



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

Case reference	:	LON/00BK/LDC/2025/0852
Property	:	71-73 St James's Street London SW1A 1PH
Applicant	:	73 St James's Street RTM Company Limited
Representative	:	Foxbrush Property Limited
Respondent	:	Leaseholders of 73 St James's Street
Representative	:	-
Type of application	:	S20ZA Dispensation from consultation requirements
Tribunal member(s)	:	Mrs E Flint FRICS
Venue	:	10 Alfred Place, London WC1E 7LR
Date of decision	:	4 November 2025

DECISION

1. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of the installation of wireless smoke detectors inside each flat and replacement of the fire alarm panel.
2. The question of reasonableness of the works or cost was not included in this application, the sole purpose of which is to seek dispensation.

Background

3. On 1 September the applicant applied pursuant to section 20ZA of the Landlord and Tenant Act 1985 for dispensation from the statutory consultation requirements in respect of the replacement of the fire alarm panel and installation of wireless smoke detectors inside each of the flats.
4. The building which was constructed c1909 comprises two commercial units on the ground floor with a block of twenty six flats above. The application relates only to the residential accommodation.
5. On 19 June 2025 the fire alarm developed multiple faults. The panel was beyond repair and required replacement.
6. On 4 July a Fire Risk Assessment indicated that there was a serious breach: it was a requirement that smoke detectors must be installed inside each of the flats. A plan was drawn up to replace the panel and install the smoke detectors in the flats.
7. Notice of Intention to carry out the works was served on 14 July with a shortened consultation period of 10 days. A Schedule of Estimates with copies of two estimates was served on 25 July with a shortened consultation period of seven days. No observations were received in respect of either Notice.
8. The cheaper estimate was accepted, the total cost of the works, including fees was £17,675.80. The work was completed on 18 and 19 August 2025, the earliest available date the contractor could attend. In the interim, as there was effectively no fire alarm in place, the porters carried out a waking watch by an hourly inspection of the common parts.
9. The Tribunal gave directions on 17 September 2025 and these were complied with. No respondent leaseholder responded to the application.

The law

10. By S20ZA of the Act “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.”

Reasons for the Tribunal's decision

11. The relevant test to be applied in an application for dispensation was set out by the Supreme Court in *Daejan Investments Ltd v Benson & Ors* [2013] UKSC 14 where it was held that the purpose of the section 20 consultation procedure was to protect tenants from paying for inappropriate works or paying an inappropriate amount. Dispensation should not result in prejudice to the tenant.
12. I determine from the evidence before me that the works were necessary, were required to be completed urgently given the building was without the protection afforded by a working fire alarm system and that there had already been a breach of the Fire Risk Assessment requirements. Moreover, no prejudice to the lessees has been demonstrated or asserted.
13. On the evidence before it, and in these circumstances, I am satisfied that the application for dispensation should be granted.

Determination

14. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of the replacement of the fire alarm panel and installation of wireless smoke detectors inside each flat.

Signed: Evelyn Flint

4 November 2025

RIGHTS OF APPEAL

1. 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.
2. 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.

3. 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>
4. 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.
5. 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.