



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

Case reference : **LON/00AF/LDC/2025/0724**

Property : **7 Versailles Road, Anerley, London,
SE20 8AX**

Applicant : **SOUTHERN LAND SECURITIES
LIMITED**

Representative : **TOGETHER PROPERTY
MANAGEMENT LIMITED**

Respondents : **The leaseholders of the Property, as
detailed in the application**

Representative :

Type of application : **An Application for a Dispensation
Order pursuant to section 20ZA of the
Landlord and Tenant Act 1985**

Tribunal members : **JUDGE SHAW**

Venue : **PAPER DETERMINATION**

Date of decision : **7th July 2025**

DECISION

Description of hearing

This has been a determination on the papers, without an oral hearing, which has not been objected to by the parties. A face-to-face hearing was not held because none of the parties requested such a hearing, and all the issues could be determined on paper. The documents submitted to the Tribunal will, as necessary, be referred to below, and all papers submitted have been perused and the contents considered. The order made is described at the end of these reasons.

Decision of the tribunal

The tribunal determines that an order dispensing with the consultation provisions under section 20 of the Landlord and Tenant Act 1985, is appropriate in this case, and makes such order.

The application

1. The application is dated 30th April 2025 and the Applicant seeks a determination pursuant to s.20ZA of the Landlord and Tenant Act 1985 (“the 1985 Act”).

The hearing

2. The Applicant sought a Paper Hearing, which was, as stated above, not objected to by the Respondents.

The background

3. The Applicant landlord has, applied for dispensation from the statutory consultation requirements in respect of works relating to the installation of a speed bump at the entrance to the driveway at the property. The property comprises a Victorian semi-detached house, circa 1870, set out over a basement, ground and 2 upper floors. It is subject to various long leasehold interests.
4. The Applicant was sent various correspondence during 2024 by Bromley Borough Council, pointing out that gravel and stones from the entrance driveway was continuously spilling out onto the public walkway, causing a potential tripping hazard. This culminated in the serving of a Warning Notice dated **14th November 2024**, pursuant to the Anti-Social Behaviour Crime and Policing Act 2014, warning of various financial and other penalties, unless steps were taken to stop the overspill of gravel and other material.

5. Advice was taken and the Applicant was recommended the installation of a speed bump. Two competitive estimates were obtained and the more competitive, that of JoC Waste and Maintenance was accepted, in the sum of £1380, dated **21st February 2025**. This and all other documents is contained within the Hearing Bundle documentation, prepared for this determination.
6. The work has in fact been completed, and so far as the Tribunal is aware, no further problems or complaints have occurred.
7. The Applicant contends that it was not practical to give the full 30 day consultation period required under section 20 of the Act, given the urgency of the works, and given that the Applicant was the subject of a local authority Warning Notice, carrying the potential for financial penalties, unless timely action was taken. The leaseholders were nonetheless apprised of the matter throughout, and no objections expressed.
8. Moreover, Directions were given by this Tribunal on **22nd May 2025**, to the effect that the leaseholders be given notice of this (retrospective) application for dispensation, and offering the chance to object, and to apply for an oral hearing if so desired.
9. No such objections have been received nor any such request made.
10. The application has been supported by a Witness Statement dated **30th June 2025**, made by Junique Lawrence of the Applicant's managing agents confirming all of the above and producing all relevant documents. As noted, all of this was sent to the leaseholders in accordance with the above mentioned Directions and neither comment nor objection received in response

The Issues

11. The sole issue in this case is whether the tribunal is satisfied that it is reasonable for the tribunal to dispense with the consultation provisions (section 20 of the Act) which would otherwise have applied to the qualifying works at the property, as described above.

The tribunal's decision

12. The tribunal determines that it is reasonable to dispense with the consultation provisions of section 20 of the Act, pursuant to section 20ZA thereof, and in respect of the installation of the speed bump as described above. A dispensation order to this effect is therefore made, as set out below.

Brief Reasons for the tribunal's decision

13. As mentioned, Directions in this case were given on **22nd May 2025**. In those Directions, the Respondent leaseholders were given the opportunity both to request an oral hearing and to object to the application for dispensation.. No such request has been received by the Tribunal, nor has the Tribunal been notified of any objection from any of the leaseholder Respondents. The work was carried out promptly after receipt of the report of the statutory Warning Notice. The Tribunal is satisfied on the evidence before it that it was reasonable to act before formal statutory consultation, because the problems specified in the Warning were causing the potential for a health and safety hazard. It is also satisfied that no prejudice has been caused to the Respondents, as described in the Supreme Court decision of *Daejan Investments v Benson 2013*.

14. DECISION

For the reasons set out above, the tribunal determines that it is reasonable to dispense with the consultation provisions of section 20 of the Act, pursuant to section 20ZA thereof, and in relation to the installation of a speed bump, as described above. A dispensation order to this effect is therefore made. It should be understood that nothing in this Decision precludes the entitlement of the Respondents to challenge the cost, quality, reasonableness or payability of service charges for these works, under the provisions of section 27A of the Act, should they have reason or the desire to do so.

Name: JUDGE SHAW

Date: 7th July 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.