



Check, Challenge, Appeal (CCA)

- the statistics so far

Alarming Valuation Office Agency (VOA) statistics released in February 2018 revealed that only 0.68% of the properties in the rating list for England have been contested so far in the 2017 rating list. Under the new 3 stage process of "check, challenge, appeal (CCA)" only 12,840 first stage "checks" had been made to 31st December 2017 of which 4,120 remain outstanding. Of those that have been resolved 1,210 have gone further to the formal second stage "challenge" with 820 of those remaining outstanding. Unofficial comments indicate that only 3 have progressed to third stage "appeal" to Valuation Tribunal.

Wales has not introduced the CCA system and in the same period 2.67% of 2017 rating list assessments had been appealed. Scotland has seen an appeal rate of 29%.

These figures contrast drastically with those for the first year of the 2010 rating list. At the end of the 3rd quarter of 2010 there had been 182,760 appeals lodged. 57,430 of those in the first month.

So has the Valuation Office valued almost every property in England correctly leading to complete contentment by ratepayers?

Sadly no. Despite widespread criticism of the changes to the English rating appeal system the Government forged ahead to implement a process which was doomed to fail business from the start.

Apart from IT issues associated with the VOA digital platform the 3 stages of check, challenge, appeal each present the ratepayer or agent with unnecessary obstacles.

(continued)

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Check, Challenge, Appeal (CCA)

Check

Before you can tell the VOA about any changes that have happened to the property e.g. external roadworks, all factual matters that the VOA hold for it need to be verified and declared as correct. This requires an extensive knowledge of the property and an understanding of measuring practice and methods of valuation. If incorrect, detailed evidence of how and where it differs need to be submitted including dates of physical changes. If inaccurate information is verified or provided this may lead to a civil penalty. Rateable Values can be increased if the VOA become aware of additions that they had no record of.

Challenge

Following conclusion of the "check" stage a review of the valuation that has been applied to the property can be made and if disputed a formal "challenge" can be made for any reason including material change of circumstance. All information and data supporting the grounds for challenge is to be submitted at this stage and cannot be added to at a later date. It will include valuation, evidence, comparable properties, case law and legal argument.

The VOA provides no evidence of how it has arrived at the value at the beginning of this stage. It is akin to a "proposal" under the old system but is fully front loaded with the onus squarely on the challenger to demonstrate the inaccuracy of the valuation. Hopefully discussion and negotiation with the VOA will take place.

Appeal

If the outcome of a challenge is not satisfactory an "appeal" can be made to the Valuation Tribunal for England within defined time limits. The full submission of evidence and a lodging fee is payable. The appellant must submit all documentation in connection with the appeal including that provided by the Valuation Office at the challenge stage. Limited opportunity for submission of further documentation means that the evidence provided at the "challenge" stage must be as comprehensive as possible.

In light of the above it is easy to see why there are so few "disputes" so far.

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