

NORTHERN IRELAND VALUATION TRIBUNAL
THE RATES (NORTHERN IRELAND) ORDER 1977 (AS AMENDED) AND THE
VALUATION TRIBUNAL RULES (NORTHERN IRELAND) 2007 (AS AMENDED)

CASE REFERENCE NUMBER: 01/15

JOHN KENNEDY - APPELLANT
AND
COMMISSIONER OF VALUATION FOR NORTHERN IRELAND - RESPONDENT

Northern Ireland Valuation Tribunal

Chairman: Mr James V Leonard, President

Members: Mr Eric Spence MRICS and Dr Peter Wardlow

17 February 2016, Belfast

DECISION

The unanimous decision of the Tribunal is that the Decision on Appeal of the Commissioner of Valuation for Northern Ireland is upheld and the appellant's appeal is dismissed, without further order.

REASONS

Introduction

1. This is a reference under Article 54 of the Rates (Northern Ireland) Order 1977, as amended. This appeal concerned premises situated at 8 Knightsbridge Manor, Malone Road, Belfast BT9 5ET. The appeal was initiated by form of appeal (in Form 3) received by the office of the Tribunal on 1 April 2015. There was a response to this appeal from the respondent in the form of a Presentation of Evidence dated 12 October 2015, submitted to the Tribunal. The appellant had indicated in his appeal that he wished the appeal to be dealt with by an oral hearing.

2. The oral hearing of the matter was accordingly listed before this Tribunal today, 17 February 2016, at 12.00 noon. Two representatives from the respondent were present and in attendance before the Tribunal, these being Mr Gary Humphries MRICS and Mr Jonathan Maybin MRICS. There was no appearance for or on behalf of the appellant at the time listed for commencement of the hearing.
3. The Secretary to the Tribunal was instructed by the Tribunal to contact the appellant and duly endeavoured to contact the appellant by telephone, using the telephone number indicated in the appellant's form of appeal, but without success. This endeavour to contact the appellant was made by the Secretary at 12:25 pm. Accordingly, in default of any attendance by, or representation on behalf of, the appellant the Tribunal proceeded to consider the appeal upon the papers, and briefly heard from the respondent's representatives and concluded the hearing at 12.40 pm. At this time there was no further contact by or on behalf of the appellant and no information as to why the appellant was not present or represented before the Tribunal.
4. In view of the foregoing, the appellant not having attended and not having been represented before the Tribunal in order to conduct this appeal, there being no reason observed by the Tribunal properly to adjourn the hearing and there being no reason, upon the papers, to uphold the appellant's appeal in the Tribunal's determination, the appeal in this matter is ordered to be dismissed by the Tribunal and the Valuation Certificate of the Commissioner of Valuation dated 25 February 2015 is upheld, without further order.

Mr James V Leonard, President
Northern Ireland Valuation Tribunal

Date decision recorded in register and issued to parties: 26 February 2016