



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

**Case reference** : **LON/00BE/LDC/2024/0217**

**Property** : **26 Barry Road, London SE22 0HU**

**Applicant** : **Southern Land Securities Limited**

**Representative** : **Together Property Management**

**Respondent** : **Various leaseholders as per the  
schedule attached to the application**

**Representative** : **N/A**

**Type of application** : **Dispensation from consultation –  
s.20ZA of the Landlord ND Tenant Act  
1985**

**Tribunal member** : **Judge Tagliavini**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of decision** : **26 November 2024**

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**DECISION**

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### **The tribunal's decision**

1. In so far as this application may still be required by the applicant, the tribunal grants the applicant dispensation from consultation pursuant to s.20ZA of the Landlord and Tenant Act 1985, in respect of the replacement and fitting of the front step to the communal front entrance by Glynn Building Services at a cost of £825.00.

### **The application**

2. The subject premises comprises an Edwardian house converted into four long leasehold flats on 3 storeys with front and rear communal gardens.
3. The applicant landlord has applied for dispensation from the statutory consultation requirements in respect of works for a replacement step leading to the communal entrance door. The managing agents advised that the works were previously carried out inadequately by other contractors. Those original inadequate works are not being charged to the leaseholders. However, due to increased costs by the new contractors, this application for dispensation from consultation has been made. However, it appears that since the contractor (GBS) price matched the lowest quote, the works for which dispensation is sought appear to total less than the £250 per lessee limit payable for works where no consultation has been carried out it appears this application may no longer be required as the £825.00 cost of the works are payable in full by the leaseholders in any event.

### **The hearing**

4. Neither party requested an oral hearing and therefore, the tribunal made its determination from the documents provided which included a hearing bundle of 37 electronic pages.

### **Reasons for the tribunal's decision**

5. The tribunal is satisfied this application was brought to the attention of the leaseholders. Of these, one objected to the cost of the completed works and queried why the lowest price had not been accepted by the applicant. On the contractor agreeing to match the lowest quote, this leaseholder was satisfied with this response and no further objections were made or received by the applicant or the tribunal to this application.
6. The tribunal is satisfied that the replacement/repair works to the front entrance step were both urgent and necessary. In the absence of any objection to this application for dispensation from consultation, or the identification of any substantive prejudice caused to the respondents, the tribunal determines it is appropriate to grant the dispensation sought

by the applicant; *Daejan Properties Limited v Benson and others* [2013] UKSC 14 & [2013] UKSC 54.

**Name:** Judge Tagliavini

**Date:** 26 November 2024

### **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).