



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

**Case reference** : **LON/00AW/LDC/2025/0849**

**Property** : **119-121 Gloucester Road, London SW7  
4TE**

**Applicant** : **Elvaston Investments Limited**

**Representative** : **D&GBM  
*Ref: Ece Ozturk***

**Respondents** : **The leaseholders as per the application.**

**Representative** : **N/A**

**Type of application** : **Dispensation for consultation – s.20ZA  
of the Landlord and Tenant Act 1985**

**Tribunal member** : **Judge Tagliavini**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of decision** : **8 December 2025**

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**DECISION**

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## **Decisions of the tribunal**

- (1) The tribunal grants the applicant the dispensation from statutory consultation sought in respect of works to the roof and gutters to remedy water ingress into the subject property at **119-121 Gloucester Road, London SW7 4TE** at a cost of £3,840.00 (inc. VAT) as specified in the invoice of A.K. Roofing Services.
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## **The application**

1. The applicant seeks dispensation from consultation pursuant to s.20ZA of the Landlord and Tenant Act 1985. in respect of works to the roof and gutters to remedy water ingress into the property. The works were carried out and completed in August 2025 at a cost of £3,840.00 (inc. VAT) by A.K. Roofing Services.

## **The background**

2. The subject property is a purpose-built block of flats and a commercial unit built before 1900.
3. The applicant informed the tribunal that the respondents were sent a Notice of Intention (date not provided) but due to the urgent nature of the works, the statutory consultation requirements were not completed. The leaseholders were provided with a copy of this application and accompanying documents as well as the tribunal's directions (*letter from applicant to leaseholders dated 16 October 2025*).

## **The hearing**

4. Neither party requested an oral hearing and therefore the tribunal determined the application using the 56 digital bundle provided by the applicant.
5. No objections to the application were received from the respondents by the tribunal. In a letter dated 25 November 2025 the applicant confirmed to the tribunal it had not received any objection to the application from any of the respondent leaseholders.

## **The decision**

6. The tribunal is satisfied that works to remedy the ingress of water into the subject property were urgent and causing damage to the property. The tribunal is also satisfied the respondents have not objected to the application and therefore have failed to show they have been caused any

substantial prejudice by the absence of any statutory consultation prior to the works being carried out; *Daejan Investments Ltd v Benson & others* [2011] EWCA Civ 38.

7. Therefore, the tribunal grants the dispensation from consultation sought by the applicant in respect of works to the roof and gutters to remedy water ingress into the property at a cost of £3,840.00 (inc. VAT) as specified in the invoice of A.K. Roofing Services.

**Name: Judge Tagliavini Date: 8 December 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).