

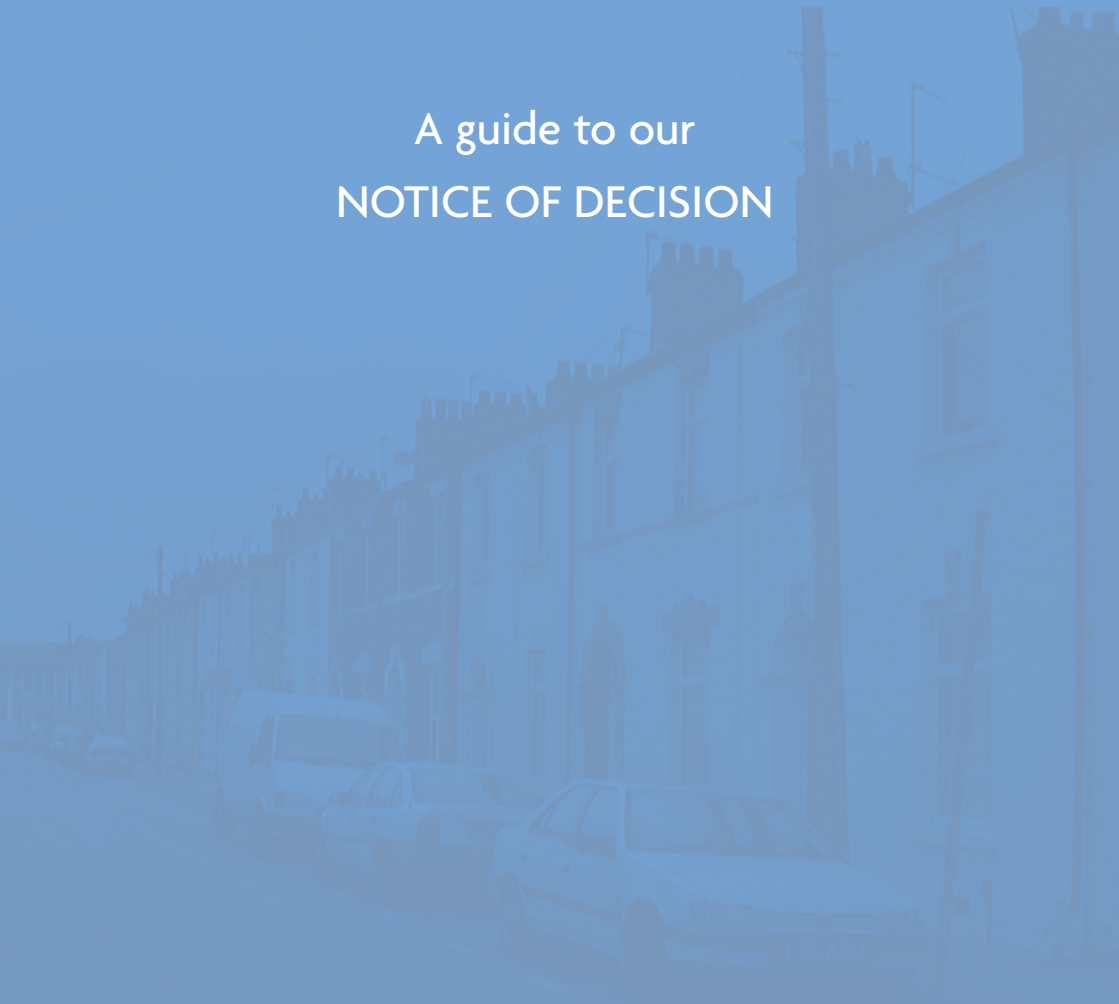
The logo for Valuation Tribunal Service for Wales (VTSW) is displayed in a dark blue rectangular box. The letters 'VTSW' are in a bold, white, sans-serif font.

VTSW

Valuation Tribunal Service for Wales

COUNCIL TAX APPEALS

A guide to our
NOTICE OF DECISION



WHAT IS A NOTICE OF DECISION?

The Notice of Decision advises you of the decision of the Tribunal and is accompanied by a statement of the reasons for the decision.

COUNCIL TAX BANDING APPEALS

If the Tribunal has decided that the Valuation List should be altered, the required change is indicated on the decision notice in the section showing property details, valuation bands and effective dates. Where a change is shown in this section, the Tribunal has ordered that the Valuation List be altered to accord with the decision.

If the Tribunal has ordered an alteration in the banding of a dwelling, the Listing Officer must comply with that order within six weeks. Once he has done so, he has a further six weeks in which to notify the Council (Billing Authority) of the alteration. The Billing Authority will then reassess the amount of Council Tax payable.

COUNCIL TAX LIABILITY APPEALS

The Local Authority will be advised of the decision and will make any alteration that is required as a consequence of the decision.

COMPLETION NOTICE APPEALS

The Tribunal has determined the completion day as set out in the Notice of Decision. The Listing Officer has been advised of this decision, as well as the Billing Authority, and each will take the action required if an alteration of the completion day has been ordered.

NOTICE OF INVALIDITY APPEALS

Where you have appealed against the Listing Officer's rejection of your proposal as invalid, the Tribunal's decision concerning the validity of the proposal is shown in the Notice of Decision.

If your appeal has been allowed, your proposal will be considered by the Listing Officer. If he does not agree with the alterations you seek, an appeal will arise which may be heard by the Tribunal at a later date.

CAN THE TRIBUNAL REVIEW THE DECISION?

The Tribunal can **only** consider an application for a review of its decision on the following grounds:

- the decision was wrongly made as a result of clerical error;
- a party did not attend the hearing and can show good reason why they did not; or
- the decision is affected by a decision of the High Court or the Lands Tribunal in respect of the property that is the subject of the Tribunal's decision.
- In **Completion Notice Appeals only** there is an additional ground, which allows new evidence to be considered where it has become available, and could not reasonably have been anticipated or obtained earlier.

If you wish to apply for a review on any of the above grounds, you should write to the Clerk of the Tribunal setting out the grounds for a review. An application for a review may be dismissed if not made within **four weeks** from the date the decision was notified to the parties.

CAN I APPEAL AGAINST THE DECISION?

There is a right to appeal to the High Court against a decision or order of the Tribunal, but only on a point of law.

An appeal should be made by written notice of motion delivered to the **Administrative Court Office, Royal Courts of Justice, Strand, London WC2A 2LL**, together with the appropriate fee. Four copies of the motion must be lodged and copies served on all respondents within 28 days of the date of decision or order, any appeal made after that may be refused as being out of time.

General enquiries about appeals may be made to the Administrative Court Office on 020 7947 6295.

You should be aware that the High Court **can** award costs against the unsuccessful party.

You may therefore wish to consider seeking professional advice before appealing to the High Court.

CAN I COMPLAIN ABOUT THE SERVICE PROVIDED?

If you have a complaint about the way the VT administration has handled your case, you can do the following:-

- You should first write to the Clerk of the Tribunal, at the address shown on our notices.
You will be informed of the Tribunal's full complaints procedure in the Clerk's response.
- If you are not satisfied with the response, you may write to the President of the Tribunal, addressing your letter to the Tribunal Office.

You can only use this process to make a complaint about the way your appeal has been dealt with administratively by the Tribunal. Further appeal against the decision is to the higher courts.

FURTHER INFORMATION

Our records

By law, anyone can visit the Valuation Tribunal offices to look at copies of agendas, and decisions made by the Tribunal in the last six years. Agendas are lists of appeals that have been given a hearing date.

You will find more information about the Valuation Tribunals and copies of all guides on the following website(s) at:

www.valuation-tribunals.gov.uk [English VTS]

Currently there is a staged development of a parallel bilingual website in Wales (All VT's basically operate similarly but there are a few differences in legislation between England and Wales).

www.valuation-tribunals-wales.gov.uk [Welsh VTS]

The VTSW's compliance for Freedom of Information, Data Protection and the Environmental Information Legislation is outlined in a policy statement which will be published on the VTSW website: copies available on request from VT Offices.

This guide does not cover every point about Valuation Tribunals. We do not have to follow everything in this guide, and it does not affect how we use the relevant laws or regulations. Before we hear your appeal, the Clerk of the Tribunal will reply to any reasonable request you have for advice on procedure.