



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

**Case reference** : **CAM/12UD/HIN/2024/0600**

**Property** : **19 Colvile Road, Wisbech, PE13 2EL**

**Applicant** : **Richard Brown**

**Representative** : **In Person**

**Respondent** : **Fenland District Council**

**Representative** : **Andrew Brown, Private Sector Housing Enforcement Officer**

**Type of application** : **Appeal against improvement notices under paragraphs 10-12 of Schedule 1 to the Housing Act 2004**

**Tribunal members** : **Judge Bernadette MacQueen  
Mary Hardman FRICS IRRV(Hons)**

**Venue** : **The Boathouse Business Centre, 1 Harbour Square, Nene Parade, Wisbech, PE13 3BH**

**Date of hearing** : **13 May 2025**

**Date of decision** : **30 May 2025**

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**DECISION**

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## **Decision of the Tribunal**

- (1) The Tribunal confirms the Improvement Notices dated 10 October 2024 subject to the following variations:
  - a. The Category 1 – Excess Cold Hazard – point 4 of schedule 2b and 2C of the section 11 notice should be removed as the glass has been replaced in the front bedroom window.
  - b. The Category 2 – Electrical Hazard – (schedule 4 of the section 12 notice) should be removed as this work has been completed.
  - c. The works listed in the Improvement Notices must be completed by 30 September 2025.
- (2) The Tribunal makes the determinations as set out under the various headings in this Decision.

## **Introduction**

1. The Applicant has appealed against two Improvement Notices, both dated 10 October 2024, one made under Section 11 of the Housing Act 2004 (“the 2004 Act”) in relation to Category 1 hazards and the other under section 12 of the 2004 Act relating to Category 2 hazards (“the Improvement Notices”). The Improvement Notices required the Applicant to carry out specified works from the operative date of 4 November 2021 with the work required to be completed by 14 January 2025.
2. The Category 1 hazards related to falling on stairs and excess cold. The Category 2 hazards related to falling on level surfaces, damp and mould, fire, electrical, personal hygiene, sanitation and drainage.
3. The Improvement Notices were served on the Applicant by the Respondent. The Applicant’s application to appeal to this Tribunal was received within the 21 days permitted to appeal.

## **The Property**

4. The Applicant is the freehold owner of 19 Colvile Road, Wisbech, PE13 2EL (the Property). The Property is a two-storey semi-detached house built in approximately the late 1800s or early 1900s. The Property appears to be of a solid brick wall construction and has been rendered around all of the external walls. The Property is let on an assured shorthold tenancy; the current tenants have lived at the Property since September 2014.
5. The Respondent is the local housing authority.

## **The Inspection and Hearing**

6. In accordance with the Tribunal's Directions, the Applicant and Respondent each produced a bundle of documents. The Applicant provided a bundle of documents consisting of 442 pages. Additionally, the Applicant produced additional correspondence dated 6 May, 7 May and 9 May 2025. The Respondent produced a bundle consisting of 239 pages along with a response to the Applicant's bundle. In addition, the Tribunal had before it a letter from Donna Waters (the tenant) which was dated 24 February 2025, and a statement from her dated 8 May 2025.
7. Despite the additional documents being submitted after the time permitted by the Tribunal's Directions, there was no objection from either party to the additional documents being included. Taking into account the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, and specifically rule 3(2)(c), the Tribunal allowed this additional evidence so that parties were able to participate fully in the proceedings.
8. The Tribunal completed an inspection of the Property at 10am on the morning of the hearing (13 May 2025), with an in-person hearing taking place after the inspection. The Applicant attended the hearing and represented himself. The Respondent was represented by Andy Brown, Private Sector Housing Enforcement Officer employed by the Respondent. Jo Evans, Housing Compliance Manager employed by the Respondent, was also in attendance as were the tenants of the Property.
9. At the hearing, the Tribunal heard evidence from Richard Brown, Peter Smith and Andy Brown.
10. The hearing took the form of a re-hearing as required by paragraph 15(2) of Schedule 1 of the Act. The function of the Tribunal in an appeal against Improvement Notices is not restricted to a review of the local housing authority's decision and the Tribunal may confirm, quash or vary the Improvement Notice.

## **Relevant Statutory Provisions**

11. Part 1 of the Act provides for a system of assessing the condition of residential premises and for that system to be used in the enforcement of housing standards in relation to premises. It provides for a Housing Health and Safety Rating System (HHSRS) which evaluates the potential risk to harm and safety from any deficiencies identified in dwellings using objective criteria.
12. Local Authorities apply HHSRS to assess the condition of residential property in their areas. HHSRS enables the identification of specified hazards by calculating their seriousness as a numerical score by a prescribed method. Hazards that score 1000 or above are classed as Category 1 hazards, whilst hazards with a score below 1000 are classed as Category 2 hazards.

13. Section 2(1) of the Act defines hazard as:

“any risk of harm to the health or safety of an actual or potential occupier of a dwelling which arises from a deficiency in the dwelling...(whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise)”
14. Section 2(3) provides that:

“Regulations under this Section may, in particular, prescribe a method for calculating the seriousness of hazards which takes into account both the likelihood of the harm occurring and the severity of the harm if it were to occur”.
15. The regulations referred to are the Housing Health and Safety Rating System (England) Regulations 2005.
16. Under Section 5 of the Act, if a local housing authority considers that a Category 1 hazard exists on any residential premises, it must take appropriate enforcement action in relation to the hazard. Section 5(2) sets out seven types of enforcement action which are appropriate for a Category 1 hazard. The types of enforcement action that a local housing authority may take following identification of a Category 1 hazard are: serving an improvement notice, making a prohibition order, serving a hazard awareness notice, taking emergency remedial action, making an emergency prohibition order, making a demolition order, or declaring the area in which the premises concerned is situated to be a clearance area.
17. Section 7 of the Act contains similar provisions in relation to Category 2 hazards. Section 7(2) confers power on a local housing authority to take enforcement action in cases where it considers that a Category 2 hazard exists on residential premises. The enforcement action is: serving an improvement notice, making a prohibition order, serving a hazard awareness notice, making a demolition order, and power to make a slum clearance declaration.
18. Section 9 of the Act requires the local housing authority to have regard to the HHSRS operating guidance and the HHSRS enforcement guidance.
19. Sections 11 to 19 of the Act specify the requirements of an improvement notice for Category 1 and 2 hazards. Section 11 concerns improvement notices relating to Category 1 hazards and the duty of the local housing authority to serve a notice. Section 11(2) defines an improvement notice as “a notice requiring the person on whom it is served to take such remedial action in respect of the hazard concerned as is specified in the notice”.

20. Section 11(8) defines remedial action as “action (whether in the form of carrying out works or otherwise) which, in the opinion of the local housing authority, will remove or reduce the hazard”. Section 11(5) states that “the remedial action required to be taken by the notice (a) must, as a minimum, be such as to ensure that the hazard ceases to be a Category 1 hazard; but (b) may extend beyond such action.
21. Section 12 of the Act deals with the power of the local housing authority to serve an improvement notice for a Category 2 hazard, and contains similar provisions to those in Section 11.
22. Section 28 of the Act gives power to the local housing authority to serve on the owner of residential properties a hazard awareness notice relating to Category 1 hazards. The notice advises the recipient of the existence of the hazard(s), the deficiency giving rise to it, the reason for serving the notice and details of remedial action (if any) which the local housing authority considers would be practical and appropriate to take in relation to the hazard. Section 29 contains like provisions for the service of a hazard awareness notice in relation to Category 2 hazards. The Act does not provide for a right to appeal against the service of a hazard awareness notice.

### **The Applicant’s Case**

23. The Applicant’s position was that the Improvement Notices should be quashed. The Applicant told the Tribunal that he was prepared to do the work required and, therefore, rather than serving the Improvement Notices the Respondent should have provided advice to the Applicant.
24. The Applicant submitted that there was no opportunity given by the Respondent for discussion with the Applicant prior to the Improvement Notices being issued. The Applicant stated that the Respondent had conducted a formal inspection at the Property on 10 October 2024, and then the Improvement Notices had been issued later that same day. The Applicant told the Tribunal that he would have expected discussion to have taken place with him before the formal inspection had taken place, and then he would have expected a period of time for further discussion after the formal inspection as opposed to what happened, which was that he had been issued with the Improvement Notices immediately.
25. The Applicant further submitted that, in any event, the timeframe in which he had to complete the work specified in the Improvement Notices had not been sufficient. The Applicant told the Tribunal that he had made significant effort to find people who were able to complete the work that was required at the Property. He explained that this was because of the difficulty he had had in finding people to complete the work, but also because it was difficult to access the Property. The Applicant stated that his bundle showed how for over three years he had been trying to have maintenance completed at the Property.

### **The Respondent’s Case**

26. Andy Brown set out the Respondent's position, specifically in his written statement dated 30 January 2025 and the oral evidence he gave to the Tribunal.
27. Andy Brown told the Tribunal that the Council's enforcement policy stated that where a Category 1 hazard was found, he was under a duty to serve an improvement notice. He confirmed that he had considered all of the options available and determined that improvement notices were the appropriate course of action, and that this was in accordance with the Council's Enforcement Policy as well as the principles of the Cabinet Office Enforcement Concordat.
28. Specifically, Andy Brown submitted to the Tribunal that the Improvement Notices had been issued promptly after the visit to the Property because the tenants had shown the Respondent lengthy correspondence that had passed between the parties over several years in which the tenants had raised issues with the condition of the Property, but that the issues had remained unresolved. Further, the Respondent noted that the Applicant had incorrectly stated that it was for the tenants to complete aspects of the required work, for example the Applicant had stated that the tenants were responsible for replacing the carpets. Andy Brown therefore confirmed that, as result of all of the above considerations, he had formed the view that improvement notices were required to ensure that the work was completed.
29. Andy Brown set out the analysis of the options available to him in his statement of reasons (page 108 of the Respondent's bundle), and in his oral evidence to the Tribunal. He confirmed that, because of the existence of two Category 1 hazards and five Category 2 hazards, taking no remedial action or serving a hazard awareness notice had not been an option. Additionally, he reiterated his concern regarding the lack of maintenance that had taken place at the Property over a number of years. Emergency remedial action or the making of an emergency prohibition order had not been warranted as there was no immediate danger to the occupants' health and safety. Further, a demolition order, prohibition order, or declaring a clearance area would not have been proportionate to the degree of disrepair identified. Andy Brown therefore confirmed that it had been his professional opinion that improvement notices needed to be issued.

### **Tribunal Decision – Course of Action**

30. The Tribunal accepts the evidence of the Respondent that, as the required maintenance had not taken place at the Property over a number of years, it was not appropriate for no action to be taken. Further, the Tribunal accepts the evidence of the Respondent that it was not appropriate to give advice or issue a hazard awareness notice given the length of time the issues were outstanding and the lack of progress that had been made to resolve the issues.
31. The Tribunal also accepts the analysis of the Respondent that emergency remedial action or the making of an emergency prohibition order were not warranted as there was no immediate danger to the occupants' health and safety. Further, that a demolition order, prohibition order, or declaring a

clearance area would not have been proportionate to the degree of disrepair identified.

32. In the light of the evidence submitted to it, the Tribunal accepts the evidence of the Respondent that, on the basis of the totality of the issues at the Property in that two Category 1 hazards were identified, along with Category 2 hazards, and the length of time these issues have been outstanding, the Improvement Notices were appropriate. Further, the Tribunal accepts the evidence of Andy Brown that Fenland District Council's Housing Enforcement Policy provided that, given the existence of two Category 1 hazards and Category 2 hazards, action needed to be taken and that improvement notices were the appropriate option to take.
33. In light of this finding, the Tribunal considered the Improvement Notices and also the time given within the Improvement Notices for compliance.

### **The Improvement Notices**

34. The Respondent produced the Improvement Notices at pages 111 to 120 of the Respondent's bundle. Additionally, a Schedule of Deficiencies was at pages 109 to 110, the HHSRS calculations were at pages 125 to 131 of the bundle, and the statement of reasons was at pages 105 to 108. The Tribunal heard representations from the parties on the hazards identified in the Improvement Notices and the required works as follows:

### **Category 1 – Falling on Stairs**

35. The hazard related to the stair carpet being worn, and the condition of the stairs. The remedial work included replacing the stair and landing carpet and repairing broken parts of the timber staircase and replacing landing floorboards that were broken.
36. Andy Brown on behalf of the Respondent told the Tribunal that the poor condition of the stairs and carpet meant that the HHSRS likelihood of harm score was increased. This was further exasperated by the condition at both the top and the bottom of the stairs. At the bottom of the stairs was a tiled floor which created a hard landing surface in the event of a fall. Further, at the top of the stairs, the carpet was worn and therefore created an additional tripping hazard. The HHSRS calculation was set out at page 126 of the Respondent's bundle.
37. Whilst the Applicant stated in this application to the Tribunal that the carpets were the responsibility of the tenants, at the hearing the Applicant told the Tribunal that he had attempted to obtain a quote for the carpet but that the tenants needed to contract the carpet company to arrange for a quotation to be given.

38. The Tribunal observed from its inspection that the carpet had been removed from the stairs and some work had commenced; however, the Tribunal was satisfied that the work was not finished and specifically the stair and landing carpet needed to be replaced and repairs finished. The Tribunal therefore accepts the evidence of the Respondent of a Category 1 hazard, and finds that the remedial work specified in the notes is reasonable and required.

### **Category 1 – Excess Cold**

39. The hazard relates to a number of areas within the Property as follows:
- a. The front door - a gap was identified between the side of the door frame of the front door and there was deteriorating timber which meant that there was a gap between the floor and the door.
  - b. Windows – the small wooden window in the storage cupboard had deteriorated with both bottom frame joints failing. The window had blown in the front bedroom.
  - c. Dampness present in the walls of the ground floor was affecting the thermal properties of the structure.
  - d. Inadequate loft installation to the rear portion of the kitchen with 50mm rockwool under tiles except for an area which had fallen down where the insulation was no longer present.
  - e. Section of roof to rear two storey section above bathroom and third bedroom had no loft access, ceilings were noticeably cold to the touch compared to the main house and assumed to not have insulation.
  - f. There was no heating in the rear bedroom.
40. The remedial work was specified in Schedule 2C of the section 11 Improvement Notice and included: replacing the front door and frame with a new UPVC door, replacing the wooden window in the storage cupboard with a new UPVC window, replacing the glazing to the blown window in the front bedroom, adding insulation as set out in the Notice, and installing fixed heating to the rear bedroom.
41. Andy Brown on behalf of the Respondent told the Tribunal that he had completed an inspection and used the HHSRS guidelines to calculate the hazard, and his calculation was set out at page 125 of the Respondent's bundle. Andy Brown confirmed that he had assessed the likelihood of harm as three times more likely than the average, but had made no change to the harm outcome score. This resulted in his assessment that a Category 1 hazard existed.
42. The Applicant submitted that the Property had an EPC rating of D which he said demonstrated that the Property was not excessively cold (a copy of the certificate was at page 114 of the Applicant's bundle). The Respondent's evidence to the Tribunal was that an EPC rating was not something that could be relied upon to assess whether a property suffered from excess cold as the EPC did not take into account all aspects of the Property.

43. The Applicant stated that he had provided the tenants with advice about maintaining the Property and, by way of example at page 321 of the Applicant's bundle, the Applicant had included a letter to the tenants in which he had enclosed a copy of "Damp in a Nutshell". The Applicant further explained that he expected the tenants to ventilate the house and use the heating more often. The Applicant stated therefore that the Improvement Notice should be withdrawn or at least changed to advice.
44. Notwithstanding that, the Applicant told the Tribunal that the front door and the pantry window were going to be replaced in the week following this hearing. Further, the Applicant stated that the glass to the front upstairs window had been replaced. To substantiate this, at page 217 of the Respondent's bundle was an invoice which stated that the glass to the front upstairs window had been replaced. The Applicant further confirmed that he had agreed a quotation with Peter Smith to put rockwool in the main and kitchen lofts. (Letter dated 28 March 2025 at page 439 of his bundle).
45. The Tribunal accepts the evidence of the Respondent and its own inspection of the Property and finds that the Category 1 hazard is present at the Property. The Tribunal also finds that the work included within the Improvement Notice is reasonable and required. The Tribunal accepts the evidence of the Applicant that the glass to the front upstairs window has already been replaced, and therefore this work should be removed from the Improvement Notice; however, the Tribunal finds that the remaining work was outstanding.

## **Category 2 - Falling of Level Surfaces**

46. On the first floor it was noted that because of deteriorating carpets and damage to floorboards a number of trip hazards existed. This included at the top of the stairs and in the front bedroom caused by an unsecure floorboard. Additionally, the change in tiling level between the kitchen and the kitchen entrance created a trip hazard. The remedial work included replacing carpets, repairing floorboards and creating a sloping joint up to the tiling in the kitchen from the tiling in the hallway.
47. Andy Brown told the Tribunal that he assessed the HHSRS likelihood score as above average, with the harm score being unchanged (page 127 Respondent's bundle). This resulted in a Category 2 hazard.
48. The Applicant's position with regards to the carpets is set out above. In summary, the Applicant stated that he had contacted a company with a view to replacing the carpets but that a quotation could only be given if the company made contact with the tenants. With regards to the work to mend the floorboards, Peter Smith confirmed in his evidence to the Tribunal that this work was possible and was not a particularly complex job; indeed, work had already commenced.

49. The Tribunal accepts the evidence of the Respondent and also its own site visit where it saw the hazards identified and concludes that the Category 2 hazard exists and that the work set out in the Improvement Notice is reasonable and required.

### **Category 2 – Damp and Mould**

50. This related mainly to the lower floor of the Property and included the deteriorating timber front door and frame, the damp particularly in the living room, black mould on the ceiling in the corner of the two external walls and no working extraction to the cooker hob. On the first floor, the absence of mechanical ventilation in the bathroom and the hole behind the shower unit allowing water penetration was identified. Andy Smith's evidence to the Tribunal was that he had assessed an increase in the HHSRS likelihood score but the harm score was unaltered. This resulted in a Category 2 hazard (page 128 Respondent's bundle).
51. The remedial work included removing the existing front door and frame, commissioning a damp survey report and undertaking the recommendations from the report, providing mechanical ventilation to the bathroom and kitchen cooker hob, filling the hole behind the shower unit with plaster or mortar, and tiling over the hole and grout.
52. At pages 371 to 387, the Applicant produced a copy of the damp and timber report that had been completed for the Property on 28 November 2024. The report identified work that needed to be completed, but as yet this work had not been progressed. The recommendations were at pages 384 to 386 of the Applicant's bundle.
53. The Tribunal accepts the evidence of the Respondent and from its own inspection finds that a Category 2 hazard exists and that the work identified in the Improvement Notice is reasonable and required. The Tribunal notes that the Applicant stated that an extractor fan had been fitted within the bathroom; however, the Tribunal was not told if this met the standard set out in the Improvement Notice. The Tribunal notes that the damp and timber report had also been obtained and that the Applicant now needs to take action to implement the recommendations from this report.

### **Category 2 - Fire**

54. The Respondent identified a number of issues which included no Category LD2 fire detection system, damage to the plasterboard in the living room dining area, and gaps around the pipework in the kitchen. Andy Smith confirmed he found that the HHSRS harm scored increased (page 129 of the Respondent's bundle) and that a Category 2 hazard existed.
55. The remedial work required included replacing the damaged plasterboard, filling the gaps around the pipes through the ceiling in the kitchen, and

installing a Category LD2 fire detection system to the Property as specified in the notice.

56. Peter Smith on behalf of the Applicant confirmed that a fire detection system (LD2) had been installed in the Property in March 2025.
57. The Tribunal accepts the evidence of the Respondent and its own inspection and finds that a Category 2 hazard exists. The Tribunal also finds that the remedial work is required and reasonable. The Tribunal notes the evidence of Peter Smith that a Category LD2 fire detection system has been fitted at the Property and therefore it is the Applicant's position that the fire detection system is now installed. However, the Tribunal does not have before it any evidence to confirm that requirements set out in Schedule 3C paragraph 3 of the section 12 Improvement Notice have been specifically met, and therefore the Tribunal is not in a position to find that this work has been completed. The Tribunal therefore makes no amendment to the Improvement Notice in terms of the work required.

### **Category 2 - Electrical**

58. The notice identified that the blanking off cover in the kitchen was loose and required the blanking cover to be secured to the wall. The Respondent confirmed that the HHSRS likelihood score was increase slightly and that there was no change to the harm score (page 131 of the Respondent's bundle).
59. The Applicant had initially submitted that the tenants were responsible for electrical fittings at the Property but did not produce any evidence to substantiate this. At page 392 of the Applicant's bundle was a letter sent to the tenants by the Applicant that told the tenants that they should tighten the loose electrical screws in the kitchen. In this letter, the Applicant stated that he had enclosed a pack of electrical screws just in case any were missing in the house. Following service of the Improvement Notice, the Applicant confirmed that he had arranged for this work to be completed.
60. The Tribunal saw from its inspection of the Property and from the confirmation in the letter from the tenants that this work had indeed now been completed. On this basis, the Tribunal removes this hazard from the Improvement Notice.

### **Category 2 – Personal Hygiene, Sanitation and Drainage**

61. The broken bath panel, the damaged wall behind the sink and the absence of water supply to the basin were identified in the Improvement Notice. Andy Smith confirmed that he had increased the likelihood HHSRS score and kept the harm score the same (page 130 of the Respondent's bundle). This resulted in a Category 2 hazard.

62. The remedial work required in the notice included replacing the bath panel, repair to the damage to the wall of the sink, and reconnection of the water supply (including hot water) to the basin taps in the bathroom.
63. The Applicant stated that, for the work that he was aware needed to be done, he had been trying to have it completed; however, he was not aware that some of the work was even needed. The Applicant confirmed that now he was aware he would arrange for it to be done. The Applicant therefore submitted that, rather than an Improvement Notice being issued, he should have been offered advice.
64. The Tribunal accepted the evidence of the Respondent and from its own inspection and found that the Category 2 hazard exists. Specifically, the Tribunal finds from its own inspection of the Property that there is no running water to the sink. The Tribunal accepts the evidence of the Respondent that this is likely to lead to poorer and less frequent hand washing that can lead to poorer hygiene standards. Further, the Tribunal accepts the Respondent's evidence that the broken bath panel and damaged wall behind the sink increase the likelihood of the harbourage of pathogens. The Tribunal finds that the remedial work as specified in the Improvement Notice is required and reasonable.

### **Decision – Improvement Notice**

65. For the reasons given above, the Tribunal is satisfied that the Improvement Notices are appropriate and the remedial work required is reasonable.
66. The Tribunal confirms the Improvement Notices dated 10 October 2024 subject to the following variations:
  - a. The Category 1 – Excess Cold Hazard – point 4 of schedule 2b and 2C of the section 11 notice should be removed as the glass has been replaced in the front bedroom window.
  - b. The Category 2 – Electrical Hazard – (schedule 4 of the section 12 notice) should be removed as this work has been completed.

### **Period for Compliance**

67. The operative date for the works specified in the Improvement Notices was 4 November 2024 with the work required to be completed by 14 January 2025.
68. The Applicant submitted that the period for compliance was not realistic as it was difficult to arrange professionals to attend the Property. He told the Tribunal that he had contacted three tradespeople and had hoped that the first of these would complete the work required by summer 2024. The Applicant produced within his bundle many letters which he said showed that he had made many attempts to get work completed at the Property.

69. The Applicant confirmed that Peter Smith was the third person that he had approached but that he was able to complete some of the work. Peter Smith confirmed to the Tribunal that he had identified approximately 10 days of work that needed to be completed, although Peter Smith confirmed that he would not be able to complete all of the work required, and in particular stated that he was not an expert in the work required regarding any damp and mould.
70. The Applicant stated that he had attempted to employ a letting agent but had not been able to achieve this (copies of letters dated October 2024 sent by the Applicant were at pages 232 -234 of his bundle). The Applicant confirmed at pages 335- 356 of his bundle that he had contacted six letting agents in the hope that they would have builders on stand-by who could complete the work required. However, the Applicant confirmed that in the end he was not able to employ a letting agent.
71. The Tribunal has considered the Applicant's submissions and the nature of the work that is required. In light of this, the Tribunal determines that the works in the Improvement Notices are required to be completed by 30 September 2025.

**Name:** Judge Bernadette MacQueen

**Date:** 30 May 2025

### **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).