



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

Case reference : **LON/ooAM/LDC/2025/0840**

Property : **Cosmopolitan House 10A Christina Road London EC2A 4AZ**

Applicant : **Adriatic land 3 Limited**

Representative : **J B Leith Solicitors**

Respondent : **Leaseholders of Cosmopolitan House**

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 : **22 December 2025**

DECISION

1. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of replacement of flammable timber cladding and associated works to Cosmopolitan House.
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 20 August the applicant landlord applied pursuant to section 20ZA of the Landlord and Tenant Act 1985 for dispensation from the statutory consultation requirements in respect of removable of combustible timber cladding, installation of compliant cladding and associated works. The works are estimated to take thirteen weeks with a lead in time of nine weeks.
4. The property comprises a four storey block of twelve flats, four commercial units and a car park. The external walls comprise masonry which has a low fire risk, fibre cement cladding which has a medium fire risk and timber cladding which has been classified as being high risk of fire in a report issued in March 2021.
5. Notice of Intention to carry out an inspection, testing of the cladding, remedial works to the cladding, internal and external decorations was issued on 5 October 2020. The Leaseholders were asked to make written observations within thirty days. No observations were received.
6. The managing agents applied for the cost of the works to be covered by the Cladding Safety Scheme. The managing agents advised the leaseholders on 16 September 2024 that the building had been accepted into the scheme. The managing agent was hopeful that the scheme would cover the cost of all the works.
7. A tender pack was issued on 6 January 2025; completed tenders were received by 7 February 2025. An analysis of the tenders was completed in March 2025 and a recommendation was made to proceed with the lowest tender in the sum of £486,381.23 + VAT.
8. The Tribunal gave directions on 10 September 2025 and these were complied with by the Applicant. No respondent leaseholder objected to the application.

The law

9. 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

10. 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.
11. I determine from the evidence before me that the works were necessary, were required to be completed as soon as practicable given the effect on the resident leaseholders and that no prejudice to the lessees has been demonstrated or asserted.
12. On the evidence before me, and in these circumstances, I am satisfied that the application for dispensation should be granted.

Determination

13. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985 in respect of replacement of the timber cladding and associated works in accordance with the tender documents received in February 2025.

Signed: **Evelyn Flint**

22 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 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)