

MAN/OOCZ/OAF/2007/0020

In the matter of:-

LEASEHOLD REFORM ACT 1967. SECTION 21.

15 NABBS LANE, SLAITHWAITE. HUDDERSFIELD.

MRS. MARGARET WISKOW Applicant

**THE RIGHT HONOURABLE WILLIAM LEGGE, 10TH EARL OF
DARTMOUTH.**

Respondent.

13th NOVEMBER 2007.

The Application

1. Mrs. Wiskow applies to the Tribunal for determination of the price payable under S. 9 of the Leasehold Reform Act 1967 for the transfer to her of the freehold of 15 Nabbs Lane. Slaithwaite.
2. Her Notice of Claim is dated 27th July 2007. The Reply of the Respondent's solicitors (admitting the right to acquire) is dated 6th August 2007.
3. Mrs. Wiskow holds the property by virtue of a Lease dated 30 October 1886 for the residue of the term then created of 999 years from 24th June 1886. 878 years of the term remain. The rent reserved is £1.50 p.a. for the entire duration of the term. The covenants, grants and reservations in the Lease are unexceptional.
4. The Reversion is vested in the Respondent.

The Inspection

5. The Tribunal inspected the property on the morning of 13th November 2007.
6. The extent of the property was consistent with the plan attached to the Lease. A garage had been built by Mrs. Wiskow on a plot of land to the rear of the property, the subject of this application, which plot was separately rented from the Earl's estate. The possible acquisition of this

land had, in recent years, much exercised the parties but is not within the reference to the tribunal and the Tribunal cannot opine upon it.

The Hearing.

7. The hearing was held at the George Hotel Huddersfield following the inspection and was attended by the Applicant in person and Mr Fryer of Ramsdens, Solicitors for the Respondent
8. The Applicant made oral and written representations, most of which concentrated on the difficulties that had arisen during negotiation (for the garage site as well as the freehold). She adduced a written report and valuation from John Rhoades, FRICS, IRRV, contending for a valuation of £100, for the freehold reversion.
9. Mr Fryer, on behalf of the Respondent, accepted that valuation.
10. Whatever strict valuation arguments might be deployed to indicate a different valuation based on prevailing interest rates and a calculation of 'years purchase', the Tribunal did not demur from the valuation agreed by the parties.
- 11. The Tribunal accordingly determines the price payable for the Freehold reversion of 15 Nabbs Lane, Slaithwaite in the sum of £100**

Martin J Simpson.
Chairman

