

TRIBIWNLYS PRISIO CYMRU - VALUATION TRIBUNAL FOR WALES

Appellant: N M Williams

Appeal Property: Gnd Flr 42 Holyhead Road, Bangor, LL57 2EU

Appeal number: 681033896021/285NV17

The Matter Appealed Against: 2017 Rating List

Date of Hearing: Wednesday 26th January 2022

Appearances: Mrs M O'Connor (for the respondent Valuation Officer)

Date of Decision: 1st February 2022

Decision of Tribunal: Appeal dismissed

Members of the Tribunal: Mr DO Evans (Chairperson), Mr PO Williams & Mr JM Griffiths

Tribunal Clerk: Mr G Harris

Introduction

1. The appeal under consideration followed a proposal made by Mrs Williams in respect of the Café at Gnd Flr 42 Holyhead Road, Bangor, LL57 2EU which the respondent Valuation Officer received on 13th November 2019. The proposal sought a deletion of the existing entry from the Rating List with effect from 29th September 2019, for the following detailed reasons –

I think there to high similar property café 18 Holyhead Road area 69.08 £7,500. My property area 69.47, £11,000. I can not sell or rent on an empty property I'm paying £764 month.

2. Mrs Williams did not attend the hearing but requested that the Tribunal hear and consider the appeal in her absence.
3. This is a summary of the case and is not intended to be an exhaustive record of the proceedings. However, the parties can be assured that all the evidence was fully considered by the tribunal when it arrived at its decision. Consequently, the absence of reference to any statement, or evidence, should not be construed as being overlooked.

Decision

4. The Tribunal noted that Mrs Williams, in her emails to the Valuation Tribunal, had expressed her belief that the Rateable Value (RV) of the appeal property was incorrect and had provided examples of comparable properties, and that Mrs O'Connor had stated in her submission that she had reduced the RV to £9,300 by Valuation Officer's Notice (VON). However, the only matter that the Tribunal could consider was whether the hereditament should be deleted from the Rating List with effect from 29th September 2019 as sought by the appellant in her proposal, i.e., was the property capable of beneficial occupation.
5. The Tribunal had no doubt the property remained capable of occupation; Mrs Williams had provided no evidence to support her contentions that the hereditament should be deleted from the effective date and had confirmed that it had been occupied by 3 different tenants since 2016 with the most recent occupier due to vacate on 31st January 2022. The Tribunal empathised with Mrs Williams in that she had issues in selling or renting the property due to current economic circumstances however did not believe the hereditament could be deleted from the Rating List as sought for in her proposal as it remained capable of beneficial occupation.
6. The Tribunal noted that Mrs Williams had a right of appeal against the VON if she still considered the RV to be incorrect, however had no option but to dismiss the current appeal for the above reasons.