



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

Case reference : **LON/00AK/LDC/2025/0704**

Property : **Penrose House, 16 Newsholme Drive,
London, N21 1TW**

Applicant : **Went House Management Limited**

Representative : **Prime Property Management Ltd
(Aisha Hoskins)**

Respondents : **The 41 leaseholders at Penrose House**

Type of application : **For dispensation under section 20ZA of
the Landlord & Tenant Act 1985**

Tribunal member : **Mr A Parkinson MRICS**

Date of decision : **23 June 2025**

DECISION

This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was P:PAPER REMOTE. The Directions provided for the application to be determined on the papers unless any party requested a hearing. No party has requested a hearing. The Applicant has filed a bundle in support of the application.

Background

1. The Applicant seeks an order pursuant to s.20ZA of the Landlord and Tenant Act 1985 (“the Act”) for retrospective dispensation with the consultation requirements in relation to the installation of a Grade A fire alarm system to communal areas at Penrose House, 16 Newsholme Drive, London N21 1TW (“the property”).
2. The Applicant is the management company for the property and the Respondents are the long leaseholders of the forty-one apartments. Penrose House is a residential development containing forty-one apartments.
3. By an application dated 10 April 2025 the Applicant applied for retrospective dispensation from the statutory duty to consult in respect of fire alarm installation works. The application has been issued by Aisha Hoskins of Prime Property Management as the Applicant’s representative.
4. On 1 May 2025 the Tribunal issued Directions. By 16 May 2025 the Applicant was directed to send to each of the Respondent leaseholders (and any residential sublessees) and to any recognised residents’ associations, by email, hand delivery or first-class post:
 - copies of the application form (excluding any respondents’ telephone numbers or email addresses, or any separate list of respondents’ names and addresses) unless already sent by the applicant to the leaseholder/sublessee;
 - If not already detailed in the application form a brief statement to explain the reasons for the application; and
 - the directions;
 - Display a copy of these in a prominent place in the common parts of the Property (again, excluding any respondents’ telephone numbers or email addresses, or any separate list of respondents’ names and addresses); and
 - By 19 May 2025 send an email to the tribunal at London.Rap@justice.gov.uk to confirm that this has been done and stating the date(s) when this was done.

On 16 May the Applicant’s representative confirmed by email that it had complied with this Direction.

5. Any leaseholder who opposed the application was directed to complete a Reply Form which was attached to the Directions and send it both to the

tribunal and to the Applicant by 30 May 2025. None of the leaseholders returned a completed Reply Form or opposed the application.

6. The Applicant has provided a Bundle of Documents (56 pages) (“the bundle”) in support of the application. The bundle included various documents including a sample lease, contractor invoices for the works and letters to leaseholders advising of works and complying with tribunal directions.
7. The Applicant’s submission is that following the renewal of the building’s insurance policy, the insurers declined to provide fire cover due to a recent fire-related incident at the property. The insurers confirmed that fire cover would only be reinstated upon the installation of an appropriate and compliant fire alarm system within the communal areas of the building. This development raised serious concerns regarding both the safety of residents and the validity of the building’s insurance. In consultation with the building’s Directors and the insurers, the managing agent obtained competitive quotations from qualified and experienced contractors. The specification for the fire alarm system was submitted to the insurers for review, and formal approval was subsequently received. The insurers stipulated that, in order for fire cover to be reinstated, the installation works must be commenced and completed within 14 days. Given the urgency of the situation and the strict deadline imposed by the insurers, instructions were issued for contractors to attend the property and begin the installation works immediately.
8. The Applicant obtained a quote from Shannan Electrical, dated 19 March 2025, in the sum of £27,480 (including VAT) for the installation of a fire alarm system to the communal areas.
9. On 26 March the Applicant’s representative wrote to the Respondents to inform them that fire alarm installation works were being undertaken and that due to the urgent nature of the works, Section 20 consultation was not feasible, but that the management company would seek dispensation via a s.20ZA application.
10. On 8 May the applicant’s Representative wrote again to the leaseholders to provide an update on the dispensation application and provide the documentation to comply with the tribunal directions.

Relevant Law

14. Section 20ZA (1) of the Act provides:

“Where an application is made to the appropriate tribunal for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.”

15. **The only issue which this Tribunal has been required to determine is whether or not it is reasonable to dispense with the statutory consultation requirements in relation to the communal fire alarm system installation works. This application does not concern the issue of whether any service charge costs will be reasonable or payable.**

Decision

16. As directed, the Tribunal's determination "on the papers" took place on 23 June 2025 and was based solely on the documentary evidence filed by the Applicant. As stated earlier, no objections had been received from any of the Respondents.
17. The relevant test to be applied in an application such as this has been set out in the Supreme Court decision in ***Daejan Investments Ltd v Benson & Ors*** [2013] UKSC 14 where it was held that the purpose of the consultation requirements imposed by section 20 of the Act was to ensure that tenants were protected from paying for inappropriate works or paying more than was appropriate. In other words, a tenant should suffer no prejudice in this way.
18. The issue before the Tribunal was whether dispensation should be granted in relation to the requirement to carry out statutory consultation with the leaseholders regarding the fire alarm system installation works. The Tribunal is not concerned about the actual cost that has been incurred.
19. The Tribunal is satisfied that it is reasonable to grant retrospective dispensation from the statutory consultation requirements in relation to the fire alarm installation works. There is no suggestion that any prejudice has arisen.
20. The Directions make provision for the service of the Tribunal's decision. The tribunal will email a copy of its decision to the Applicant. The Applicant is responsible for serving a copy of the Tribunal's decision on the respondents.
21. It should be noted that in granting this part of the application, the Tribunal makes no finding that the scope and estimated cost of the repairs are reasonable.

Name: Mr A Parkinson MRICS **Date:** 23 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 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).

Appendix of relevant legislation

Landlord and Tenant Act 1985 (as amended)

Section 20

- (1) Where this section applies to any qualifying works or qualifying long term agreement, the relevant contributions of tenants are limited in accordance with subsection (6) or (7) (or both) unless the consultation requirements have been either—
 - (a) complied with in relation to the works or agreement, or
 - (b) dispensed with in relation to the works or agreement by (or on appeal from) the appropriate tribunal .
- (2) In this section “relevant contribution”, in relation to a tenant and any works or agreement, is the amount, which he may be required under the terms of his lease to contribute (by the payment of service charges) to relevant costs incurred on carrying out the works or under the agreement.
- (3) This section applies to qualifying works if relevant costs incurred on carrying out the works exceed an appropriate amount.
- (4) The Secretary of State may by regulations provide that this section applies to a qualifying long term agreement—
 - (a) if relevant costs incurred under the agreement exceed an appropriate amount, or
 - (b) if relevant costs incurred under the agreement during a period prescribed by the regulations exceed an appropriate amount.
- (5) An appropriate amount is an amount set by regulations made by the Secretary of State; and the regulations may make provision for either or both of the following to be an appropriate amount—
 - (a) an amount prescribed by, or determined in accordance with, the regulations, and
 - (b) an amount which results in the relevant contribution of any one or more tenants being an amount prescribed by, or determined in accordance with, the regulations.
- (6) Where an appropriate amount is set by virtue of paragraph (a) of subsection (5), the amount of the relevant costs incurred on carrying out the works or under the agreement which may be taken into account in determining the relevant contributions of tenants is limited to the appropriate amount.
- (7) Where an appropriate amount is set by virtue of paragraph (b) of that subsection, the amount of the relevant contribution of the tenant, or each of the tenants, whose relevant contribution would otherwise exceed the amount prescribed by, or determined in

accordance with, the regulations is limited to the amount so prescribed or determined.

Section 20ZA

- (1) Where an application is made to a leasehold valuation tribunal for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long-term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.