Land Valuation

by
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Mr. Yeung was called to the Bar in 1997. Prior to that he was admitted as a solicitor in England and Wales and in Hong Kong and practised as a solicitor in the litigation department of an international firm. He was a contributor to Halsbury's Laws of Hong Kong Volume 18(1) Maritime Law (Butterworths) and has authored a book on the law of unjust enrichment in Hong Kong.

This course looks at the three most important practice areas concerning the law governing land valuation, namely land resumption, rating and compulsory sale for redevelopment. It provides an introduction to the valuation techniques adopted in the case law, before giving (a) a detailed consideration of Shun Fung Ironworks Limited v Director of Buildings and Lands [1995] 2 HKLR 311, the leading case on land compensation, (b) a review of leading Hong Kong and English cases on rating valuation, including recent case law on the valuation of utilities companies in a rating context and (c) a review of the valuation exercise under the unique regime which enables private developers to acquire land compulsorily when specific criteria are met.

Key Methods of Valuation - An overview of valuation methodology in the case law

- Valuation by comparables
- The residual method
- The investment method
  1. The traditional approach
  2. The discounted cash flow method
- The contractor's method
- The receipt and expenditure approach ("the profits method")

Land Resumption - *Shun Fung Ironworks Limited v Director of Buildings and Lands*

- Loss of Profit due to anticipation of resumption
- Extinguishment or relocation
- Capital Asset Pricing Model in Shun Fung and since
- Total beta - recent US literature on capturing firm specific risk
- Land value
- Valuation of plant and machinery/loss of stock

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Rating Valuation

- The hypothetical rating world
- The Rating principles derived from important English cases on rating valuation
  1. *Assessment Authority v Southern Railway Co [1936] AC 266*
  2. *Humber Limited v Jones and Rugby R.D.C. (1960) 53 R & IT 293*
  3. *Assessment Committee of the Metropolitan Borough of Poplar v Roberts [1922] 2 AC 93*
  4. *Bluebell Railway Limited v Ball (Valuation Officer) [1984] RA 113*
  5. *Townley Mill v Assessment Committee of Oldham [1937] AC 419*
  6. *Tomlinson (Valuation Officer) v Plymouth Argyle Football Club (1960) 53 R & IT 297*
  7. *Fir Mill Ltd v Royton Urban District Council and Jones (Valuation Officer) (1960) 7 RRC 171*
  8. *Edmondon (Valuation Officer) v Teesside Textiles Ltd [1984] RA 247*
  9. *London County Council v Erith [1984] AC 562*
  10. *The Parish Council of the City of Edinburgh v The Lord Provost, Magistrates & The Council of the City of Edinburgh 1912 SC 793*
  11. *Hoare (VO) v National Trust [1998] RA 391*
  12. *Dawkins (Valuation Officer) v Ash Brothers and Heaton Limited [1969] 2 AC 366*
  13. *Consett Iron Company v Assessment Committee for No. 5 or North-West Area of County of Durham [1931] AC 396*
  14. *London County Council v Wilkins (Valuation Officer) [1957] AC 362*
  15. *R v Paddington Valuation Officer, ex parte Peachey Property Corp. Ltd [1966] 1 QB 380*
  16. *Winchester City Council v Hancock [2006] RA 265*
- Best Origin Limited v Commissioner of Rating and Valuation
  - the rebus sic stantibus principle and s.7A(2) of the Rating Ordinance
- Public utilities
  1. *CLP Power Hong Kong Limited v Commissioner of Rating and Valuation LDGA 241A/2004 24 April 2013*
  2. *The Hong Kong Electric Co Ltd v Commissioner of Rating and Valuation LDGA 224/2004, 30 November 2009*
  3. *British Telecommunication Plc v Central Valuation Officer 1998*

Compulsory Sale for Redevelopment

- An overview
- Determining existing use value
- The reserve price
- Adjoining lots and statutory construction
  ("ransom power" and compensation for full redevelopment potential)

Scan to Calendar

Code:	**EVT000000051**	Level:	**Intermediate**
Date:	**16 March 2015 (Monday) (Amended)**	Language:	**English**
Time:	**14:30 - 17:45** (Reception starts at 14:00)	Accreditation(s):	**LSHK 3.0 CPD Points**
Venue:	**Kornerstone Institute** 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	**Please Contact Us for Details**

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