



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

**Case reference** : **LON/ooAG/LDC/2025/0875**

**Property** : **53 Ainger Road, London NW3 3AH**

**Applicant** : **53 Ainger Road RTM Company**

**Representative** : **ABC Estates  
*Ref: Terna Ullam***

**Respondents** : **The leaseholders of Flats 1, 1A, 2 3 & 4 as per the schedule attached to 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** : **9 December 2025**

---

**DECISION**

---

## **Decisions of the tribunal**

- (1) The tribunal grants the applicant the dispensation from statutory consultation sought in respect of works to replace the main cable supplying electricity to the property at **53 Ainger Road, London NW3 3AH**.

---

## **The application**

1. The applicant seeks dispensation from the statutory consultation requirements pursuant to s.20ZA of the Landlord and Tenant Act 1985.

## **The background**

2. The subject property at **53 Ainger Road, London NW3 3AH** ('the property') comprises a mid-terrace Victorian house converted into 5 self-contained flats over four floors.
3. The applicant seeks dispensation from consultation in respect of works to replace the main cable supplying electricity to the subject property. A Notice of Intention was served on the leaseholders on 19 September 2025. The works are said to be urgent as the current cable is overheating and has been deemed unsafe by UK Power Networks. The likely cost of the works is said to be in the region of £3,000.

## **The hearing**

5. Neither party requested an oral hearing and therefore the tribunal determined the application using the 66 digital bundle provided by the applicant.
6. The applicant confirmed to the tribunal that it had sent a copy of the application and the tribunal's directions by email on 15 October 2025 to each of the respondent leaseholders. The applicant also confirmed it had not received any response from the leaseholders in respect of this application.

## **The decision and reasons**

7. The tribunal is satisfied that the respondent leaseholders have been made aware of this application. The tribunal also finds that none of the respondents have notified the applicant of any objection to this application.
8. The tribunal is satisfied the respondents have failed to show they have been caused any substantial prejudice by the absence of any or full

consultation prior to the works being carried out; *Daejan Investments Ltd v Benson & others* [2011] EWCA Civ 38.

8. Therefore, the tribunal grants the dispensation from consultation sought by the applicant in respect of works to replace the main cable supplying electricity to the subject property.

**Name:** **Judge Tagliavini** **Date: 9 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).