

CONSULTATION ON SUSTAINING THE JUDICIAL INDEPENDENCE OF VALUATION TRIBUNALS

THE GOVERNMENTS CONCLUSIONS

SUMMARY OF CONCLUSIONS

AIM – to assert and maintain the judicial independence of the Valuation Tribunals

ESTABLISH COMMITTEES

The Valuation Tribunal Service (VTS) Board should establish two committees:

MEMBERS' JUDICIAL COMMITTEE (MJC) – comprised of regionally elected representative presidents.

Purpose to advise the JIC from a Valuation Tribunal perspective on matters within the statutory remit of the VTS that might impact on Valuation Tribunals' judicial independence.

The MJC will provide a forum within the structure of the VTS through which Valuation Tribunal representatives can discuss and make recommendations on matters relating to members; take decisions on matters relating to the training of members and members conferences; and in which they may discuss issues of mutual interest relating to the operation of the Tribunals

The interface of the MJC with the VTS Board will be through the JIC

JUDICIAL INTERFACE COMMITTEE (JIC) – comprised of VTS Board members and members of the MJC.

Purpose to advise the VTS Board on matters within the statutory remit of the VTS that might impact on Valuation Tribunals' judicial independence

The JIC will be the principal committee of the VTS Board for discussion of issues within the statutory remit of the VTS that may have a bearing on judicial matters, including any recommendations made by the MJC

The Chair of the VTS Board will hold regular informal meetings with the Chair of the MJC to ensure good networking, communication and liaison, and to engage in effective agenda planning for the meetings of each committee.

DISPUTE RESOLUTION

Disagreements within the JIC will be referred to the VTS Board.
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In circumstances where the VTS Board felt unable to accept advice from the JIC or the MJC, no decision would be taken until the chair of the MJC had an opportunity to attend VTS Board meeting to put their case; but the decision of the VTS Board would be final.

THE JUDICIAL INTERFACE COMMITTEE (JIC)

CONSTITUTION AND COMPOSITION FOR THE JIC

- Meetings will be held at least quarterly and more frequently if business requires.
- The Chair of the VTS or a VTS Board representative will chair the JIC.
- The membership of the JIC will be comprised of equal numbers of members drawn from the VTS Board and the MJC with a recommended maximum of three from each, including the Chair. The members drawn from the MJC would be selected by election on an annual basis.
- Two members from each of the VTS Board and the MJC must be present for the committee to reach a quorum.
- The Chair of the JIC will agree with the VTS the level of administrative support required.

TERMS OF REFERENCE FOR THE JIC

The JIC will:

- Assert and maintain the judicial independence of Valuation Tribunals
- Consider the advice and recommendations from the MJC and agree priorities in the light of the strategy and resource position of the VTS
- Within its terms of reference commission, with the agreement of the VTS Board, work to support the judicial agenda and formulate proposals for Board approval
- Advise the VTS Board on any issue that might impact on the judicial independence of Valuation Tribunals, including matters raised by the VTS Chief Executive and staff relating to policy and development issues.

In particular the JIC, in the light of the VTS' agreed strategy and resource position, will:

In relation to training

- Agree a ring-fenced budget for members training and conferences
- Advise the VTS Board on any VTS policies and proposals affecting the training of members of Valuation Tribunals and clerks.

In relation to procedural matters and regulations

- Advise the VTS Board on procedural matters in relation to hearings before Valuation Tribunals
- Advise the VTS Board on proposals put forward by the Board, the VTS Chief Executive and staff that relate to the interpretation of regulations on procedural matters before Tribunals
- Propose to the VTS Board or advise on amendments to secondary legislation concerning Valuation Tribunals in which the VTS has an interest consequent on its statutory functions.

In relation to Tribunal issues

- Advise the VTS Board on matters regarding the provision of services by the VTS to the Valuation Tribunals.
- Propose implementation strategies for mutually agreed proposals for presentation to the VTS Board
- Assure the VTS Board that all Tribunal Presidents, through their representatives on the MJC, have endorsed the policies on issues within the statutory remit of the VTS that may have bearing on judicial matters and which require implementation by the VTS.

Additionally the JIC will:

- Advise the VTS Board on other issues as they may describe; and may
- Agree with the VTS Board and ODPM the circumstances under which the terms of reference of the committee would be revised.

THE MEMBERS JUDICIAL COMMITTEE (MJC)

CONSTITUTION AND COMPOSITION FOR THE MJC

- Meetings will be held at least quarterly and more frequently if business requires.
- The Chair of the MJC will be elected annually by members of the committee.
- The membership of the MJC will be comprised of regional representatives. The Tribunals in each VTS administration area will collectively appoint (by annual election) one representative to the MJC. Representatives must be members of a Valuation Tribunal and must not also be a member of the VTS Board.
- Members of the MJC may select on an annual basis those among them who are to sit on the JIC.
- Committee decisions will be made on the basis of a simple majority and no decisions will be valid unless at least 50% of the members of the MJC are present.
- Regional representatives will convene and chair quarterly regional meetings in their areas (Regional Presidents Groups) to which Presidents associated with the Administrative Unit, or their representatives, are invited. Decisions taken at these meetings in relation to issues that the JIC and the MJC are to discuss will be mandating on representatives to the MJC.
- The Chair of the MJC will agree with the VTS the level of administrative support required.

TERMS OF REFERENCE FOR THE MJC

The MJC will:

- Assert and maintain the judicial independence of Valuation Tribunals
- Advise the JIC on any issue that might impact on the judicial independence of the Tribunals or on matters that affect members' interests
- Promote consistency of practice across Valuation Tribunals
- Advise the VTS on the views of members and consider issues raised by regional representatives and by the VTS and ODPM.

In particular the MJC will:

In relation to training:

- Advise the JIC annually on proposals on priorities and budget requirements
- Decide how the agreed budget for members training and conferences is to be used
- Within the agreed budget, decide the content and priority of member training

ANNEX A
(TO APPENDIX B)

- Within the agreed budget, hold and host an annual conference for Valuation Tribunal Presidents and other chairs or members as they see fit
- Encourage existing members of Valuation Tribunals to participate in training
- Provide feedback to the VTS on the quality of the training provided for members of Valuation Tribunals
- Advise the JIC on any VTS policies and proposals affecting the training of Tribunal members and clerks (in their judicial role)
- Take responsibility for the development of the system of judicial appraisal.

In relation to procedural matters and regulations:

- Advise the JIC on procedural matters in relation to hearings before Valuation Tribunals
- Advise the JIC on proposals put forward by the VTS Board, the VTS Chief Executive and staff that relate to the interpretation of regulations on procedural matters
- Advise the JIC on amendments to secondary legislation concerning Valuation Tribunals in which the VTS has an interest consequent on its statutory functions.

In relation to Tribunal issues:

- Advise the Secretary of State, through the VTS, on member complements
- Advise the JIC on matters regarding the provision of services by the VTS to the Valuation Tribunals.

Additionally the MJC will:

- Advise the JIC on other issues as they may describe; and may:
- Agree with the VTS Board and ODPM the circumstances under which the terms of reference of the committee would be revised.

ODPM
November 2004