



Valuation Tribunal Users' Group

SPECIAL MEETING

Notes of the Meeting held at 43-45 Bedford Square, London on 7 November 2011

Present:	George Bartlett QC	President of the Lands Chamber of the UT
	Siobhan McGrath	RPTS (Acting Chamber President-designate)
	Professor Graham Zellick QC	VTE
	Jon Bestow	VTE
	Tony Masella	VTS
	Lee Anderson	VTS
	Mark Higgin	RSA
	Richard Guy	RSA
	Roger Messenger	IRRV
	Peter Scrafton	IRRV
	Blake Penfold	RICS
	Jerry Schurder	RICS
	Michael Pearce	VOA
	Paul Sanderson	VOA
	Melanie McIntosh	PEBA
	Carla-Maria Heath	LGA
	Roger Culcheth	Federation of Small Businesses
	Donald Scannell	Lands Chamber, Upper Tribunal

1. Basic Structure

Ms McGrath described the structure of the proposed Property, Lands and Housing Chamber, the jurisdictions to be contained within it and how they would operate.

2. Procedure for introduction of new rules and timetable for transfer

Mr Bartlett and Ms McGrath provided an update on the work to date, the timetable for transfer, and the various bodies involved in the process.

The draft rules would be subject to consultation by the Tribunals Procedure Committee.

The future of the VTE Practice Statements was not yet known.

3. Provisions under the new PLHC rules

(1) Appeals

Mr Bartlett explained that Council Tax appeals would be appealed to the UT on a point of law only. Rating appeals would be to the UT (as now). In both cases permission of the First-tier Tribunal or UT will be needed. It would be for the Lands Chamber to decide the form the appeal would take.

(2) Fees

It was explained that this was a matter for HMG and was not part of the transfer process or the proposed consultations and would not feature in the rules.

(3) Costs

Professor Zellick announced that the paper on costs would shortly be published. Mr Bartlett explained the proposed costs situation.

(4) Delegation to staff

Professor Zellick explained that certain judicial powers of the Tribunal could be delegated to staff, with the permission of the Senior President. Parties would be able to appeal any matter decided to a judge.

(5) Reviews of decisions

Professor Zellick explained that there would be a wider power to review and set aside, including for error of law, so as to avoid the need for some cases to be appealed to the UT.

(6) Judiciary

Professor Zellick explained that all chairmen and members who wished to remain would be automatically transferred in as members. The Act did not distinguish between chairmen and members. It would be up to the Senior President of Tribunals to prescribe the composition of panels and who would preside. This is likely to feature in the consultation.

(7) Transfer up and down

Mr Bartlett set out the criteria for transferring appeals from the F-TT to the UT. He explained that there was little point in parties going through two hearings in order to come to the correct decision if this could be avoided.

4. Initiation of NDR appeals

Mr Bartlett set out the thinking behind changing the current automatic appeal process to one where the appellant had to initiate an application to the F-t T after either the VO had issued a decision notice or a period of time had elapsed and the proposal had not been settled. There was extensive discussion on this point and Mr Bartlett asked both the VOA and private practice representatives to discuss the proposals and recommend a process which would prevent large numbers of proposals becoming appeals where neither party expected the matter to be heard by the F-t T.

5 December 2011

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President