



Valuation Tribunal Users' Group

Minutes of the Meeting held at 120 Leaman Street on 11 May 2015

Present:	Professor Graham Zellick QC (Chairman)	VTE
	Jon Bestow	VTE
	Lee Anderson	VTS
	Mark Higgin	RICS
	Blake Penfold	RICS
	Ian Charman	RSA
	Andrew Hetherington	RSA
	Richard Guy	IRRV
	Jerry Schurder	IRRV
	Peter Scrafton	IRRV
	Michael Pearce	VOA
	Mary Hardman	VOA
	Martin McTague	FSB
	Cain Ormondroyd	PEBA
	Louise Freeth	

In attendance: Amy Dusanjha Secretary

1 Apologies for absence

1.1 Tony Masella (VTS), Anne Galbraith (VTS), Carla-Maria Heath (LGA) and Peter O'Connell (FSB) tendered their apologies.

2 Minutes of the meeting held on 26 January 2015

2.2 The minutes were confirmed.

3. Matters arising

3.1 None.

4 Recruitment of Tribunal members

4.1 The President reported that the recruitment exercise for Tribunal chairmen (25) and members (20) in London and the South East would be launched by the Judicial Appointments Commission (JAC) in July 2015. It was hoped that appointments would be made by the end of the year.

5 Triennial Review

5.1 The President explained that the terms of reference for the Triennial Review 2015 had been reported to Parliament. He had already met the Review Team as had the VTS Chief Executive and Chairman. He had suggested to the Review Team that they might meet the VTUG.

6 VO's Representation at the Hearing

6.1 The President recorded his thanks to Dr Lewsley for his assistance with the revised draft. There were no further comments. It would be issued as President's Guidance.

7 Failure to Agree Areas

7.1 This would also be issued as President's Guidance and would incorporate comments made at the meeting.

8. Postponements and relisting

8.1 Mr Guy sought comments on a problem he had encountered when a hearing had been postponed and the postponement notice had indicated a fresh hearing date. The relisted date was not to be found on the Tribunal's website. Mr Anderson informed him that the problem had now been resolved following an IT change and the associated withdrawal of such combination notices.

9 Outstanding NDR Appeals as at 1 April 2015

9.1 The Chancellor of the Exchequer had set a target for 95% of pre-30 September 2013 appeals to be cleared by July 2015. Mr Anderson reported that 89% had been cleared at end of April 2015, leaving 18,000. Mr Anderson thought a further 8,000 could be cleared by July 2015.

9.3 Mr Anderson reported that in total approximately 70,000 NDR appeals were outstanding at the turn of the calendar year. However, recent regulatory changes limiting effective dates on proposals after April 2015 had resulted in high volumes of new proposals being submitted between January and March 2015.

9.3 He further reported that approximately 4,000 appeals were being settled each month although this figure appeared to be reducing from April 2015.

10 Final Listing of NDR Appeals

10.1 The President reported that the arrangements in place were not working as parties were settling/withdrawing their appeals very late, resulting in too few appeals being heard on the hearing day. This wasted time and resource and denied other appeals the hearing time they required.

10.2 He proposed reducing the number of days' notice (from three to two) to be given to parties for an appeal on the reserve list to be drawn down. The consensus of the meeting was that two days was not enough time to prepare for a hearing.

10.3 The President felt that failure to make contact with the Tribunal seven days before the hearing should result in strike out for non-co-operation with the Tribunal or a refusal to grant a postponement, requiring the representative to appear before the panel.

10.4 The principal proposal was that a larger number of appeals should be placed on the final list in the certain knowledge that many would settle. Where too many remained 24 hours before the hearing, representatives would be informed.

10.5 The President took note of a number of helpful comments made at the meeting of which he would take account in revising Practice Statement A2 and introducing procedural changes.

11 CTR Appeals

11.1 The President had produced a short report which would be put before the VTS Board on CTR appeals and the use of First-tier Tribunal judges.

11.2 Mr Anderson reported that 75% of outstanding CTR cases concerned adjustments to a previously granted CTR.

11.3 Ms Freeth explained why the concept of overpayment was wrong and why no provision had been made in the statute. She offered to circulate DLG and IRRV guidance.

11.4 Ms Freeth considered that CTR appeal numbers might increase when universal credit was rolled out.

12. Any other business

NDR reform

12.1 The Registrar reported that he was participating in an NDR reform working group convened by DCLG. A consultation paper would be published in due course.

12.2 The judgment in *Reeves (VO) v. VTE* (2015) EWHC 973 (Admin) had been issued. Mr Penfold offered to circulate it.

13. Date of next meeting

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

3 August 2015

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President