EXPLANATORY MEMORANDUM TO

THE VALUATION TRIBUNAL FOR ENGLAND (MEMBERSHIP AND TRANSITIONAL PROVISIONS) (AMENDMENT) REGULATIONS 2025

2025 No. 112

1. Introduction

1.1 This explanatory memorandum has been prepared by The Ministry of Housing, Communities and Local Government and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Jim McMahon OBE MP, Minister for Local Government and English Devolution at the Ministry for Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

2.2 Michelle Warbis, Deputy Director for Local Taxation and Pensions, at the Ministry of Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Rory Gurdon at the Ministry of Housing, Communities and Local Government, email: Rory.Gurdon@communities.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument will change the age at which a person will be disqualified from being a member of the Valuation Tribunal for England (VTE) from 72 to 75.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England only.

5. Policy Context

What is being done and why?

5.1 Amendments are being made to Regulation 5(1)(a) of the Valuation Tribunal for England (Membership and Transitional Provisions) (Amendments) Regulations 2009 (S.I. 2009/2267) to increase the members' disqualification age from 72 to 75. This amendment will mirror changes in the judicial mandatory retirement age, which is currently set at 75, and this will create a consistent approach to age limits across different judicial areas. This amendment will be beneficial to the operation of the Valuation Tribunal and appeals process, allowing the tribunal to retain engaged and

capable members for up to three more years. It will also benefit tribunal members who wish to remain as members of the tribunal until the age of 75.

What was the previous policy, how is this different?

5.2 The previous policy was that a person would be disqualified from being a member of the Valuation Tribunal for England at the age of 72.

6. Legislative and Legal Context

How has the law changed?

6.1 The age limit for members of the Valuation Tribunal for England is set out in regulation 5(1)(a) of the Valuation Tribunal for England (Membership and Transitional Provisions) (Amendments) Regulations 2009 (S.I. 2009/2267). This legislation changes the age at which a member will be disqualified from serving on the tribunal, from 72 to 75.

Why was this approach taken to change the law?

6.2 The Secretary of State can make this change in exercise of the powers conferred to her by paragraph A19(2)(b) of Schedule 11 to the Local Government Finance Act 1988.

7. Consultation

Summary of consultation outcome and methodology

7.1 There is no statutory requirement to carry out a consultation for this measure, and the change was lobbied for by the Valuation Tribunal. This change is likely to affect mostly the VTE members themselves and the effect on them is likely to be a positive one. The current disqualification as member of the VTE at 72 will be lifted and they will have the option to continue sitting for up to 3 more years.

8. Applicable Guidance

8.1 VTE members will be informed of the details of the change, as will the Ministry of Justice.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument. This measure will have a positive impact on the operation of the Valuation Tribunal.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies.

9.3 The legislation does not impact small or micro businesses.

9.4 There is a positive impact on the public sector owing to the increase in the disqualifying age limit of the members of the Valuation Tribunal for England.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is to continue to monitor the performance of the Valuation Tribunal for England as part of ongoing sponsorship arrangements to

ensure the change has no unexpected negative impact on the Tribunal's ability to deliver effective and timely judgements.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").