



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

Case reference : LON/00AN/LDC/2025/0719

Property : The Glassmills, 101 Hamlet Gardens,
London W6 0SX

Applicant : Adriatic Land 3 Limited

Representative : Roisin Moore – D&G Block Management

Respondents : Leaseholders as per the application

Representative : N/A

Type of application : Section 20ZA – Dispensation from
Consultation

Tribunal member : Judge Tagliavini

Venue : 10 Alfred Place, London WC1E 7LR

Date of decision : 30 June 2025

DECISION

The tribunal's decision

- (i) The tribunal grants the applicant dispensation from dispensation in respect of the additional works required and incidental to the repair of a balcony and ceiling below pursuant to s.20ZA of the Landlord and Tenant Act 1985.
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The application

1. The landlord/applicant has applied for dispensation from the statutory consultation requirements pursuant to s.20ZA of the Landlord and Tenant Act 1985, in respect of repairs to a balcony and the ceiling below. The application is said to be urgent in order to prevent further water penetration.

The property

2. The subject property at **The Glassmills, 101 Hamlet Gardens, London W6 0SX ('the property')** comprises a 2015 warehouse conversions into 12 residential flats. The property is divided into 2 blocks with the top floor flats in both blocks contain balconies at the rear of the property.

Background

3. Section 20 notices were previously sent to leaseholders in 2023 with the intended works started in December 2025. However, further works were identified as being required, specifically works to remedy the discharge of water into the block through one of the balconies and subsequent remedial works as identified by Sara Addis BSc(Hons) AssocRICS of LBB Chartered Surveyors in her emailed letter dated 23 January 2025.

The hearing

4. Neither party requested an oral hearing and this application was decided on the digital bundle of documents comprising 70 pages. One leaseholder objected to the application on the grounds of (i) costs (ii) a lack of urgency on the part of the applicant to carry out the s.20 works and (iii) the absence of a claim on the 10 year warranty/insurance.

The tribunal's reasons

5. The tribunal accepts the original s.20 works were delayed until September 2024 due to the slow collection of the necessary funds. The tribunal also accepts that these further works were not identifiable until commencement of the exploratory work in or about September 2024. The tribunal also accepts the written explanation of Ms Sara Addis as to need

for and urgency of these works in order to protect the integrity of the property and address health and safety concerns.

6. The tribunal finds that the concerns raised both directly and indirectly by the leaseholder relate mainly to the issue of the cost of these additional works. However as stated in the tribunal's directions dated 20 May 2025 **'This application does not concern the issue of whether any service charge costs will be reasonable or payable.'** Consequently, any challenge to the cost of these works must be made by way of the appropriate application.
7. In all the circumstances the tribunal considers these additional works to the and associated with the balcony were unforeseeable, necessary and urgent. Further, the tribunal find the leaseholder who has objected to dispensation being granted, has not identified any relevant prejudice that would be caused as result of the applicant landlord's failure to consult on these additional works, *Daejan Investments Limited v Benson and others* [2013] UKSC 14.
8. Therefore, the tribunal finds it is reasonable and appropriate to grant the dispensation from consultation sought by the applicant, in respect of the addition works required to one balcony and associated remedial works.

Name: Judge Tagliavini

Date: 30 June 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 should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

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).