

**Statement of Reasons****Relative to an Appeal****By****Colin Kernahan****In respect of****Public House, 1 Glencairn Street, Motherwell.**

This was an appeal arising out of the year 2005 Revaluation.

The scheme of valuation was not in dispute and the parties agreed that the value of the Appeal Subjects was the adopted turnover at 8 ¼ % derived from the Scottish Assessor's Practice Note number 17 in respect of the valuation of licensed premises, public houses and licensed restaurants, appendix 1.

The Appellants had produced evidence in relation to the turnover of the Appeal Subjects at the tone date of 1<sup>st</sup> April, 2003. They had adjusted the turnover in terms of the scheme of valuation to arrive at an adopted turnover. The Assessor however was not prepared to accept the turnover of the Appeal Subjects produced by the Appellants as the accounts produced had not been certified or audited. The Assessor had proceeded on the basis that there was no such evidence available and he calculated a hypothetical turnover in respect of the Appeal Subjects. The Committee were of the view that the Assessor's approach in this regard was to be preferred. The Committee were of the view that the Appellants' calculation of the adjusted turnover of the Appeal Subjects at tone date had to be treated with caution. There was no reliable evidence of the breakdown of the turnover contained within the accounts at the tone date.

The Assessor had calculated his hypothetical turnover by analysing the final value rate per square metre of eleven other public houses which he considered were the closest comparable subjects to the Appeal Subjects based on their reduced areas and their proximity to the Appeal Subjects. The values of all of these comparisons had either been agreed, appeals withdrawn or had not been the subject of any appeal. The Assessor had exercised his judgement to arrive at an appropriate value rate per square metre which he considered fitted with the pattern of evidence available and applied this rate to the reduced area of the Appeal Subjects in order to arrive at an adopted turnover in respect of them.

Accordingly, the Committee upheld the proposed valuation of the Assessor, spoken to at the Hearing, which had been properly explained to the Committee and they dismissed the Appeal.