



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

**Case reference** : **LON/00AY/LDC/2025/0940**

**Property** : **1-28 Beregaria Court, 190 Kennington  
Park Road, London SE11 4BT**

**Applicant** : **Aviva Investors Ground Rent Limited**

**Representative** : **Kennington Park Road (K Point)  
Management Company Limited**

**Respondent** : **Leaseholders of Beregaria Court**

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

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

**Tribunal member** : **Ms S Beckwith MRICS**

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

**Date of decision** : **27 May 2026**

---

**DECISION**

---

## **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. Kennington Park Road (K Point) Management Company Limited applied on behalf of the Applicant on 26 September 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 works to make the walkways fire safe. The building is timber framed and therefore high risk. Four external communal wooden walkways leading to flats needed to be replaced with alternative materials.
4. The application explained that the reason that dispensation was sought was because the works are urgent to ensure the safety of the building and pursuant to recommendations by the London Fire Brigade and Lambeth Council.

## **Procedure**

5. The Tribunal issued directions on 2 December 2025.
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 24 pages in support of the application.

## **The Background**

10. The Property is a purpose built block over ground and four upper floors containing 28 residential units. The Applicant is the Landlord.
11. The evidence and submissions of the Applicant is as follows:

- i. The application is for an unconditional dispensation of the consultation requirements prescribed under Section 20 of the Landlord and Tenant Act 1985 in relation to replacement of the wooden walkways on the third and fourth floors of the Property.
  - ii. Three invoices in respect of the works from Site Training Inspection Compliance Services Ltd. One dated 24 December 2025 totalling £37,908 (inc VAT). Two dated 30 January 2026, each totalling £15,690.12 (inc VAT) – these appear to be the same invoice No. 1138.
  - iii. Correspondence with the leaseholders about the works. The Applicant’s representative has confirmed that they received no responses from leaseholders.
12. In accordance with Tribunal directions, the Applicant notified leaseholders of the Section 20ZA application, including how to respond. No responses from leaseholders were received by the Tribunal.

### **The Law**

13. 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**’.
14. 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**

15. The Tribunal determines to grant the application.

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

16. The statement from the Applicant explains the reasons the works were urgent and needed to be undertaken quickly without the time afforded by a full Section 20 consultation.
17. No objections were received from leaseholders.
18. The Tribunal therefore determines that it is reasonable to grant the application sought.

19. **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 May 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).