

TRIBIWNLYS PRISIO CYMRU - VALUATION TRIBUNAL FOR WALES

Appellant: MR MALCOLM DAVIES

Appeal property: Clwyd Gate Restaurant, Llanbedr Dyffryn Clwyd, Ruthin LL15 1YF

Appeal number: 683030908634/192NV17

The Matter Appealed against: Non-domestic rating appeal

Date of Hearing: Thursday 7th March 2019

Appearances: Mr O Wynn Cowell respondent Valuation Officer

Date of Decision: 14th March 2019

Decision of Tribunal: Dismissed

Members of the Tribunal: Mr JH Owens (Chairperson), Mr HM McEvoy & Mr R M Waters

Tribunal Clerk: Mr Ll ap Glyn

Reasons for decision

In the absence of the appellant, the Tribunal Clerk read out a form that the appellant had returned to the tribunal office, indicating that he would be attending the hearing, but also seeking a postponement. The appellant had provided the following information:

“Can you please postpone the tribunal as we are in the process of obtaining planning permission to demolish the property and gain permission for leisure development”

The Clerk explained that he had been in contact with the Valuation Officer following receipt of the form, in order to ascertain whether he was in agreement to the postponement request. As the Valuation Officer had refused to support this request, the Clerk took the request to the tribunal panel for consideration.

The tribunal panel considered the request to adjourn the hearing and asked the Valuation Officer present why he did not believe it should be adjourned.

The Valuation Officer, Mr Wynn Cowell explained that he had attempted to contact the appellant but had not been successful. He further explained that he did not believe that an adjournment would be beneficial as the information available demonstrated that no actual work had started on the property, therefore he would be unable to delete it from the Valuation List. He explained that if he was provided with further information in the future, he would be happy to consider deleting (or reducing the RV to £0).

In view of the foregoing the Tribunal decided not to adjourn the appeal.

Since the Tribunal did not consider that there was a reasonable cause for adjournment, it considered the substantive matter in the proposal form completed by Mr Davies.

In the absence of every party other than the Valuation Officer the Tribunal dismissed the appeal in accordance with Regulation 30(4) of the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005 SI 758.

Certified a true copy on 14th March 2019.