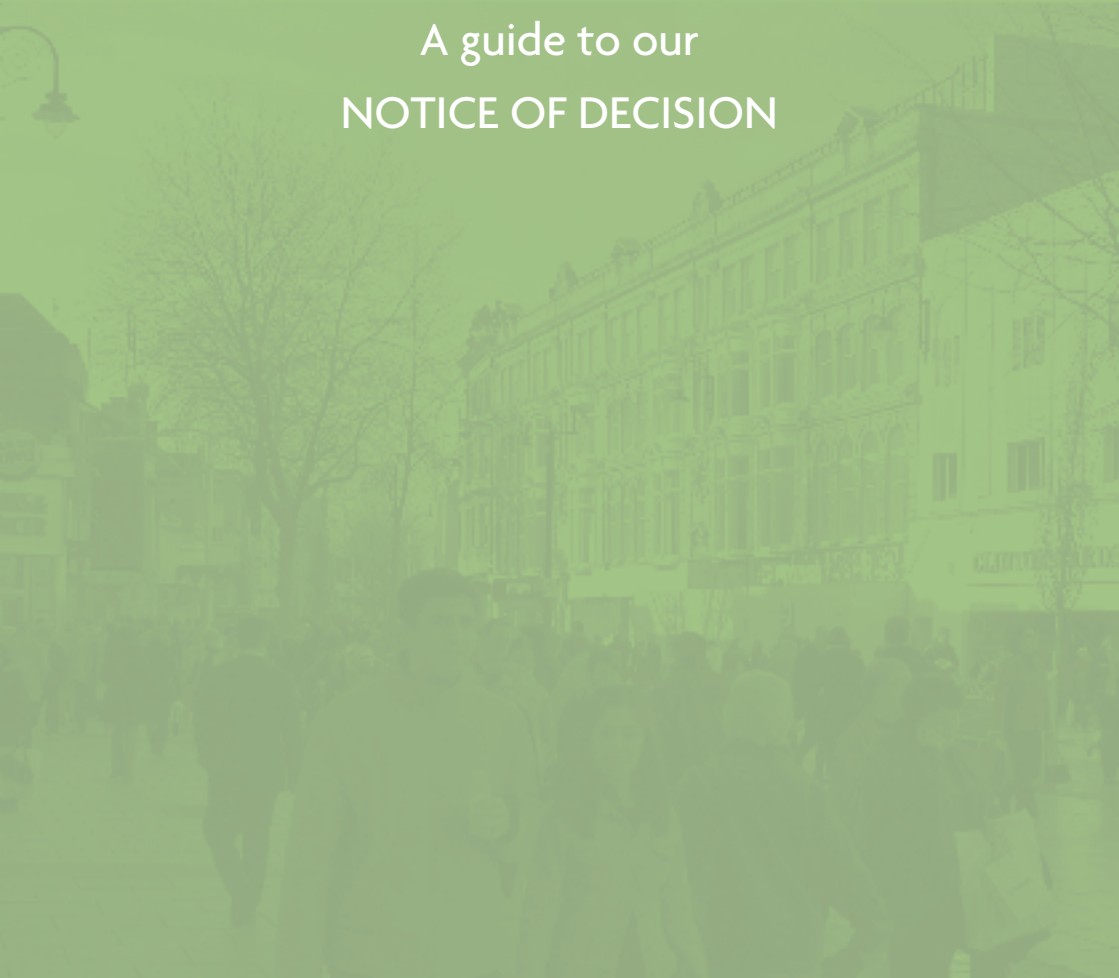




Valuation Tribunal for Wales

Non-domestic Rating List 2010

A guide to our
NOTICE OF DECISION





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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.

NON-DOMESTIC RATING APPEALS

If the Tribunal has decided that the Rating List should be altered, the required change is indicated on the decision notice in the section showing property details, rateable values and effective dates. Where a change is shown in this section, the Tribunal orders that the Rating List is to be altered accordingly.

Where the Tribunal has ordered an alteration of the Rating List, the Valuation Officer must comply with that order within two weeks. Once he has done so, he has a further four weeks in which to notify the Council (the Billing Authority) of the alteration. If applicable, the Billing Authority will then reassess the amount of rates payable.

COMPLETION NOTICE APPEALS

The Tribunal has determined the completion day as set out in the Notice of Decision. The Valuation 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.

APPEALS AGAINST NOTICE OF INVALIDITY

Where you have appealed against the Valuation 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 Valuation

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:

- that the decision was wrongly made as a result of clerical error;
- that 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 Chamber of the Upper 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 Regional 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?

Any person who appeared or was represented at the hearing (or appealed by **formal** written representation under the Regulations) and is aggrieved by the decision may, within four weeks from the date of the decision, appeal by notice in writing to The Lands Chamber of the Upper Tribunal.

Notice of Appeal in the form prescribed by the Lands Chamber Rules, should be sent to:

The Lands Chamber of the Upper Tribunal
43-45 Bedford Square,
London WC1B 3AS
Telephone: 020 7612 9710
Fax: 020 7612 9723
Email: lands@tribunals.gsi.gov.uk.
Website: www.landstribunal.gov.uk

Copies of the form may be obtained from The Lands Chamber's website or its office.

You should be aware that the Lands Chamber **can** award costs against the unsuccessful party.

You may therefore wish to consider seeking professional advice before appealing to the Lands Chamber.

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 Regional Tribunal, at the address shown on our notices.

You will be informed of the Tribunal's full complaints procedure in the Regional Clerk's response.

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. (see page 2)

FURTHER INFORMATION

Our records

By law, anyone can visit the Regional Valuation Tribunal Office 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.

Copies of tribunal agendas and decisions for non-domestic rating appeals are also shown on the VTW website.

You will find more information about the Valuation Tribunals and copies of all guides on the following website at:
www.valuation-tribunals-wales.gov.uk

The VTW'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 VTW website: copies available on request from Regional Tribunal Offices.

This guide does not cover every point about Non Domestic Rating appeals. 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 Regional Clerk of the Tribunal will reply to any reasonable request you have for advice on procedure.