



## Valuation Tribunal Users' Group

### Minutes of the Meeting held at Black Lion House on 20 May 2013

<b>Present:</b>	Professor Graham Zellick QC	VTE
	Jon Bestow	VTE
	Tony Masella	VTS
	Lee Anderson	VTS
	Mark Higgin	RICS
	Blake Penfold	RICS
	John Elcox	RSA
	Andrew Hetherton	RSA
	Richard Guy	IRRV
	Jerry Schurder	IRRV
	Peter Scrafton	IRRV
	Michael Pearce	VOA
	Mary Hardman	VOA
	Peter O'Connell	Federation of Small Businesses

## 1 Apologies and Membership

1.1 Anne Galbraith (VTS), David Subacchi (VOA), Donald Scannell (Lands Chamber, Upper Tribunal), Carla-Maria Heath (Local Government Association), Martin McTague, (Federation of Small Businesses), Melanie McIntosh (PEBA) and Siobhan McGrath (FTT Property Chamber-designate) tendered their apologies.

### Matters arising

**Minute 10.2:** Mr Penfold queried whether the Registrar had had a chance to check whether Statements of Case could be amended for postponed appeals which had a revised hearing date. The Registrar agreed to circulate something after the meeting

**[Post-meeting note: The Registrar confirmed that where a SoC had already been produced by the appellant before the appeal was postponed, the original timetable applied and the SoC submitted would remain in place. The only exception to this was where a Direction was issued which required, or allowed a party, an amended SoC. If the appellant wished to add to his SoC, he would need to make application.]**

## **2 Minutes of the meeting held on 18 March 2013**

2.1 The minutes were confirmed.

## **3 Revision to Tribunal Business Arrangements**

3.1 The President outlined the two main reasons for revising the existing TBAs. Some CTR appeals would now be heard by a FTT judge who would take the chair and three-member panels would be replaced by two-member panels. Another factor triggering the revisions was the pressure to list more NDR appeals.

3.2 The revisions were noted.

## **4 Revision of Practice Statement A4: Postponements and Adjournments**

4.1 Mr Schurder had some concerns with the grounds of applying for a postponement set out in para. 5. He could not see any benefit in limiting grounds, when in practice many appeals were being postponed owing to Tribunal constraints anyway. He felt that if grounds were to be set, then these needed to be more accommodating to unforeseen circumstances. The President was happy to receive further thoughts to incorporate in his draft.

Mr Anderson said that 35,000 appeals were postponed from 1 April 2012 to 31 March 2013. Of these, 30% had been listed and less than 10% were postponed because of Tribunal constraints.

The President would await further thoughts on para. 5.

## **5 Whether Statements of Case are public documents**

This would be brought forward to the next meeting with the benefit of the VOA's legal advice.

## **6 Ministry of Justice Consultation Paper: Fee remissions for the courts and tribunals**

The President brought the existence of this to members' attention.

## **7 Review of Practice Statement A7-1**

The President felt that the VO should be required to produce a reasoned statement in support of the assessment at the beginning of the appeal. He hoped to be able to put a draft of a revised Practice Statement to the Group in July.

**10 Any other business**

10.1 The President reported that the *Model Procedure* had also been revised, chiefly to incorporate CTR appeals and the fact that FTT judges would be hearing some of these appeals.

In respect of council tax reduction appeals, the President reported that some further comments on the final draft of Practice Statement A11 had been received from the IRRV. The main point was that the categories of difficult cases identified for hearing by the FTT judge were not wide enough, but the President felt it too late to modify the list. The situation would be closely monitored.

CTR appeals were trickling in, 48 so far, of which virtually all appeared to be within the strike-out scope of the Practice Statement.

The President reported that Mr Jan Luba QC, from Garden Court Chambers, was proposing to set up a free legal advice scheme for CTR appeals heard in Whitechapel. This would be very helpful to appellants and the Tribunal.

It was reported that Martin Rodger QC (of Falcon Chambers) had been appointed Deputy President of the UT Lands Chamber under Mr Justice Lindblom.

**11 Date of next meeting**

11.1 Members would be consulted about the date of the next meeting to be held in July.

24 July 2013

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President