



Valuation Tribunal Users' Group

Minutes of the Meeting held at 120 Lemn Street on 26 January 2015

Present:	Professor Graham Zellick QC (Chairman)	VTE
	Jon Bestow	VTE
	Tony Masella	VTS
	Lee Anderson	VTS
	Blake Penfold	RICS
	Ian Charman	RSA
	Andrew Hetherington	RSA
	Richard Guy	IRRV
	Jerry Schurder	IRRV
	Peter Scrafton	IRRV
	Michael Pearce	VOA
	Mary Hardman	VOA
	Carla-Maria Heath	LGA
	Peter O'Connell	FSB
	Dr Christopher Lewsley	PEBA
In attendance:	Amy Dusanjh	Secretary

1 Apologies for absence

- 1.1 Anne Galbraith (VTS), Mark Higgin (RICS) and Louise Freeth tendered their apologies.

2 Minutes of the meeting held on 13 October 2014

- 2.2 The minutes were confirmed.

3. Matters arising

- *Min. 6: Postponements: PS A7-1, para. 4(1)*

3.1 Mr Penfold explained that this point was centred around whether there was a means of checking at relisting stage whether a Statement of Case had been lodged. Where a Statement of Case had not been lodged, it was not desirable to list the case within six weeks.

3.2 The President asked the Group to let him know if any changes were required to the wording of para. 4(1).

- *Min. 8 Reinstatement applications forms*

3.3 The President reported that the forms were now in use.

4 Transfer to First-tier Tribunal: written ministerial statement

4.1 The President reported that a written ministerial statement had been published on 10 November 2014 which listed the VTE/VTS in an Annex which stated that there would be no change to their status as Non-Departmental Public Bodies under the Department for Communities and Local Government. He reported that the VTE and VTS would now be subject to a Triennial Review which was to commence before March 2015. It was likely that there would be consultation with stakeholders.

5 Recruitment of new Tribunal members

5.1 The President reported that the Lord Chancellor had given permission for the recruitment of new Tribunal members. The recruitment was scheduled in the Judicial Appointments Commission programme for May 2015 for approximately 25 chairmen (and members) in the London and South East Areas.

6 Administration of business rates in England, Chap. 3

6.1 This interim findings document had been published in December 2014 and DCLG had established a working group, which included VTE and VTS representatives, to discuss it further. Any member of the Users' Group could forward views to DCLG.

7 Revision of Practice Statement A7-1

7.1 It was the unanimous view of the Group that neither the new proposed procedure for NDR appeals nor any other fundamental revision of PS A7-1 should proceed while there was a chance that government would make statutory changes to the arrangements.

- *Draft revision to para. 8*

7.2 The President explained why this change was necessary. Requests for the hearing to proceed in the appellants' absence were often included in Statements of Case. As Statements of Case were not read by Tribunal staff, this request could easily be overlooked and the case then struck out at the hearing for non-attendance, only for it to have to be reinstated on an application for reinstatement and then relisted.

8 Citation of case law

8.1 The draft was noted and no comments were made.

9. Reasons for Decision in Council Tax Liability Cases

9.1 Ms Heath stated that billing authorities found full-reasoned decisions useful, for example in deterring students from making unmeritorious appeals to the Tribunal.

9.2 The President confirmed that any cases dealing with points of law or principles of valuation dealt with under PS A10 would lead to full reasoned decisions as well as any other cases thought by staff to be worthy of full reasoned decisions. Moreover, billing authorities themselves could request a full decision in any case.

9.3 Mr Anderson pointed out that in only about 10% of Council Tax Reduction cases were full-reasoned decisions requested.

9.4 A review would take place after six months.

10 VOA representation at hearings

10.1 The President shared his first draft with the Group. Dr Lewsley agreed to redraft some of the provisions in the light of the discussion.

11 Any other business

11.2 Representatives queried whether item numbers could follow appeal numbers on Notices of Hearing.

11.3 Mr Penfold referred to a recent occasion where a two-member panel had been unable to agree. The President explained that this situation was covered in the Tribunal Business Arrangements and such cases were relisted before a three-member panel, unless identified as an A10 appeal in which case they would be heard by the President or a Vice-President sitting alone. Where a member cancelled at short notice, the hearing would continue with the chairman sitting alone.

11.4 Mr Anderson circulated appeal statistics to the Group.

12 Date of next meeting

12.1 Members would be consulted about the date of the next meeting.

11 May 2015

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President