



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

Case reference : **LON/00AY/HYI/2022/0005 & 0016**

Property : **2-4 Leigham Court Road, London SW16
2PG**

Applicants : **(1) Ms Sarah Waite
(2) Karin Ida Christina Martensson &
(3) Other leaseholders**

Representative : **Mr Philip Waite**

Respondent : **Kedai Limited (freeholder)**

Representative : **Mr David Sawtell, counsel, instructed by
Taylor Wessing LLP**

Interested Person : **London Borough of Lambeth
(Mr Gibrilla Musa, EHO)**

Type of application : **For the variation of a remediation order
made under section 123 of the Building
Safety Act 2022**

Tribunal : **Regional Judge Timothy Powell
Mrs Helen Bowers MRICS**

Date of Decision : **24 March 2026**

DECISION

Decision

1. The Tribunal varies the remediation order dated 9 August 2023 in the terms of the Variation Order that accompanies this decision so that the time for completion of the remediation works is extended from 19 September 2025 to **29 July 2027**.
2. In its reasons below, the Tribunal gives indicative milestones for the Respondent's next steps to achieve the completion of works by the extended date.

Reasons

Remediation order

- (1) On 9 August 2023, the Tribunal made a remediation order under section 123 of the Building Safety Act 2022 requiring the freeholder Kedai Limited (“Kedai”) to carry out remediation works to 2-4 Leigham Court Road, London, SW16 2PG (the “Property”).
- (2) That order was made because the conditions of internal compartmentation and external cladding were relevant defects causing a building safety risk, namely a risk of injury to the residents of the Property through the spread of fire or collapse of the building.
- (3) By paragraph 2 of the remediation order, the Tribunal ordered Kedai to complete the remediation works by 19 September 2025.
- (4) By paragraph 3, the parties had permission to apply to vary the order, in particular to extend the time for compliance in paragraph 2.

Application to the Building Safety Regulator

- (5) On 1 October 2023, the Building (Higher-Risk Buildings Procedures) (England) Regulations 2023 came into force and by section 91ZA of the Building Act 1984, the Building Safety Regulator (“BSR”) became the building control authority for high-rise buildings, of which the Property is one.
- (6) Kedai appointed a new team of professional consultants to prepare for and meet the new procedures. On 11 July 2025, Kedai submitted its completed Gateway 2 application in respect of the works to the BSR seeking its approval for the proposed works to remediate the relevant defects at the Property. The statutory eight-week period for the BSR to determine that application expired on 5 September 2025.
- (7) On or about 24 September 2025, the BSR appointed a lead caseworker to deal with the application and, on 21 October 2025, the BSR asked Kedai to agree to 102-day extension to the statutory deadline to determine the Gateway 2 application. A revised determination date of 16 December 2025 was proposed, to which Kedai agreed having little other choice.
- (8) On 16 December 2025, the BSR requested a further 56-day extension to determine the Gateway 2 application, taking the determination date to 10 February 2026. Again, Kedai considered that it had little choice but to agree to the extension.

Application to the Tribunal

- (9) Meanwhile, on 15 September 2025, Kedai had applied to this Tribunal “to vary the terms of the remediation order dated 9 August 2023 to extend the date by which the Blocks shall be remediated to 22 January 2027.” That was Kedai’s primary case but, in recognition of the opposition of leaseholders, Kedai proposed an alternative extension that included a requirement for Kedai to meet “Milestone Completion Dates”, subject to BSR compliance with its statutory periods.
- (10) The hearing of that application took place on 29 January 2026. Mr David Sawtell of counsel presented Kedai’s application. However, the Tribunal was unable to agree a new timetable for the works in the absence of any information from the BSR about the current Gateway 2 application. In particular, the Tribunal had no way of assessing whether the extended 10 February 2026 statutory deadline for a decision would be met by the BSR and, given the publicly acknowledged backlogs in approving applications, the Tribunal had no confidence that the BSR would not seek a further extension of time which would render any extended timetable for the remediation works immediately unachievable.
- (11) As the Tribunal was effectively prevented from taking further judicial steps and from deciding the application to vary the remediation order, it adjourned the hearing and relisted it on 26 February 2026. The express purpose of the adjournment was to summons the Acting CEO of the BSR, Mr Charles Pugsley, to attend that hearing, pursuant to rule 20 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (“the Rules”). His attendance was required “to provide a witness statement and give oral evidence about the current state of Kedai’s Gateway 2 application, the reasons for the delay by the BSR in dealing with it, whether there are any issues regarding the application that need to be raised and dealt with now, to provide the Tribunal with a realistic timescale in which the BSR will process and decide the application, and to answer any further questions which the Tribunal and parties may have.”
- (12) On 20 February 2026, the Tribunal received an email from the Health and Safety Executive Legal Services Division on behalf of the BSR attaching witness statements from Mr Charles Pugsley and from Ms Rebecca Gillespie-Jones, the Regulatory Lead with conduct of Kedai’s Gateway 2 application. In addition, the email attached an application to vary the witness summons issued on 29 January 2026, with grounds, and a copy of a letter dated 19 February 2026 from the BSR to Kedai **rejecting** its Gateway 2 application submitted on 5 July 2025.
- (13) The rejection of the Gateway 2 application was said to have become operative on 17 October 2025 by virtue of Regulation 55 of The Building

(Higher Risk Buildings Procedures) (England) Regulations 2023, as the period under regulation 51 for Kedai to make an application to the Secretary of State under section 30A of the Building Act 1984 had expired without Kedai making such an application and the BSR did not determine the original application before the expiry of that period. Unfortunately, the BSR had overlooked the operation of regulation 55 until closer examination of the case occurred as a result of the Tribunal's summons.

- (14) On 24 February 2026, the Tribunal questioned the application of regulation 55 by the BSR, refused the application to vary the witness summons and required the attendance of Mr Pugsley and/or Ms Gillespie-Jones at the adjourned hearing. While the BSR had indicated welcome measures it proposed to take to ensure the speedy progress of a renewed Gateway 2 application from Kedai, the Tribunal still wished to ask questions of Mr Pugsley and Ms Gillespie-Jones to try and find a practical, outcomes-based solution to the problems identified with the original Gateway 2 application, working in a spirit of cooperation and joint endeavour to resolve the problems that had occurred to date.

Hearing on 26 February 2026

- (15) Both Mr Pugsley and Ms Gillespie-Jones attended the hearing on 26 February 2026 to give evidence. They were represented by Mr Aaron Walder of counsel.
- (16) While the Tribunal took issue with the BSR's interpretation of regulation 55 by which the Gateway 2 application had been deemed rejected, it agreed with Mr Walder that the Tribunal was not the appropriate forum to challenge the regulatory decision made by the BSR or to give a definitive interpretation of the law in this field.
- (17) In any event, as the evidence of Mr Pugsley and Ms Gillespie-Jones made clear, even if the original Gateway 2 application had not been deemed rejected under regulation 55, it would have been rejected by the BSR itself due to failings in the structure of the application and in the information provided.
- (18) In giving oral evidence, Mr Pugsley acknowledged the concerns of both Kedai and leaseholders arising from delays in remediating the building, and he emphasised the steps that the BSR and he personally would take to progress remediation and "get this over the line". He referred to paragraph 16 of his witness statement, where he stated:

"In recognition of the organisational oversight in respect of the operation of Regulation 55, I have asked that a process has been put in place to:

i) work with the applicant on any future application to identify those elements of the original application that are sufficient to be transferred to any new application;

ii) ensure continuity of personnel to deal with any new application, where possible; and

iii) prioritise the application upon re-application.”

- (19) In terms of timing, Mr Pugsley said that a well-structured and well-evidenced Gateway 2 application to the BSR could be determined in nine weeks. The prospects for Kedai’s renewed application might be better, because it would not be from a standing start and because of the previous dealings between the BSR and Kedai. However, there could be no guarantees, because the timing and content of the application were down to Kedai and outside the control of the BSR.
- (20) Ms Gillespie-Jones, as Regulatory Lead, gave very useful information about the conduct of the original Gateway 2 application, its shortcomings and how Kedai could prepare better for a renewed application, all of which was very helpful to members of Kedai’s operational team who were present at the hearing.
- (21) On behalf of the leaseholders, Mr Philip Waite regretted the delays and legal disputes regarding the original Gateway 2 application but said he preferred to look forward, producing a proposed timetable for the remediation works from this point onwards. This was addressed by Mr Pugsley, Ms Gillespie-Jones and Mr Walder on behalf of the BSR, and by Mr Sawtell on behalf of Kedai.
- (22) The parties to the proceedings agreed that, realistically, the time for carrying out the remediation works would have to be extended to a date in 2027. The Tribunal agreed with Mr Sawtell that the position was very different to *Centrillion Point* (LON/00AH/HYI/2023/0012), where a different Tribunal refused an application to extend the time for the landlord’s compliance with a remediation order. In that case, no Gateway 2 application had been made. By contrast, Kedai had already carried out important works, agreed a scope of works, and made a Gateway 2 application, albeit one that had been deemed rejected. Nonetheless, the portends for a renewed Gateway 2 application are good and, unlike the applicant in *Centrillion Point*, Kedai is able to point to a firm completion date (being the ‘specified time’ required by section 123(2) of the BSA).
- (23) Instead, the position is closer to that found by the Tribunal in *Junestead (Cypress Point) Ltd v Goodwin and others* (2025) (MAN/00DA/HYI/2023/0011). In that case, the date for completion under the original remediation order was varied from 31 July 2025 to 31 December 2026. This was in circumstances where the landlord had

been endeavouring to progress the works; finalising the design was more challenging than anticipated; the relevant regulatory requirements applicable to the works had changed, and in particular, neither the parties nor the Tribunal had appreciated that separate BSR approval would be required; and it had not been anticipated that the BSR approval process would give rise to significant delay.

- (24) In the present case, substantial preparatory work had been carried out by the respondent landlord and the BSR was thoroughly engaged, there appeared to be every prospect that a revised and renewed Gateway 2 application would be processed and approved relatively swiftly by the BSR. Once building control approval had been granted, it appears that Kedai was ready to proceed with the works almost immediately.
- (25) Regarding the future role to be played by the Interested Person, Lambeth Council, in this process, Mr Musa who appeared at the hearing said that the council wanted a realistic timetable to be set for remediation and for it to be stuck to. He said that he worked closely with the building control officers and gave assurances that Lambeth would fast-track this project.
- (26) Bearing all that in mind, the parties agreed, and the Tribunal approved, an extension of time for compliance with the remediation order to 29 July 2027. In addition, the parties and the Tribunal agreed a timetable of milestones for the remediation works, against which progress could be measured.

Submissions after the hearing

- (27) After the hearing, later on 26 February 2026, the Tribunal received an email from Mr Luke Newman of Taylor Wessing, Kedai's solicitors, with a revised spreadsheet of timings and a draft order. The email read:

“On behalf of Kedai Limited, please find attached the following documents to be forwarded to the Tribunal hearing this matter:

1. an Excel spreadsheet with the Proposed Construction Programme; and
2. a draft Order.

With apologies to the Tribunal, an error in the earlier spreadsheet meant that the two-week period for Event No. 1 was incorrectly calculated as ending on **5 March 2026** instead of **12 March 2026**. By correcting this date, and based on a 75-week programme, the revised date for Event No. 10 is **5 August 2027**.”

- (28) On 27 February 2026, the Tribunal received an email in response from Mr Philip Waite on behalf of leaseholders, with an amended spreadsheet. The email read:

“Whilst the leaseholders appreciate Kedai’s position in the correction of their arithmetic, however this amendment is not acceptable as the date concluded at the hearing was for overall completion by the end of **July 2027**.

Please see attached the Leaseholders proposed programme arriving at the end of July 2027 and incorporating a couple of additional milestones for clarity.

The Leaseholders simply cannot accept that the completion date keeps moving back on the request of Kedai wanting more time to cover in part their own culpabilities for delay.

We must not forget that the building is in an unsafe state and that the Leaseholders are living with this every day.

The Leaseholders would be grateful if this e mail & programme could be forwarded to the Tribunal Members for consideration in any variation to the remediation order should the award be for all the time, despite the Leaseholders objections.”

- (29) The Tribunal accepts and understands that a minor calculation error has crept into Kedai’s spreadsheet of milestone dates. However, the difference is only one week, and the Tribunal considers it important for leaseholder confidence that the original extension date agreed at the hearing, 29 July 2027, is maintained. The original milestones proposed by Kedai allowed 35 weeks for construction works and this has already been extended by agreement to 44 weeks, to reflect optimism that the renewed Gateway 2 application will be much better presented and, with the measures promised by the BSR, can be processed within the nine weeks mentioned at the hearing.
- (30) Kedai has not commented on the amendments to the milestone spreadsheet proposed by Mr Waite. He accepts a change for Event No.1 to 12 March 2026, thereby correcting the error in the spreadsheet, but he then reduces the six weeks for Event No.2 (Kedai Consultants to amend and enhance Gateway 2 application) to five weeks, which should be achievable given the generous two weeks already provided for Event No.3 (submission of the revised Gateway 2 application), and this puts the previously agreed milestone dates back on track.
- (31) The two other changes proposed by Mr Waite are new Events No.9 and No.10 added “for clarity”. They appear to be uncontroversial: Event No.9 splits Event No.8 (construction), to provide for the original 35 weeks proposed by Kedai for the works but then provides an additional 9 weeks as an “Allowance for undertaking changes”. Looking forward so far in the future, these milestones must necessarily be subject to some flexibility, but it is helpful to clarify a period of nine weeks if changes are needed to the specified works. The new Event No.10 is merely a reminder (with no time consequences) that “Completion of all

building works & issue of documents by Kedai & application for Gateway 3 approval” should take place by 3 June 2027.

- (32) The Tribunal adopts these helpful changes to the milestone dates in the programme incorporated into the separate Variation of Remediation Order.
- (33) These milestone dates are necessarily indicative, but are strong guidance to the parties and the BSR as a yardstick as to how the Tribunal expects the works to progress and as an encouragement to all concerned to take the necessary steps in a timely fashion, to ensure that the overall compliance date is met, without the need for further application to extend. If minor changes are necessary at any stage, they should be capable of agreement by the parties without having to involve the Tribunal.
- (34) Finally, the Tribunal records its thanks to the parties and to Mr Pugsley and Ms Gillespie-Jones for the constructive approach all have taken to overcome the obstacles in remediating the Property and the assurances they have given the Tribunal to do all they can to achieve this by 29 July 2027.

Tribunal: Regional Judge Timothy Powell & Mrs Helen Bowers MRICS **Date:** 24 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 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.



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

**LON/00AY/HYI/2022/0005 &
LON/00AY/HYI/2022/0016**

IN THE MATTER THE BUILDING SAFETY ACT 2022

B E T W E E N:

**(1) Ms Sarah Waite
(2) Karin Ida Christina Martensson &
(3) Other leaseholders**

Applicants

-and-

Kedai Limited

Respondent

VARIATION OF REMEDIATION ORDER

*In respect of Block A (North Block) and Block B (South Block),
2-4 Leigham Court Road, London SW16 2PG*

Upon considering the application by Kedai Limited, further evidence and submissions in this matter, and upon considering the provisions of the Building Safety Act 2022, and for the reasons set out in its decision of 24 March 2026, the Tribunal orders that that the Remediation Order dated 9 August 2023 in *Sarah Waite and other leaseholders v Kedai Limited*, LON/00AY/HYI/2022/0005 & 0016 shall be amended as follows:

1. Paragraph 2 of the Remediation Order shall be deleted and replaced with:
 - “2. Kedai Limited shall complete the Works specified in the Remediation Order by no later than **29 July 2027**, based on the following programme:

No.	Event	Period	Deadline	Responsibility
1.	Correspondence with the BSR to determine exactly what is missing from Kedai's Gateway 2 application	2 weeks	12 March 2026	Kedai / BSR
2.	Kedai's Consultants to amend and enhance Gateway 2 application	5 weeks	16 April 2026	Kedai
3.	Submission of revised Gateway 2 application	2 weeks	30 April 2026	Kedai
4.	BSR to review revised Gateway 2 application and communicate with Kedai during the process	9 weeks	2 July 2026	Kedai / BSR
5.	Gateway 2 Approval		2 July 2026	BSR
6.	Contractor Site Mobilisation	4 weeks	30 July 2026	Kedai
7.	Contractor Commencement		30 July 2026	Kedai
8.	Construction	35 weeks	1 April 2027	Kedai
9.	Allowance for undertaking any changes	9 weeks	3 June 2027	Kedai
10.	Completion of all building works & issue of documents by Kedai & application for Gateway 3 approval		3 June 2027	Kedai
9.	Gateway 3 Approval	8 weeks	29 July 2027	BSR
10.	Full completion and issue of all necessary documentation to Leaseholders		29 July 2027	Kedai
11.	Total Period to Completion	75 weeks	29 July 2027	

Tribunal: Judge Timothy Powell & Mrs Helen Bowers MRICS

Date: 24 March 2026

Attached: Remediation Order of 9 August 2023



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

**LON/00AY/HYI/2022/0005 &
LON/00AY/HYI/2022/0016**

IN THE MATTER THE BUILDING SAFETY ACT 2022

B E T W E E N:

**(1) Ms Sarah Waite
(2) Karin Ida Christina Martensson &
(3) Other leaseholders**

Applicants

-and-

Kedai Limited

Respondent

REMEDIATION ORDER

*In respect of Block A (North Block) and Block B (South Block),
2-4 Leigham Court Road, London SW16 2PG*

Upon considering the applications, evidence and submissions in this matter, and upon considering the provisions of the Building Safety Act 2022, and for the reasons set out in its decision of 9 August 2023, the Tribunal orders that:

2. Kedai Limited (the relevant landlord) shall remedy the relevant defects specified by and in accordance with the attached Schedule (the “**Works**”) in Block A (North Block) and Block B (South Block), 2-4 Leigham Court Road, London SW16 2PG (the specified relevant building) (the “**Blocks**”) by the time specified in paragraph 2 below.
3. Kedai Limited shall complete the Works by no later than 19 September 2025.

4. The parties have permission to apply in relation to paragraphs 1 and 2 and the attached Schedule. In particular, Kedai Limited has permission to apply:
 - (1) to be permitted to undertake different Works to those specified by this Order, if it is revealed by investigation and analysis by a suitably qualified consultant that reasonable alternative works will remedy the relevant defects; and
 - (2) to extend the time for compliance with this Order.
5. Any such application must be made using the Tribunal's Form "Order 1". The application must be supported by detailed evidence explaining the reason for the application and a proposed draft order setting out the variation sought. There is permission to the parties to rely on relevant expert evidence in support of the application. The application must also include a realistic time estimate for the application to be heard.
6. Kedai Limited must notify the Tribunal, the Applicants and Lambeth Council that it has complied with this Order, within one month of the certified date of practical completion of the Works.
7. By section 123(7) of the Building Safety Act 2022, this Order is enforceable with the permission of the county court in the same way as an order of that court.

Tribunal: Judge Timothy Powell &
Mrs Helen Bowers MRICS

Date: 9 August 2023

Attached: Schedule

**Schedule of Specified Relevant Defects &
Works Required to Remedy Them**

*In respect of Block A (North Block) and Block B (South Block),
2-4 Leigham Court Road, London SW16 2PG*

By 19 September 2025, Kedai Limited is required to remedy the relevant defects in Block A and Block B, 2-4 Leigham Court Road, London SW16 2PG as specified below:

1. The Aluminium Composite Material (“**ACM**”) is to be removed from the façade of both Blocks and replaced with suitable rainscreen cladding which adequately protects the insulation from the spread of fire.
2. The Kingspan K15 insulation is to be removed from the external wall systems of both Blocks and replaced with suitable non-combustible insulation.
3. The fibre cement panels are to be removed and replaced with panels that are not broken or cracked and properly installed in accordance with their manufacturer's instructions which adequately protect the insulation from the spread of fire.
4. The fire stopping, cavity barriers and internal compartmentation are to be remediated in the following locations so that the Blocks are compliant with the Building Regulations current at the time that the works are carried out:
 - (1) Blocks A and B, ensure that cavity barriers are properly installed in accordance with manufacturer's instructions:
 - (i) Horizontally in line with each floor;
 - (ii) Vertically in line with internal compartment walls;
 - (iii) Around openings;
 - (iv) At the edges of the cavity.
 - (2) Ground floor Block A stairway:
 - (i) Extend plasterboard partitions to the floor slab and seal with suitable fire-resisting sealant or bolstered by suitable

fire-stopping systems so as to allow for 60-minute fire resistance;

- (ii) Remove polyurethane (“PU”) foam and fire batts and replace with suitable fire- stopping systems so as to allow for 60-minute fire resistance;
- (iii) Protect all penetrations to fire resisting partition fire-stopping systems so as to allow for 60-minute fire resistance.

(3) 1st to 4th floor Block A electrical cupboards:

- (i) Protect door frames internally so as to allow for 60-minute fire resistance;
- (ii) Remove PU foam and replace with suitable fire-stopping systems so as to allow for 60-minute fire resistance;
- (iii) Ensure all joints between plasterboards are adequately taped and sealed;
- (iv) Infill lateral breaches allowing for building services to pass from electrical risers to the plenum ceiling with appropriate fire stopping materials.

(4) 1st to 4th floor Block A water/ mechanical riser cupboards:

- (i) Protect door frames internally so as to allow for 60-minute fire resistance;
- (ii) Remove PU foam and fire batts and replace with suitable fire- stopping systems so as to allow for 60-minute fire resistance;
- (iii) Ensure all joints between plasterboards are adequately taped and sealed;
- (iv) Infill lateral breaches allowing for building services to pass from electrical risers to the plenum ceiling with appropriate fire stopping materials.

(5) All floors Block A water / mechanical riser cupboards and means of escape:

- (i) All water damaged areas of plasterboard to be inspected and where appropriate remediated.

(6) 3rd and 4th floor Block A water/ mechanical riser cupboards and means of escape:

- (i) Remove PU foam and fire batts and replace with suitable fire- stopping systems so as to allow for 60-minute fire resistance;
 - (ii) Protect exposed insulation at ceiling height within the fourth-floor riser with appropriate fire-resisting products.
- (7) 5th floor Block A electrical cupboard:
 - (i) Infill lateral breaches allowing for services to pass from the fifth electrical riser through the plasterboard construction with appropriate fire stopping materials;
 - (ii) Remove PU foam and replace with suitable fire-stopping systems so as to allow for 60-minute fire resistance.
- (8) Ground to 6th floor Block B electrical cupboards:
 - (i) Protect door frames internally so as to allow for 60-minute fire resistance;
 - (ii) Remove PU foam and fire batts and replace with suitable fire- stopping systems so as to allow for 60-minute fire resistance;
 - (iii) Ensure all joints between plasterboards are adequately taped and sealed;
 - (iv) Infill lateral breaches allowing for dry rising main outlets to the stair core with appropriate fire stopping materials.
- (9) Ground to 6th floor Block B water/ mechanical cupboards:
 - (i) Protect door frames internally so as to allow for 60-minute fire resistance;
 - (ii) Remove PU foam and fire batts and / or uncertified mastics and replace with suitable fire-stopping systems so as to allow for 60- minute fire resistance;
 - (iii) Ensure all joints between plasterboards are adequately taped and sealed.
- (10) 6th floor Block B smoke shaft:
 - (i) Protect frames to smoke shaft vents internally so as to allow for 60- minute fire resistance;
 - (ii) Ensure all joints between plasterboards are adequately taped and sealed;

(iii) Infill lateral breaches allowing for automatic fire detection cabling to the means of escape with appropriate fire stopping materials.

(11) 7th floor Block B combined services cupboard:

(i) Remove PU foam and replace with suitable fire-stopping systems so as to allow for 60-minute fire resistance.

(12) 1st to 4th floor Block B plenum ceiling:

(i) Inspect and where appropriate remediate.

(13) All floors Blocks A and B escape corridors:

(i) Inspect and where appropriate remediate the vents in the ceilings either (where not vital for building serviceability) by removal and infilling or (where they are so vital) by replacement with reactive vents.

(14) Ground floor external electrical meter room:

(i) Inspect soil pipes as to whether they are protected by concealed intumescent pipe closures;

(ii) Where appropriate, install suitable system to prevent combustion spread.

(15) Ground floor external meter room:

(i) Inspect and where appropriate remediate the vent providing air circulation either (where not vital for building serviceability) by removal or (where they are so vital) by replacement with reactive vents.

(16) Ground floor external gas meter room:

(i) Remove PU foam and fire batts and replace with suitable fire-stopping systems so as to allow for 60-minute fire resistance (including suitable pipe closure).

(17) Ground floor commercial unit:

(i) Inspect and where appropriate remediate.

5. Carry out the Works and remedy the specified relevant defects in compliance with the Building Regulations applicable at the time the remedial work is carried out, so that the relevant defects no longer exist.

6. At the very least, a post-Works Fire Risk Appraisal of External Walls (FRAEW) pursuant to PAS 9980:2022 should not prevent a satisfactory Form EWS1: External Wall Fire Review from being issued.
7. Make good any damage caused to the Blocks on account of the Works.

Tribunal: Judge Timothy Powell &
Mrs Helen Bowers MRICS

Date: 9 August 2023