



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

**Case reference** : **LON/00AM/LDC/2026/0002**

**Property** : **255 Well Street, London, E9 6RG**

**Applicant** : **Grovetop Ltd**

**Representative** : **Peak Estates Ltd**

**Respondent** : **3 No. Leaseholders at the Property**

**Representative** : **N/A**

**Type of application** : **Dispensation pursuant to Section 20ZA  
of the Landlord and Tenant Act 1985**

**Tribunal members** : **Ms S Beckwith MRICS  
Mr K Ridgeway MRICS**

**Venue** : **10 Alfred Place, London WC1E 7LR**

**Date of decision** : **27 April 2026**

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**DECISION**

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## **Decision of the Tribunal**

1. The Tribunal determines to exercise its discretion to dispense with the consultation requirements provided by Section 20 of the Landlord and Tenant Act 1985.

## **The Application**

2. Peake Estates Ltd applied on behalf of the Applicant on 15 December 2025 under Section 20ZA of the Landlord and Tenant Act 1985 (the Act), for dispensation from the consultation requirements provided for by Section 20 of the Act.
3. The application indicated that the subject of the dispensation application was in relation to the replacement of an internal down pipe.
4. The application explained that the reason that dispensation was sought was because there was a leak which needed to be rectified urgently. A notice of intention was served, but the rest of the consultation process was not followed due to the work being urgent.

## **Procedure**

5. The Tribunal issued directions on 25 February 2026.
6. The directions provided an opportunity for the Respondents to provide a statement objecting to the application. No responses were received by the Tribunal.
7. The directions also gave an opportunity for the Respondents to request a hearing. No hearing was requested so the matter has proceeded based on the papers provided to the Tribunal.
8. The Tribunal has considered the written bundle of 53 pages in support of the application, together with additional evidence requested by the Tribunal.

## Determination

### The Background

9. The Property comprises a ground floor shop, rear ground floor flat and two flats on upper floors. The Applicant is the Landlord.
10. Section 20 consultation is not required or relevant in connection with non-residential premises and the findings of the Tribunal will not affect commercial occupiers in the Property, as the jurisdiction of the Tribunal does not extend to commercial premises.
11. The evidence and submissions of the Applicant is as follows:
  - i. The application is for an unconditional dispensation from the consultation requirements prescribed under Section 20 of the Landlord and Tenant Act 1985 in relation to the replacement of an internal down pipe in order to fix a leak.
  - ii. Confirmation that two quotes were obtained, one from Serview at £2,640+VAT and one from Executive MS Led at £2,335+VAT. The cheaper quoted was selected. The costs are to be shared equally between the four units, being the shop and three flats.
  - iii. No responses from leaseholders were received by the Applicant's representative.
12. The Applicant's Representative provided evidence that notice of the application and the Tribunal's directions, including how to respond, was displayed at the Property and a copy hand delivered to each leaseholder. The Applicant confirmed that this was undertaken four days later than directed by the Tribunal, but the deadline for responses had not passed and could have been accommodated had any been received.
13. No responses from leaseholders were received by the Tribunal.

### The Law

14. The Tribunal is being asked to exercise its discretion under Section 20ZA of the Act. The wording of Section 20ZA, subsection (1) provides:

'Where an application is made to a leasehold valuation tribunal for determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreements, the tribunal may make the determination **if satisfied that it is reasonable to dispense with the requirements**'.

15. The Supreme Court in the case of *Daejan Investments Ltd v Benson* [2013] UKSC 14 (Daejan) is the leading authority on how the statutory provisions are to be interpreted.

### **The Tribunal's Decision**

16. The Tribunal determines to grant the application.

### **Reasons for the Tribunal's Decision**

17. The application explains the reasons the works needed to be undertaken urgently.
18. No objections were received from leaseholders.
19. The Tribunal therefore determines that it is reasonable to grant the application sought.
20. **Both parties should note that this determination does not concern the issue of whether the service charge costs demanded in connection with the works are reasonable or indeed payable. The Respondents are able, if it appears to them to be appropriate, to make an application under Section 27A of the Landlord and Tenant Act 1985 as to reasonableness and payability.**

**Name:** S Beckwith MRICS

**Date:** 27 April 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).