Business park, Clevedon, which was 19 minutes away from the subject property, was a new letting agreed 1 July 2022 it had an area of 905.86m^2 and analysed to £125.19/m^2, and the tone adopted was £100.00/m^2. The panel found this rental evidence to be useful, and it attached some weight to it.

20. The panel also noted that BWOC Office, BW Estates, Oldmixon Crescent, Weston Super Mare, was a lease renewal agreed 1 March 2020 it had an area of 1064.41m^2 and had been analysed to £99.39/m^2 by Miss Cooper and £101.61/m^2 by Mr Donaldson, the tone adopted for this property was £105.00/m^2. The panel noted that even though this property was considerably larger than the subject property it had an adopted rate which was higher.

21. Having considered all of the evidence and arguments before it the panel found the evidence and arguments put forward by Mr Donaldson to be the more persuasive.

22. The panel was aware that in cases of this nature the burden of proof is on the appellant to satisfy the Tribunal that the appeal should be allowed. In this case it found insufficient evidence had been put forward by the appellant's representative to persuade it that a reduction in the assessment to RV £95,500 was warranted and therefore it determined that an RV of £105,000, with effect from 1 April 2023, was fair and reasonable

Conclusion

23. In view of the above findings and conclusions, the appeal was dismissed.

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/.

Miss S Ballentine, Senior Member (Chair)
Mrs V Tunnicliffe, Member
1 June 2026

Mrs H Beresford
Clerk to the Tribunal
Date issued to the parties: 1 June 2026