



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

Case reference : **LON/00BJ/LDC/2023/0142**

Property : **5 Stanbridge Road, London SW15 1DX**

Applicant : **Southern Land Securities Limited**

Representative : **Together Property Management Limited**

Respondents : **(1) Cheek Developments Limited
(2) Simon & Joanna Middleton
(3) Annabel Andrews**

Representative : **N/A**

Type of application : **Application for dispensation to consult –
section 20ZA of the Landlord and Tenant Act
1985**

Tribunal : **Judge Tagliavini**

Date of decision : **9 August 2023**

DECISION

The tribunal's summary decision

- (1.) The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of the installation of lighting and associated works in the communal hallway at 5 Stanbridge Road, London SW15 1DX.
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The application

1. This is an application made pursuant to section 20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') seeking dispensation for the consultation requirements in respect of the installation of lighting and associated works in the hallway of 5 Stanbridge Road, London SW15 1DX ('the premises').

Background

2. The subject premises comprises an Edwardian semi-detached house converted into three self-contained flats over three floors.
3. The applicant landlord has applied for dispensation from the statutory consultation requirements in respect of works to install lighting in the communal hallway, which includes the installation of a distribution board, 3-phase supply and to obtain a Meter point Administration Number (MPAN) from the UK Power Networks. The works are said to be urgent as there is an absence of lighting in the communal hallway and this represents a health and safety hazard.
4. The tribunal was satisfied the leaseholders had been served with notice of the application and provided with a copy of the tribunal's Directions dated 20 June 2023. However, no response/objections have been received by the tribunal from the respondent leaseholders.

The hearing

5. The application was determined by the tribunal on the papers as no party requested an oral hearing. In making its decision the tribunal took into account the information provided by the applicant by way of a bundle comprising 50 electronic pages. No documentation was received from the respondents.

The tribunal's decision and reasons

6. The tribunal grants dispensation pursuant to s.20ZA of the Landlord and Tenant Act 1985 ('the 1985 Act') in respect of the installation of lighting and associated works in the communal hallway at the subject premises.
7. The tribunal has had regard to the urgent nature of the works as evidenced by the applicant's Statement of Case and supporting documents and the absence of any objection by the respondents to either the works that have been carried out or to this application. The tribunal has also considered the absence of prejudice caused by the lack of consultation pursuant to section 20 of the 1985 Act in respect of the works for which the applicant seeks dispensation. Therefore, in the circumstances the tribunal considers it reasonable and proportionate to grant the application sought; *Daejan Investments Limited v Benson and others* [2013] UKSC 14.

Name: Judge Tagliavini

Date: 9 August 2023

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).