

VTW BEST PRACTICE PROTOCOL 1E

WRITTEN REPRESENTATIONS

Introduction

1. The regulations provide that appeals, except for drainage rate appeals, may be resolved on the basis of formal written representations if all the parties have given their agreement in writing. This procedure can apply in the case of the following types of appeal:
 - Non-domestic rating;
 - Council tax valuation;
 - Council tax liability/reduction; and
 - Completion notices.
2. An appellant may withdraw their appeal at any time before the tribunal/appeal panel considers the written representations.

Legislation

- Regulation 25 of the Non-Domestic Rating (Alteration of Lists and Appeals) (Wales) Regulations 2005 (SI 2005/758)
- Regulation 20 of the Council Tax (Alteration of Lists and Appeals) Regulations 1993 (SI 1993/290)
- Regulation 33 of the Valuation Tribunal for Wales Regulations 2010 (SI 2010/713)

Written Representations Procedure

3. A party applies for a case to be decided on the basis of written representations.
4. The Valuation Tribunal for Wales (VTW) will inform all other parties about the application and will require the parties to indicate whether or not they agree to the request.
5. Where all the parties have agreed to the application, the VTW will serve notice of the agreement on the parties.

6. All parties have four weeks to provide the VTW with their evidence/additional evidence, if they wish, or they can state that they do not wish to make further representations.
7. The VTW will serve notice of any evidence received under point 6 above on the other parties and will advise them of any further procedures to be followed.
8. Within four weeks of receiving such notice, any party may serve on the VTW a reply to the other party's statement, or state that they do not intend to make further representations.
9. Should the VTW receive further submissions, copies will be served on the other parties. There is no right for the parties to respond to any further submission.
10. Four weeks after point 9, the VTW will submit copies of all information transmitted in accordance with the Regulations to the Tribunal/Appeal Panel.
11. The Tribunal/Appeal Panel may:
 - consider the documentation and issue a decision; or
 - require any party to supply further information. The VTW will serve a copy of any information received on every other party. Each party may then within four weeks of receiving such information serve on the VTW a further response. The Tribunal/Appeal Panel will again consider the documentation and issue its decision.
12. If deemed necessary, the Tribunal/Appeal Panel may order that the appeal be disposed of on the basis of a hearing.