



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

Case Reference	:	LON/00AY/LDC/2025/0636
Property	:	1 - 66 Sandhurst Court, Acre Lane, London, SW2 5TX
Applicant	:	Sandhurst Court Limited, represented by Ringley Law, chartered surveyors/managing agent
Respondents	:	The leaseholders set out in the appendix to this decision
Type of Application	:	Dispensation from consultation requirements under Landlord and Tenant Act 1985 section 20ZA
Tribunal Member	:	Judge Professor R Percival
Venue	:	Remote paper determination
Date of Decision	:	27 May 2025

DECISION

Decisions of the tribunal

- (1) The Tribunal, pursuant to section 20ZA of the Landlord and Tenant Act 1985 (“the 1985 Act”), grants dispensation from the consultation requirements in respect of the works which are the subject of the application.

Procedural

1. The landlord submitted an application for retrospective dispensation from the consultation requirements in section 20 of the Landlord and Tenant Act 1985 (“the 1985 Act”) and the regulations thereunder, dated 20 January 2025.
2. The Tribunal gave directions on 5 February 2025, which were amended on 5 March 2025. The directions provided for a form to be distributed to those who pay the service charge to allow them to object to or agree with the application, and, if objecting, to provide such further material as they sought to rely on. The application and directions were required to be sent to the leaseholders and any sublessees, and to be displayed as a notice in the common parts of the property. The deadline for return of the forms, to the Applicant and the Tribunal, was 14 April 2025.
3. The Applicant confirmed that the relevant documentation had been sent to the leaseholders and displayed as required.
4. No response from any of the leaseholders has been received by the Tribunal.

The property and the works

5. The property is a purpose-built block containing 66 flats, apparently of mid-century construction.
6. The work relates to a lift in the building. It involves replacing an old control panel, extensive re-wiring and the installation of (I assume) improved/compliant elements to the lift system.
7. The Applicant reports that the work was (at the time the application was made) scheduled to start on 20 January 2025 and to conclude by 30 March 2025, at a cost of £52,257.60 including VAT.
8. The Applicant submits that the works are urgent, as the lift was out of service, and required the works to be brought back into service. I assume there were safety and/or operational reasons for the lift being

out of service, although they are not specified in the application or the witness statement from the property manager.

Determination

9. The relevant statutory provisions are sections 20 and 20ZA of the Landlord and Tenant Act 1983, and the Service Charges (Consultation etc)(England) Regulations 2003. They may be consulted at the following URLs respectively:
<https://www.legislation.gov.uk/ukpga/1985/70>
<https://www.legislation.gov.uk/uksi/2003/1987/contents/made>
10. The Tribunal is concerned solely with an application under section 20ZA of the 1985 Act to dispense with the consultation requirements under section 20 and the regulations.
11. The case for urgency made in the application is somewhat thin, in that it amounts to an assertion that the works are urgent to allow lift access to the residents. But I can see from Google Maps Streetview facility that it is a building of six or seven stories. Although the application does not specify how many lifts there are in the building, and if there are more than one, how this affects access, I am prepared to infer that access to at least some of the flats on the upper floors must be seriously compromised by the absence of the lift. Accordingly, I accept that the case for urgency is made out.
12. But in any event, no response has been received from any of the leaseholders objecting to the application by the Tribunal. The directions required any objecting leaseholder or sub-lessee to provide the form to both the Tribunal and the Applicant. The directions did not require the Applicant to notify the Tribunal if it received an objection form, but in any event, it has not, of its own volition, indicated that it had received any.
13. It is therefore apparent that none of the leaseholders have sought to claim any prejudice as a result of the consultation requirements not having been satisfied. Where that is the case, the Tribunal must, quite apart from any question of urgency, allow the application: *Daejan Investments Ltd v Benson and others* [2013] UKSC 14; [2013] 1 WLR 854.
14. This application relates solely to the granting of dispensation. If the leaseholders consider the cost of the works to be excessive or the quality of the workmanship poor, or if costs sought to be recovered through the service charge are otherwise not reasonably incurred, then it is open to them to apply to the Tribunal for a determination of those issues under section 27A of the Landlord and Tenant Act 1985.

Rights of appeal

15. 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 London regional office.
16. The application for permission to appeal must arrive at the office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.
17. If the application is not made within the 28 day time limit, the 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 these reason(s) and decide whether to allow the application for permission to appeal to proceed despite not being within the time limit.
18. The application for permission to appeal must identify the decision of the Tribunal to which it relates, 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.

Name: Judge Prof Richard Percival **Date:** 27 May 2025

APPENDIX: THE RESPONDENT LEASEHOLDERS

Gaurav Joshi	Flat 1
D O Rocha Esq	Flat 2
Mr & Mrs R Smyth	Flat 3
Perseus Property Company	Flat 4
Nilesh Patel	Flat 5
Mark Jubber	Flat 6
The Lessee (Raymond Addy)	Flat 7
Mr S G Brashaw	Flat 8
Siobhan Hackett	Flat 9
Mr A Lewis	Flat 10
Jonathon Noah Smith	Flat 11
Julie Keenan	Flat 12
T Greenwell Esq	Flat 12a
Miss J Steele	Flat 14
Mr C Roznik	Flat 15
Breno Brown	Flat 16
R Patel Esq	Flat 17
Monique Nascimento	Flat 18
Mr K Clarke	Flat 19
Miss F Gray	Flat 20
Pia Charles	Flat 21
Jamie Christopher Booth	Flat 22
Jonathan Anthony Davy Beadle	Flat 23
Kyren Routledge	Flat 24
William Henderson	Flat 25
Ms C Burrow & Mr A Greene	Flat 26
Mr P Bjorkstrand	Flat 27
Dalia Goldberg	Flat 28
Mr A Martin Esq	Flat 29
Kimberley Holdcroft	Flat 30
Miss S Shotton	Flat 31
Dorine Faisca	Flat 32
Hannah Bougdah	Flat 33
Ryan Levi Seah Jia Ping	Flat 34
Elena Newton	Flat 35
Mr J Monro	Flat 36
Ronan Francis	Flat 37
Elizabeth Carey	Flat 38
Miss D Logan	Flat 39

Margaret Murray	Flat 40
James Clark	Flat 41
D Macarie Esq	Flat 42
Michael Sharpe	Flat 43
Miss Klein	Flat 44
Felix Blakeston	Flat 45
Mr Y Hu and Miss E Chappell	Flat 46
Miss G Sale	Flat 47
Perseus Property Company	Flat 48
David Allwood & Peter McPherson	Flat 49
Dawn Anderson	Flat 50
Elliot Robinson	Flat 51
Kyla Chapman	Flat 52
Jerome Sampson	Flat 53
Perseus Property Company	Flat 54
Tara Fisher & Mario Sierra	Flat 55
Katherine Aram	Flat 56
Megan Wardley	Flat 57
Grant Goodband	Flat 58
Siobhan M Monaghan & Dominic J O'Riordan	Flat 59
Antonia Calgeras	Flat 60
Isabel M Petrie & Christian D Yanga	Flat 61
Simone De Andrade Nascimento	Flat 62
Mr B Woodhouse and Mr A Evans	Flat 63
Yakir Firestane	Flat 64
Aharon Yetuda Cohen Mohliver	Flat 65
Ceri Grier Davies	Flat 66