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**FIRST-TIER TRIBUNAL  
PROPERTY CHAMBER  
(RESIDENTIAL PROPERTY)**

Case Reference : CHI/00HY/OAF/2014/0008

Property : Land at the Rear of Tudor Lodge, 4 Kiln Close,  
Whaddon, Salisbury, Wiltshire SP5 3HE

Applicant : Mr Patrick Raymond Cope

Representative : ---

Respondent : Unknown

Representative : ---

Type of Application: Enfranchisement under the Leasehold Reform Act  
1967 ("the 1967 Act")

Tribunal Members : Judge P.J. Barber  
Mr D Lintott FRICS      Surveyor Member

Date of Decision : 24th June 2014

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**DECISION**

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## **BACKGROUND**

1. On 9<sup>th</sup> May 2014 District Judge Brooks in proceedings in Salisbury County Court numbered A005B096 ordered that the Applicant is eligible to acquire the freehold interest in the land and premises known as land at the back of Tudor Lodge, 4 Kiln Close, Whaddon, Salisbury, Wiltshire SP5 3HE ("the Property") but that the Applicant is prevented from giving notice in accordance with the 1967 Act of his desire to have the freehold reversion of the Property, because the identity of the person to be served cannot be ascertained. It was further ordered that the Applicant shall seek determination of the price payable for the reversion by referral to the First-Tier Tribunal Property Chamber .
2. The Applicant has filed a written valuation report for the Property from Mr C R Abnett FRICS of Middleton Major, dated 3<sup>rd</sup> June 2014.

## **INSPECTION**

3. The Tribunal inspected the Property on 18<sup>th</sup> June 2014 and found it to be as described in Mr Abnett`s report, namely it comprises part of a former railway line, the lines having long been removed. The Property is accessible from the rear garden of the Applicant`s adjoining residence at 4 Kiln Close.

## **THE LEASE**

4. According to the Land Registry entries provided by the Applicant for the Property, the lease for a term of 1000 years from 25<sup>th</sup> March 1754.

## **THE VALUATION**

5. Mr Abnett`s valuation was made under the 1967 Act; it excludes any element of marriage value owing to the nil rent and also the considerable length of the unexpired term. Accordingly Mr Abnett concludes that the value of the freehold interest is nominal only. The Tribunal has considered Mr Abnett`s expert valuation in the matter and has no reason to depart from his approach; consequently the Tribunal agrees with the figure of £50 in the valuation report.

## **THE DETERMINATION**

6. The Tribunal therefore determines that the amount that the Applicant shall be required to pay into court in order to acquire the freehold interest in the Property is Fifty Pounds (£50).
7. We made our decisions accordingly.

Judge P J Barber

Appeals :

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.
3. If the person wishing to appeal does not comply with the 28-day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28-day time limit;

the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.