FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case Reference	**:**	**MAN/00CZ/LDC/2025/0621**
Property	**:**	**Ledgard Bridge Mill, Ledgard Bridge, Mirfield WF14 8NZ**
Applicant	**:**	**Ledgard Bridge Management Company Limited**
Representative	**:**	**Watson Major Works**
Respondents	**:**	**The Residential Long Leaseholders of the Property**
Type of Application	**:**	**Landlord & Tenant Act 1985 – Section 20ZA**
Tribunal	**:**	**Tribunal Judge L Brown** **Tribunal Member Mr K Kasambara** **Tribunal Member Mrs K Usher**
Date Decision Issued	**:**	**13th May 2026**

DECISION

Dispensation for the Works described in paragraph 4 is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985, on condition that the Applicant serves all Respondents with this Decision.

The Application

1. Application dated 3 April 2025 was made by the Applicant, the landlord of the Property, which comprises 5 storeys containing 125 residences.

2. The Respondents are the leaseholders of the residential flats in the Property, as recorded in the Tribunal's directions dated 9 October 2025.

3. The Applicant seeks dispensation pursuant to section 20ZA of the Landlord and Tenant Act 1985 ("the Act") in respect of consultation requirements in relation to certain qualifying works, within the meaning of the Act.

4. The qualifying works as described in the Application and related papers are replacement of triple booster pump system.

5. The only issue is whether it is reasonable to dispense with the statutory consultation requirements.

Paper Determination

6. The Tribunal's Directions provided, amongst other things, that the Applicant must within 28 days of the date of the directions, send to the Tribunal, with a copy to each Respondent, a bundle of documents consisting of:

a. the Tribunal application form;
b. a statement of case explaining why the application had been made;
c. any correspondence sent to the leaseholders in relation to the works
d. detailed reasons for the urgency of the works and the consequences upon the leaseholders of any delay
e. any quotes or estimates for the proposed works and relevant reports; and
f. copies of any other documents the Applicant sought to rely on in evidence.

7. The directions also provided that any leaseholder who opposed the Application must within 21 days of receipt of the documents referred to in paragraph 6 complete and return the reply form attached to the directions and send it to the applicant and Tribunal together with a statement in response to the Application and any documents and witness statements which they sought to reply on in evidence.

8. No responses from any Respondent was provided to the documents the Applicant proposed to rely upon in support of the Application it provided, and no objections to the Application were submitted to the Tribunal by any Respondent, none of whom have taken any part in the proceedings.

9. The directions provided that the Tribunal considered the matter to be one that could be resolved by way of submission of written evidence and stated that, if any party wished to make oral representations, that party should request a hearing.

10. No such request has been made and the Application has been determined by the Tribunal on the papers submitted by the Applicant.

11. The directions expressly state that the Application concerns only whether or not it is reasonable to dispense with the consultation requirements and does not concern the issue of whether any service charge costs resulting from any such works are reasonable or payable and that it will be open to the leaseholders to challenge any such costs charged by the Applicant.

The Law

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

'Where an application is made to a 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.'

13. The Supreme Court in the case of *Daejan Investments v Benson and others* [2013] UKSC 14 set out certain principles relevant to section 20ZA. Lord Neuberger, having clarified that the purpose of sections 19 to 20ZA of the act was to ensure that tenants are protected from paying for inappropriate works and paying more than would be appropriate, went on to state:

'it seems to me that the issue on which the [Tribunal] should focus when entertaining an application by a landlord under section 20ZA(1) must be the extent, if any, to which the tenants were prejudiced in either respect by the failure of the landlord to comply with the requirements'.

Evidence and Findings of Fact

14. The Tribunal is satisfied that the Application was properly brought and is in proper form.

15. The Applicant seeks dispensation from the consultation requirements as the works, which are qualifying works, were required urgently. The Applicant's representative, Watson Major Works, set out in an email dated 28 November 2025 to leaseholders that urgent work was required because the booster pump unexpectedly failed, causing *"....a loss of water supply / significant reduction in water pressure at the property. This presented an immediate issue affecting essential services and the habitability of the building."*

16. The Tribunal found no challenge to the information provided by the Applicant that the works initially had been planned, because the pumps were ten years old, parts to replace were obsolete and therefore full replacement was needed. A first stage notice of intention under statutory consultation to carry out the works was issued on 20 February 2025, but a sudden failure of the booster pump meant "*.....the works had to be instructed sooner than anticipated in order to restore water supply and prevent further disruption to residents*" (same email as above).

17. Further information about appointment of a contractor was

"Before failure:
• The system was serviced by B2B Contracts Ltd
• B2B provided a replacement quote

After failure:
• Only MIES Facilities Management Ltd were available for emergency attendance
• Although two quotes existed (B2B & MIES), only MIES had immediate availability
• MIES completed the works."

18. The works were scheduled for 11 April 2025.

19. Quotations for the works were received from:

"B2B Quote for full replacement obtained as part of initial Section 20 preparations. Amount: £31,890 + VAT Lead time: 4–5 weeks.

MIES Quote & Invoice (Emergency Works) - provided emergency attendance and immediate replacement. Invoice: £33,141.18 (incl. VAT) Lead time: 2–3 weeks, but emergency capability confirmed."

20. The Tribunal found from the above uncontradicted evidence that the works were urgent for reasons of loss of water supply to the Property. We found from the description from the Applicant that the works comprised one collective remedial operation –including *"3 man team to attend site, remove current booster set, alter pipework on suction and discharge to accept new pump set. Once installed re-commission and test. • All pipework for alterations included within the quote."*

21. In the absence of any submissions from any Respondent objecting to the works, or to the Application, or contending that granting the Application would result in prejudice, the Tribunal found no evidence that the Respondents would suffer prejudice in the event that the Application for dispensation from the consultation requirements was granted.

Determination

22. In the circumstances set out above, the Tribunal considers it reasonable to dispense with the consultation requirements. Dispensation is granted pursuant to section 20ZA of the Landlord and Tenant Act 1985. This will be subject to the Applicant serving every Respondent with this Decision, as it is not for the Tribunal to undertake such a significant administrative burden.

23. This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act as to the reasonableness and standard of the work and/or whether any service charge costs are reasonable and payable.

Tribunal Judge L Brown

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).