



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

**Case reference** : **LON/00AG/LDC/2025/0993**

**Property** : **83 Abbey Road, St John's Wood,  
London NW8 0AG**

**Applicant** : **Grays Inn Capital Limited**

**Representative** : **Metropolitan PM Limited  
*Ref: Faraz Ahmed (Property Manager)***

**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** : **11 March 2026**

---

**DECISION**

---

## **Decisions of the tribunal**

- (1) The tribunal grants the applicant the retrospective dispensation from statutory consultation sought in respect of making good works in the sum of £3,120 (inc. VAT).
- 

## **The application**

1. The applicant seeks retrospective dispensation from consultation pursuant to s.20ZA of the Landlord and Tenant Act 1985 in respect of works of making good in the sum of £3,120 (inc. VAT) before the urgent installation of a fire alarm system.

## **The background**

2. The subject property at **83 Abbey Road, St John's wood, London NW8 0AG** ('the property') is a purpose built 5 storey block forming part of a larger development with 9 residential properties over commercial units on the ground floor.
3. The installation of a fire alarm system formed part of a project funded by the Government's Waking Watch Replacement Fund in the sum of £20,954.40 (inc. VAT) and were considered urgent due to the identification of a significant life-safety risk at the building due to the presence of combustible cladding.
4. However, the original contractor engaged are to carry out the works (GlobalTec) are alleged to have installed the fire alarm system incorrectly and a second contractor (FCS) had to be engaged to remove the system in its entirety, make good the property before installing and a compliant system in accordance with the Fire Risk Appraisal of External Wall (FRAEW) Report dated 18/3/2025 and the Waking Watch Replacement Fund criteria. The works of making good by FCS were invoiced on 3 July 2025 in the sum of £3,120 (inc. VAT).
5. As a consequence, the additional and unexpected works of making good had not been included in the original funding application and which were not subsequently covered by the Waking Watch Replacement Fund as confirmed to the applicant in email correspondence dated 30 May 2025. These works were said to be necessary concerns were raised that the property would be left unsafe if this work did not take place before the installation of the correct alarm system.
6. The leaseholders were informed of this application for dispensation from consultation in correspondence dated 18 December 2025.

### **The hearing**

7. Neither party requested an oral hearing and therefore the tribunal determined the application using the 290 page digital bundle provided by the applicant. This included copies of the fire alarm installation works, the Government Grant and a quotations for the necessary works of making good and the final invoice.
8. The applicant confirmed it had not received any objections to the application for dispensation from the respondents.

### **The decision**

9. The tribunal is satisfied that works of making good were required before the installation of the correct fire alarm system in the subject property. The tribunal finds that these works of making good were urgent due to t pressing need to install the required fire alarm system.
10. The tribunal is also satisfied from the documents provided by the applicant in the hearing bundle, the respondents have been informed of this application and have not made any objection to it either directly to the tribunal or to the applicant. The tribunal is satisfied the respondents 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.
11. Therefore, the tribunal grants the dispensation from consultation sought by the applicant in respect of making good works in the sum of £3,120 (inc. VAT).

**Name:**

**Judge Tagliavini**

**Date: 11 March 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 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).