



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

Case reference : LON/00AG/LDC/2025/0947

Applicant : Bruges Place Investments Limited

Representative : Ringley Law LLP

Respondent : All long leaseholders

Representative : N/A

Property : Bruges Place, Camden, London, NW1
oFT

Tribunal : Judge Tueje
Ms C Barton MRICS

Date of decision : 5th February 2026

DECISION

In this determination, statutory references relate to the Landlord and Tenant Act 1985 unless otherwise stated.

Decision of the Tribunal

- (1) The Tribunal grants unconditional dispensation pursuant to s.20ZA in respect of replacing the electronic gates at the Premises (the “Works”). The Works were carried out by Essex Artisan Limited, costing £20,001.49 including VAT.

The Application

1. This Application under section 20ZA, is dated 14th November 2025, and seeks dispensation from the consultation requirements in respect of the Works required at Bruges Place, Camden, London, NW1 oFT (the “Premises”).

Background

2. The Premises are a purpose built block comprising 51 flats.
3. The Applicant, Bruges Place Investments Limited, is the Landlord.
4. The application form provides the following information regarding the Works:

The works were urgently required due to security issues. The gates were beyond repair and therefore, these works were required as soon as possible. There was a break [in] and rough sleepers have been breaking into the gas metre room and common parts to sleep.

The works have been completed this month and have been completed by Essex Artisan. The cost of the works £20,001.49 including VAT.

5. As to any consultation with the Respondent, the application form states:

There has been limited consultation due to the urgency of the works. The freeholder has agreed for the works to proceed.

6. On 15th December 2025 the Tribunal issued directions, including making provision for the Applicant to send a copy of the application to all leaseholders, if this had not already been done, and brief reasons for making the application. The Tribunal also directed the Applicant to e-mail the Tribunal to confirm it had done so. Further, the Applicant was to prepare a bundle to include any objections received to the application, or confirmation that it had received no responses.
7. On 30th December 2025, the Applicant confirmed it had sent the documents to the Respondents as directed by the Tribunal. However, although a hearing bundle was prepared, it did not include any confirmation as to whether the Applicant had received any responses from the Respondent.
8. The Tribunal is proceeding on the basis that the Applicant did not receive any objections from the Respondents, as none were included in the bundle.
9. The Tribunal was provided with a 85-page bundle including the following documents:
 - 9.1 The application form requesting the section 20ZA dispensation;
 - 9.2 The Tribunal's directions order dated 15th December 2025;
 - 9.3 An e-mail to the Tribunal sent on 30th December 2025;
 - 9.4 An invoice for the Works; and
 - 9.5 A sample lease.

The Legal Framework

10. So far as is relevant, section 20 states:

(1) Where this section applies to any qualifying works or qualifying long term agreement, the relevant contributions of tenants are limited in accordance with subsections (6) or (7) (or both) unless the consultation have been either-

- (a) Complied with in relation to the works or agreement, or*
- (b) Except in the case of works to which section 20D applies, 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 payment of service charges) to relevant costs incurred on carrying out the works under the agreement.

(3) This section applies to qualifying works if relevant costs incurred or on carrying out the works exceed an appropriate amount.

11. Section 20ZA(1) continues:

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 agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.

12. In ***Daejan Investments Limited v Benson and others [2013] UKSC 14*** the Supreme Court provided the following guidance when dealing with section 20ZA applications for dispensation of the statutory consultation requirements:

12.1 The purpose of sections 19 to 20ZA is to ensure leaseholders are not required to pay any more than is necessary for services provided, and that they are not required to pay for unnecessary or unsatisfactory services.

12.2 The Tribunal is to focus on the extent to which leaseholders have been prejudiced by a landlord’s failure to comply with the requirements under section 20.

12.3 Ordinarily, where the failure to comply with section 20 had not affected the extent, quality and costs of the works carried out, dispensation is more likely to be granted.

12.4 The Tribunal’s main focus on such applications is what prejudice, if any, have leaseholders suffered.

- 12.5 The leaseholders bear a factual burden of identifying some relevant prejudice that they would or might suffer.
- 12.6 Where leaseholders make a credible case regarding prejudice, the landlord bears the legal burden to rebut this.
- 12.7 If appropriate, the Tribunal may grant conditional dispensation.

The Tribunal's Decision

13. We have reached our decision after considering the documents provided.
14. The Tribunal grants unconditional dispensation pursuant to s.20ZA in respect the Works required at the Premises, which were carried out by Essex Artisan Limited, costing £20,001.49 including VAT.

The Tribunal's Reasons

15. We consider the Works carried out were necessary. The electronic gate controlling access was broken, it left the development insecure, consequently there were break-ins, and rough sleepers sleeping in and around the development.
16. We remind ourselves that, central to whether it is appropriate to exercise discretion to dispense with consultation is whether there has been any relevant prejudice to leaseholders.
17. Further, leaseholders have an evidential burden of identifying some relevant prejudice they have or would suffer.
18. By paragraph 2 of the directions order, the Respondents were afforded an opportunity to object to this Application. We take into account that, as far as we are aware, none of the 51 Respondents raised objections. This indicates the Respondents do not consider they have suffered prejudice, as it's likely they would have objected to the application if there had been any prejudice to them.
19. There is no indication that the absence of consultation has impacted the extent, quality or cost of the Works.
20. We have no grounds to consider there is cause to criticise this course of action, but also note leaseholders still have available to them an application regarding the payability and/or reasonableness of the cost of the Works under section 27A, if they see fit.
21. Due to the above security issues, we also consider the Works needed to be carried out promptly, which would be hampered if the Applicant had carried out statutory consultation.

22. In the circumstances, and in light of the decision in *Daejan*, we are satisfied that it is reasonable to grant dispensation from the consultation requirements.
23. We should make it clear that we are not making any findings as to the reasonableness, the cost, or the standard of the Works.

Name: Judge Tueje

Date: 5th February 2026

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).