



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

**Case reference** : **LON/00AW/LDC/2025/0838**

**Property** : **Old Court House, 24 Old Court Place, London W8 4PD**

**Applicant** : **Old Court (Kensington) Management Limited**

**Representative** : **Haus Block Management (Chris Povoas)**

**Respondent** : **The long leaseholders of the flats at Old Court House.**

**Representative** : **-**

**Type of application** : **To dispense with the statutory consultation requirements under section 20ZA Landlord and Tenant Act 1985 (the 'Act')**

**Tribunal members** : **Judge Pittaway**

**Date of decision** : **11 March 2026**

---

**DECISION**

---

## **DECISION**

**The Tribunal grants the application for dispensation in respect of the subject works ('the works'), namely repair works to an external stairwell (which serves as an emergency exit) and repair works to the external façade of the Property, namely to the timber around window frames, steam cleaning external façades and repairing cracked and crumbling window concrete sills.**

**This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay, for a reason other than non-consultation in respect of the subject works, and the reasonableness and/or the cost of the subject works.**

### **The Application**

1. The Applicant seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985 (the '**Act**') for retrospective dispensation from consultation in respect of the works to the Property.
2. The Applicant seeks dispensation from the consultation requirements on the ground that the works were urgent to mitigate health and safety risks and meet health and safety compliance.
3. The application states that two contractors tendered for the works and that the Applicant proceeded with the cheaper tender.
4. By directions dated 20 October 2025 (the '**directions**') the Tribunal directed the Applicant, by 28 October 2025 send to each leaseholder, any residential sublessees and any recognized residents' association the application, a brief statement to explain the reason for the application (if not contained in the application) and the directions and display a copy in a prominent place in the common parts of the property, and to confirm to the Tribunal by 31 October 2025 that this had been done. On 30 October 2025 the Applicant confirmed that the application had been issued by e mail to the leaseholders and displayed on the communal areas notice boards and the lift notice boards at the Property.
5. The directions provided that if any leaseholder/sublessee objected to the application he/she should do so, to the Applicant and the Tribunal, by 11 November 2025. The Tribunal received no objections. The Applicant did not inform the Tribunal of having received any objections.

6. The directions provided that the Tribunal would decide the matter on the basis of written representations unless any party requested a hearing. No such request has been made.

### **Description of hearing**

7. This has been a remote hearing on the papers which has been consented to by the Applicant and not objected to by any Respondent. The form of remote hearing was P:PAPERREMOTE. A face-to-face hearing was not held because no-one requested a hearing and all issues could be determined on paper.
8. The documents to which the Tribunal was referred are in a bundle of 34 pages which included the application dated 14 August 2025, and quotations for the works.
9. The Tribunal has had regard to the above documents and its directions of 20 October 2025 in reaching its decision set out below.

### **The Applicant's case**

10. The Property is described in the application as a mansion block, estimated to be between 80-100 years old. It is a purpose-built brick building, consisting of 45 flats of between one and three bedrooms.
11. The Applicant submitted that the works were urgent due to health and safety risks, and to meet health and safety compliance.
12. The bundle contains the following quotes

From Brama Services Limited obtained in August 2025

- for the work to the external staircase:  
£47,976.00,
- for concrete remedial works to Courtyard Areas 1 and 2  
£32,293.20
- Steam cleaning external façades Courtyards 1 and 2       £  
6,960.00
- Timber restoration Courtyards 1 and 2  
£36,883.20

From Complete Access Services Limited obtained in August 2025

- For work to the external staircase:  
£27,336.00
- for concrete remedial works to Courtyard Areas 1 and 2  
£18,960.00
- Timber repair works Courtyards 1 and 2  
£26,400.00
- Steam cleaning external façades Courtyards 1 and 2       £  
4,320.00

13. The bundle contained a copy of the letter from Haus Management of 28 October 2025 to the leaseholders advising that application was being made to the Tribunal to dispense with the consultation requirements, that the cost of the works was being met out of the Property’s reserve fund and that the most cost-effective tender had been accepted.

14. No objections or representations were received by the Tribunal in response to the Applicant’s advising the leaseholders of the application to the Tribunal for dispensation from consultation.

**Responses from the Respondents**

15. The Tribunal received no responses from any Respondent and the bundle provided by the Applicant did not contain any.

**Determination and Reasons**

16. Section 20ZA(1) of the Act provides:

*“Where an application is made to a leasehold valuation 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.”*

17. The purpose of section 20ZA is to permit dispensation with the consultation requirements of section 20 of the Act if the Tribunal is satisfied that it is reasonable for them to be dispensed with.

18. The Tribunal determines that the Respondents are not prejudiced by the works and it is reasonable to dispense with the consultation requirements.

19. In reaching its decision the Tribunal has considered the decision in *Daejan Investments Ltd v Benson and others* [2013] UKSC 14. It has had regard to the application and the documents provided, in particular the stated need for the works to be undertaken urgently.

20. Whether or not the Respondents are liable for the cost of the works by reason of the terms of their leases, any statutory provision other than

section 20ZA, and whether the works are carried out to a reasonable standard and at a reasonable cost are not matters which fall within the jurisdiction of the Tribunal in relation to this present application. This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay and the reasonableness and /or cost of the works.

Name: Judge Pittaway Date: 11 March 2026

### **ANNEX - RIGHTS OF APPEAL**

1. 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.
2. 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.
3. 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.
4. 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.