



**First-tier Tribunal
Property Chamber
(Residential Property)**

Case Reference : **CAM/00MD/LSC/2018/0050**

Property : **Nova House,
1 Buckingham Gardens,
Slough,
SL1 1AY**

Proposed Appellant : **Pell Buy It Investments Ltd.**

Proposed Respondent : **Ground Rent Estates 5 Ltd.**

Date of Application : **4th January 2019 (rec'd 7th)**

Type of Application : **For permission to appeal the Tribunal's
determination of the reasonableness and
payability of service charges and/or
administration charges**

The Tribunal : **Bruce Edgington (Lawyer Chair)
David Brown FRICS**

DECISION

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1. The tribunal has considered the proposed Appellant's request for permission to appeal dated 4th January 2019 and determines that:
 - (a) it will not review its decision as a result of the application; and
 - (b) permission be refused.
2. In accordance with section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the proposed Appellant may make further application for permission to appeal to the Upper Tribunal (Lands Chamber). Such application must be made in writing and be received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.

Reasons

3. The reasoned decision in this case was sent to the parties on or before the 5th December 2018 which is when the time for making an application for

permission to appeal started. This application for permission to appeal is dated 4th January 2019 and was received by the Tribunal on the 7th January. It is therefore outside the 28 day time limit for such applications as was set out in the decision itself.

4. Nevertheless, the Tribunal will accept the application out of time. It is refused because such an application must set out the grounds of appeal (rule 52(5)(b) of the **Tribunal Procedure (First-tier Tribunal)(Property Chamber) Rules 2013**). The only ground of appeal set out in the application states that the grounds “*are obvious*” but makes no reference to any specific paragraph or determination in the decision made by the Tribunal. In other words, there is no means by which this Tribunal or the Upper Tribunal can make any judgment as to whether the grounds have any merit.
5. The ground also seems to assume that the decision against which the application for permission to appeal is lodged was made by Judge Edgington whereas it was, of course a decision of the Tribunal.
6. In fact, an accidental error was made in respect of one figure in the decision and the Tribunal’s attention has been drawn to this by the proposed Respondent’s solicitors. An amended decision will therefore be issued shortly and the proposed Appellant will therefore have another opportunity to apply for permission to appeal.
7. As the proposed Appellant was represented by 2 counsel at the hearing and the person who signed the application for permission to appeal was not present, it may be helpful to perhaps suggest that counsel’s assistance be obtained when drafting any grounds for appeal.

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Bruce Edgington
Regional Judge
9th January 2019