



Renfrewshire Valuation Joint Board

Report to: Renfrewshire Valuation Joint Board
Meeting on: 17 November 2017
Subject: Non Domestic Revaluation 2017 Appeals
Author: Assessor & Electoral Registration Officer

Introduction

This report is designed to update members of the Board on Appeals against values entered in the Valuation Roll which are a significant and enduring component of our workload. There are two types:

- **Revaluation appeals** – Usually a five yearly cycle, although with the postponement of the 2015 revaluation the cycle for this Revaluation has been 7 years, appeals resulting from this revaluation have to be lodged by 30th September 2017.
- **Change appeals** – generally a low volume of appeals that result from changes we make, changes of occupancy or from a material change of circumstances affecting value or error. Although the underlying number of appeals is relatively low, there are external factors which may influence the numbers we receive of this type of appeal.

The disposal of appeals is driven by a statutory timetable which offers no leeway in the final date for disposal by discussion or by hearing by the Local Valuation Appeal Panel.

There are usually a small number of appeals that are referred to the Lands Tribunal for Scotland and there may be decisions from the Local Valuation Appeal Panel that are appealed to the Lands Valuation Appeal Court (part of the Court of Session). In such cases these would follow the rules for these courts and can be settled after the statutory deadline.

Revaluation Appeals:

Following the completion of the Revaluation exercise, a period of six months is allowed for appeals to be lodged – this expired on 30th September and we are now able to gauge the workload arising from these appeals. The following table shows the total number of subjects for which appeals have been lodged against the 2017 Revaluation and for comparison

purposes the tables also list the 2010 totals as a comparison. The total number of appeals is slightly larger in both instances as, in some cases, proprietors and occupiers will both lodge appeals.

Revaluation	Number of Appeals	Number of Subjects appealed	Total RV of Subjects appealed
2010	3,616	3,412	£250,066,833
2017	3,847	3,533	£324,082,885
Change	+231	+121	+£74,016,052
% Change	+6.38%	+3.54%	+29.59%

The number of appeals = 36.29% (34.14% in 2010) of the number of subjects in the Valuation Roll as at 1st April 2017 and the value under appeal = 87.33 % (71.99% in 2010) of the total Rateable Value.

The overall increase in Rateable Value at the Revaluation was 23.39% .

The time limit for disposal of Revaluation Appeals is 31st December 2020 and the schedule of Appeal Panel Hearings will begin next May.

Change Appeals:

At present we have three main groups of Change Appeals:

- 2005 Appeals dating from 2005 that await a hearing by the Lands Tribunal.
- 2010 Appeals dating from 2010 that await a hearing by the Lands Tribunal
- Appeals against changes that have taken place since 1st April 2016.

The number of appeals in each category is as follows:

Type	Number of Appeals	Number of Subjects appealed	Total RV of Subjects appealed
2005 (Lands Tribunal)	10	10	£352,055
2010(Lands Tribunal)	85	85	£49,771,650
2016/17	131	131	£6,052,255

For the 2005/ 2010 (Lands Tribunal) appeals these will be the appeals against entries made in respect of Mobile Telephone Operators and fixed line Telecommunication Companies

apart from one appeal which is against IKEA at Braehead. There are significant points of principle involved in the appeals relating to Mobile Telephony and, if the appeals are not resolved, they are likely to engage the Lands Tribunal for several days with the attendant costs arising from the employment of Counsel before and during the hearing. It has, however, been agreed that all Assessors will contribute to the costs given that any decision will affect all of Scotland.

Any appeals against changes taking place after 1st April 2017 will follow the same timetable as the Revaluation Appeal.

Disposal:

The majority of appeals (circa 95% for 2010 Revaluation) were settled by negotiation and only a relatively small proportion proceeded to a hearing by the Appeal Panel or Lands Tribunal although the process of citation for a hearing is the catalyst for serious discussion of the points at issue. While the number of appeals that are actually heard by the Appeal Committee or other appeal body is relatively small, a large amount of work is required in preparation of each individual case and each case might take half or a whole day to be heard by the Committee or 2 to 3 days if heard by other bodies.

Appeals lodged by unrepresented appellants will generate a visit by one of the Valuation Staff. This has a dual purpose – checking the physical details of the property and taking time to discuss the appeal procedure with the appellants.

The number of appeals to the Lands Valuation Appeal Court is usually very low as it deals with points of significant principle/law.

Impact:

The routine cycle of appeals and cases proceeding to Appeal Panel, Lands Tribunal or LVAC is catered for under our ongoing service plan, although any sharp peak of change appeals and their relatively short period for disposal could present a short-term challenge. The change appeals may impact on staff resources and budget if more appeals are lodged during the current year or if any of the appeals result in protracted negotiations or hearings.

The number of Revaluation Appeals has not increased significantly although the value of the subjects under appeal has increased disproportionately and this may lead to more protracted negotiations on individual subjects.

Recommendation:

- i. The Board notes the contents of this report.

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8th November 2017

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Appendix 1 – Number of Revaluation Appeals by Subject Type

Category		Number
1	Shop	1109
2	Public House	113
3	Office including Banks	897
4	Hotel Etc	25
5	Industrial	717
6	Leisure	94
7	Garages and Petrol Stations	42
8	Cultural	67
9	Sporting Subjects	4
10	Education and Training	142
11	Public Service Subjects	191
12	Communications (Non Formula)	6
13	Quarries Mines etc	2
14	Petrochemical	3
15	Religious	17
16	Health Medical	43
17	Other	248
18	Care Facilities	32
19	Advertising	61
20	Undertakings	34