



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

Case reference : **CAM/OOKB/HTA/2023/003**

Property : **The Heights, 25 St John Street,
Bedford, MK42 0FW**

Applicant : **Leaseholders of the Heights**

Respondent : **Sampsons Limited**

Type of application : **An application for permission to
appeal**

Tribunal : **Judge Shepherd**

Date of Decision : **14th March 2025**

DECISION

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PERMISSION TO APPEAL IS REFUSED

REASON FOR THE DECISION

1. The tribunal has considered the Respondent's request for permission to appeal and determines that:
 - (a) it will not review its decision; and
 - (b) permission be refused.
2. You may make a further application for permission to appeal to the Upper Tribunal (Lands Chamber). Any such application must be made 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.

3. Where possible, you should make your further application for permission to appeal on-line using the Upper Tribunal's on-line document filing system, called CE-File. This will enable the Upper Tribunal to deal with it more efficiently and will enable you to follow the progress of your application and submit any additional documents quickly and easily. Information about how to register to use CE-File can be found by going to this web address: [https://www.judiciary.uk/wp-content/uploads/2021/07/Practice-Note-on-CE-filing-Lands-Chamber-17.6.21 .pdf](https://www.judiciary.uk/wp-content/uploads/2021/07/Practice-Note-on-CE-filing-Lands-Chamber-17.6.21.pdf)
4. Alternatively, you can submit your application for permission to appeal by email to: Lands@justice.gov.uk.
5. The Upper Tribunal can also be contacted by post or by telephone at: Upper Tribunal (Lands Chamber), 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (Tel: 020 7612 9710).

REASONS FOR THE DECISION

1. The test for whether to grant permission to appeal is whether there is a realistic prospect of success.
2. In the present case, the tribunal does not consider that there is such a realistic prospect.
3. The Applicants are seeking to reopen matters that have already been decided. They state they are concerned with parts of the decision. Its not clear if they are appealing these parts. The Respondent was unable to find invoices – this was true. Its not clear why this is appealed. The Respondent also lacked knowledge on the day to day management of the building. Again, its not clear why this finding is appealed.
4. The Applicant is seeking to include new evidence which was not allowed at the hearing. The Tribunal were faced with a number of lever arch volumes of information. The new evidence was not permitted for reasons of its lack of relevance and proportionality. The Applicant raises a number of other issues which were already raised or ought to have been raised at the hearing. These do not found appeal grounds. On utilities, insurance accountancy and fees the Applicant is again trying to introduce new evidence. An appeal is not simply a second bite of the cherry. The Tribunal carefully considered all of the evidence and reached a fair decision.
5. The identified errors are not significant enough to justify review. If the parties agree that the determination in relation to accountancy fees needs to be amended they should write jointly to the Tribunal requesting this.
6. In light of the refusal to give permission the stay sought is also refused.

Judge Shepherd

14th March 2025

