FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)

Case reference	**:**	**LON/00AY/LDC/2026/0005**
Property	**:**	**Kilner House, Clayton Street, London, SE11 5SE**
Applicant	**:**	**Estmanco (Kilner House) Ltd**
Representative	**:**	**Bolt Burdon LLP, Charles Irvine of counsel.**
Respondents	**:**	**Various leaseholders – Flats 1 to 60 inclusive Kilner House**
Representative	**:**	**None**
Type of application	**:**	**To dispense with the requirements to consult lessees about major works section 20ZA of the Landlord and Tenant Act 1985.**
Tribunal members	**:**	**R Waterhouse FRICS** **J Rodericks MRICS**
Venue	**:**	**Alfred Place, London, by remote hearing**
Date of decision	**:**	**29 May 2026**

DECISION

Summary of the Decision

1. The Applicant is granted unconditional dispensation under Section 20ZA of the Landlord and Tenant Act 1985 from the consultation requirements imposed on the landlord by Section 20 of the 1985 Act in respect of major works, the installation of acrow props ,wire ropes and debris netting and associated temporary support works to external walkways.

Attendance

2. Present at the hearing were for the Applicant; Mr Irvine of counsel, instructing solicitor Ms J Egan of Bolt Burdon, accompanied by trainee solicitor Liberty Umeh, Mr Wheeler-Wade of the managing agent Strangfords, and Mr Kibble and Ms Maze Directors of the freeholder Applicant company.

3. For the Respondents Mr Andrea of Flat 4, represented by Linsey Quirke and Mr Webb of Flat 58.

Preliminary matters

Respondent Order Form 1- 5 May 2026

4. By application Order 1 Form of 5 May 2026 the Respondent Michael Andrea requested permission to introduce expert evidence (as stipulated under Rule 19 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013. The expert witness is John Moran, a Chartered Civil Engineer (CEng) and Member of the Institution of Civil Engineers (MICE).

5. Mr Moran's witness statement was attached.

Order

6. By Order dated 27 May 2026 Procedural Judge Martynski; gave permission for;

7. The Respondent, Michael Andrea, has permission to rely upon the expert evidence of John Moran.

8. The Applicants have permission to file and rely upon a further reply and supplemental bundle.

Applicant Order Form 1 – 22 May 2026

9. By email dated 22 May 2026 the Bolt Burdon LLP for the Applicant filed; Order Form 1, an Applicants further reply Form and an Annex to the Applicants Further Reply.

10. By Applicant Order Form 1 dated 22 May 2026, the Applicant requests an Order to allow the Applicant to file a further brief reply (supplemental bundle) in response to the Respondent's/Leaseholder's replies made outside of the directions and without consent to do so.

11. Specifically,
(1) As per Direction 4 of the revised Directions, the Applicant submitted their brief reply on 30th March ahead of the direction deadline of 1st April 2026. However following submission, a number of late submissions (noted below) were submitted by the Respondent outside of the direction deadlines, without

seeking mutual consent from the Applicant to do so nor requesting consent from the Tribunal; to make submissions outside of revised Directions.

(2) David Webb of the Respondent made submissions on 24 April. Submissions were made 37 days late and outside of paragraph 2 of the Directions (dated 25 February) and Revised Directions (dated 8th April 2026).

(3) Michael Andrea of the Respondent made further submissions on 2 April. Submissions were made 15 days late and outside of the direction 2 of the direction 2 of the Directions (dated 25 February) and Revised Directions (dated 8 April 2026).

(4) Due to the late submissions of David Webb and Michael Andrea of the Respondents detailed at points 2-3 above, the Applicant has not been afforded the opportunity to consider or reply to these late submissions. If these submissions are to be heard in these proceedings, the Applicant should be afforded the same opportunity to consider such submissions and allowed an opportunity to respond to the same.

The Applicant submitted with the Applicant Order 1 Form two documents;

Applicant's Further Reply 22 May 2026

An Annex to the Applicant's Further Reply comprising some 213 pages.

Procedural Judge Waterhouse said that these matters would be determined as a preliminary part of the hearing. The subsequent Order of Judge Martynski of 27 May 2026, provided for the admission of these documents.

Respondent Mr Webb of Flat 58

12. Mr Webb a Respondent of Flat 58, joined the hearing. Mr Webb requested to be able to make further submissions to the Tribunal. Mr Irvine counsel for the Applicant objected on basis that Mr Webb had not submitted evidence within the timetable set out by the Directions and so the Applicant would be prejudiced. The Tribunal deliberated and made the determination it was not in the interests of justice to allow Mr Webb to make a submission at this stage as the Respondent had not had the time to properly consider in order to reply,

Documents

13. The documents which the Tribunal are relying on are;

Applicant's bundle of 454 pages.

Applicant's Skelton Argument received 27 May 2026

Applicant's "Further brief replies to any statements in opposition received" dated 22 May 2026

Annex to Applicant's Further Reply 22 May 2026 213 pages

Respondent Mr Andrea's Skelton Argument.

The application and the history of the case

14. The Applicant has applied for dispensation from the statutory consultation requirements in respect of the installation of acrow props and wire ropes supports, debris netting and associated temporary support works to external walkways at Kilner House. The estimated cost of the works is £34,253.80. Estmanco (Kilner House) Ltd is a Freehold company that is responsible for the maintenance of Kilner House, Clayton Street, London, SE11 5SE. The building is understood to comprise a block of 1-60 flats built over five storeys.

15. The application is said to be urgent because work of support is urgent and there are potential issues relating to loss of insurance cover.It is understood that the Applicant served their notice of intention, dated 19th August 2025, and have provided two separate quotes from Stress Uk Ltd and Xtra Maintenance. The Applicant says they have "no intention" to consult further.

16. The Applicant applied by an application dated 6 December 2026 for dispensation under Section 20ZA of the Landlord and Tenant Act 1985 ("the Act") from the consultation requirements imposed by Section 20 of the Act in respect of major works to the external walkways at the Kilner House, Clayton Street , London, SE11 5SE.

17. The Tribunal provided Directions dated 25 February 2026 which were later revised on the 8 April 2026.

18. The hearing was scheduled to take place 29 May 2026 at 10:00am remotely by video hearing.

Chronology

19. A detailed chronology is set out in the Bundle [105-113] this has in the main been composed by two Directors of Kilner House.

20. The main points are

Date	Event
2023 4 Jan	Contractor raises issue and Strangfords advises surveyor should be engaged
2023 19 Jan	Thomas & Thomas (T&T) independent Chartered Building Surveyor engaged
2023 Feb-Mar	T& T investigate with specialist and recommend more intrusive testing
2023, July 10	Meeting held to explain issue
2023, Oct 19	T & T specification for walkways for shareholder comments by 27 October

2024, 14 May	Leaseholder MA discusses with Directors the undertaking of emergency works, separate from the longer term works and exploring alternative report from advisers APC Surveyors.
2024, 18 Jun	Directors call an EGM to update and answer questions from leaseholders
2024, 24 July	Report received from APC (Chartered Building Surveyors) following non instructive survey
2024, 22 Nov	Directors instruct STRESS (Structural Repairs and Specialist Services) scope of works including intrusive investigation STRESS after having investigated several potential structural surveys.
2025, 13 Feb	Strangfords advises directors that we are in stage 2 of an ongoing Section 20
2025, 18 Feb	Report from STRESS received
2025, Mar 16	Directors agree to start a new section 20 process
2025 Mar 18	Directors instruct Strangfords re new insurance provider
2025, 5 Jun	Directors receive from STRESS a propping construction proposal and costs. An acrow and beam system was decided due to the speed of erection and cost effectiveness of the solution.
2025, Aug 7	Strangfords informs there is no active section 20, a fresh Section 20 needed, draft notice included.
2025, Sept 11	Shareholder meeting with Strangfords where STRESS can answer questions
2025, Oct 10	Following sharing of report with insurance provider, insurance provider Edison Ives gives 28 days to find alternative policy.
2025, 20 Oct	Directors discuss with insurer Edison Ives, management agent requests quotations for supply and erection of propping solution.
2025, 11 November	Replacement insurer- A prerequisite of the new insurance (and both quotes received) was that the propping works must be in place by December 2025, requiring the work to commence in November 2025.
2025, 13 Nov	Strangfords discuss option of section 20 dispensation
2025, 14 Nov	Letter from Mr Moran writing in his personal capacity (not on behalf of MH Qualter) explaining he was asked by a leaseholder (MA) to make a visual survey of Kilner House.
2025, 15 Nov	Strangfords write to leaseholders saying that in order to insure the building works of propping the walkways are required and that an application for dispensation is being considered
2025, 18 Nov	Bolt Burdon report to Directors outlines duties to leaseholders and responsibilities of leaseholders, and so are recommending a dispensation application.

The Law

21. Section 20 of the Landlord and Tenant Act 1985 ("the Act") and the related Regulations provide that where the lessor undertakes qualifying works with a cost of more than £250 per lease the relevant contribution of each lessee (jointly where more than one under any given lease) will be limited to that sum unless the required consultations have been undertaken or the requirement has been dispensed with by the Tribunal. An application may be made retrospectively.

22. Section 20ZA provides that on an application to dispense with any or all of the consultation requirements, the Tribunal may make a determination granting such dispensation "if satisfied that it is reasonable to dispense with the requirements".

23. The appropriate approach to be taken by the Tribunal in the exercise of its discretion was considered by the Supreme Court in the case of Daejan Investment Limited v Benson et al [2013] UKSC 14.

24. The leading judgment of Lord Neuberger explained that a Tribunal should focus on the question of whether the lessee will be or had been prejudiced in either paying where that was not appropriate or in paying more than appropriate because the failure of the lessor to comply with the regulations. The requirements were held to give practical effect to those two objectives and were "a means to an end, not an end in themselves".

25. The factual burden of demonstrating prejudice falls on the lessee. The lessee must identify what would have been said if able to engage in a consultation process. If the lessee advances a credible case for having been prejudiced, the lessor must rebut it. The Tribunal should be sympathetic to the lessee(s).

26. Where the extent, quality and cost of the works were in no way affected by the lessor's failure to comply, Lord Neuberger said as follows: "I find it hard to see why the dispensation should not be granted (at least in the absence of some very good reason): in such a case the tenants would be in precisely the position that the legislation intended them to be- i.e. as if the requirements had been complied with."

27. The "main, indeed normally, the sole question", as described by Lord Neuberger, for the Tribunal to determine is therefore whether, or not, the lessee will be or has been caused relevant prejudice by a failure of the Applicant to undertake the consultation prior to the major works and so whether dispensation in respect of that should be granted.

28. The question is one of the reasonableness of dispensing with the process of consultation provided for in the Act, not one of the reasonableness of the charges of works arising or which have arisen.

29. If dispensation is granted, that may be on terms. That is to say that dispensation is granted but only if the landlord accepts- and fulfils appropriate conditions. Specific reference was made to costs incurred by the lessees, including legal advice about the application made.

30. There have been subsequent decisions of the higher courts and Tribunals of assistance in the application of the decision in Daejan but none are relied upon or therefore require specific mention in this Decision.

31. More generally, the Tribunal considers that the case authorities demonstrate that the Tribunal has a very wide discretion to, if it considers it appropriate, impose whatever terms and conditions are required to meet the justice of the particular case- in Daejan it was said "on such terms as it thinks fit- provided, of course, that any such terms are appropriate in their nature and their effect".

The Hearing

Submissions and Consideration

The Applicant's case: Estmanco (Kilner House) Ltd

32. Mr Irvine explained the background that in around 2023, contractors working on the freehold noted that there were issues with the walkways and advised that a surveyor be instructed.

33. A surveyor was instructed and reported in March 2023 that further investigations be undertaken. This led to various meetings over 2023 and into 2024 when STRESS (Structural Repairs and Special Services) Ltd, were instructed to carry out intrusive works in November 2024. The Applicant began carrying out a section 20 consultation, until the freeholders' insurers insisted that works set out in the STRESS Report were carried out immediately. This prevented the Applicant from continuing with the section 20 consultation.

34. STRESS provided a report on 18 February 2025 (**"the STRESS Report"**) **[185-201]** which advised that:

> *7.1 "the fourth-floor walkway is in the most severe condition, exhibiting advanced deterioration across multiple aspects of its structure. The walkways' concrete slabs have suffered from prolonged moisture exposure, leading to significant corrosion of the embedded steel beams […] The corrosion of the steel elements is particularly concerning, with rust and flaking observed on the steel beams, leading to a loss of section in critical areas […] Without intervention, this severe degradation could lead to progressive failure of the fourth-floor walkway, which could potentially trigger a domino effect, compromising the structural stability of the walkways at lower levels. Immediate attention is required to prevent further material breakdown and to restore the load-bearing capacity of the structure"* **[199]**.

7.2 "The findings from this survey indicate that the fourth-floor walkway presents a high-risk scenario for both the building' structural stability and the safety of its residents. The immediate hazards posed by falling debris are compounded by the long-term risk of partial or total collapse of the fourth-floor walkway. If left untreated, the ongoing corrosion of the steel beams, along with the deterioration of the concrete, could lead to catastrophic failure. Such a failure would not only endanger the structural integrity of the walkway but could trigger a progressive collapse that affects the lower levels as well, potentially resulting in further damage to the entire walkway system" **[200]**.

7.3 The immediate action should be: *"To mitigate immediate risks to safety and prevent further structural deterioration, a temporary external column-and-beam system should be installed to provide immediate support to the fourth-floor walkway"* **[200]**

35. The Applicant says further medium- and longer-term solutions were also proposed. These further works will be subject to a section 20 consultation in due course.

36. Following receipt of the STRESS Report, estimates were provided by STRESS and by another contractor and a section 20 notice was served on 19 August 2025. The insurers for the Freehold were notified of the Stress Report and in October 2025 notified that they wished to cancel the policy.

37. Mr Irvine contended the Applicant's case is straight forward in that the Applicant began carrying out a section 20 consultation, until the Freeholders insurers insisted that works set out by the STRESS Report were carried immediately; thereby preventing the Applicant from continuing with the section 20 consultation.

38. The Applicant contends and responds to the first respondent – Georgina Mitchener objections;

(i) There is no justification for urgency [379 para 1] In response to these the Applicant says the works were urgent as necessitated by the STRESS report and the insurers' reaction

(ii) There will be a financial impact [379 para 2] In response the Applicant says it is inevitable when major works are being carried out there will be financial impact on the leaseholders. The cost is to be funded from the reserve fund.

(iii) The lack of consultation [379 para 3]. The Applicant says there was a consultation by the original section 20 notice for propping works in August 2025. That there was a meeting arranged to discuss the section 20 notice on 11 September 2025. During that consultation process, there was only one objection (from Mr Andrea). Once the insurance issue was noted, leaseholders were informed on 14 November 2025 and 9 December 2025.

39. The Applicant contends and responds to the second Respondent- Michael Andrea's objections;

(i) The Respondent says the Applicant should have carried the section 20 process sooner. The Applicant says this is incorrect as the section 20 process was commenced in August 2025 and leaseholder concerns were being addressed. It is noted that there is no complaint about the steps taken during the section 20 consultation process and that the objection raised by Mr Andrea was considered and replied to.
(ii) The Respondent says the Applicant ought to have "heeded" the second expert opinion which would have avoided the cancellation of the existing insurance policy, thereby the urgency to obtain a new insurance policy would have been avoided. The Applicant says there is no evidence the propping works were inappropriate , there is a question of whether the insurer would have accepted a second opinion and changed its terms of cover, such that the insurer would not have insisted that the works be carried out immediately. The Applicant says this point is therefore not of relevance
(iii) The Respondent says, the Applicant did not test the market when carrying out the propping works. The Applicant says that there is no evidence to support the fact that cost of the propping works was unreasonable or high (and it is noted that this is a matter relevant to a challenge of reasonableness and not dispensation). In any event, it is factually inaccurate as the Applicant did obtain two quotations for the propping works.
(iv) The Respondent says the Respondents are financially prejudiced. In response the Applicant says it is inevitable when major works are being carried out there will be financial impact on the leaseholders.

Respondents' case

Respondent 1: Georgia Mitchener Flat 60

40. By statement [379/454] dated 4 March 2026, Georgia Mitchener Flat 60, objected to the application by Estmanco (Kilner House) Ltd for dispensation from the statutory consultation requirements under section 20ZA of the Landlord and Tenant Act 1985 for the following three reasons;

1. Urgency is not justified: Only one engineering firm has been consulted, and that firm recommended an extremely costly solution. There has been no proper exploration of alternative, potentially less expensive solutions.
2. Financial Impact: Allowing the service charge to increase without full consultation and Tribunal approval may cause severe financial hardship to leaseholders. Such a high service charge could make it impossible for leaseholders to remortgage or sell their flats, effectively putting leaseholders at risk of bankruptcy or losing their homes.
3. Lack of consultation: The statutory consultation process exists to protect leaseholders from unreasonable or excessive costs. Skipping this process removes leaseholders' right to input or challenge proposed works that could have substantial financial consequences.

Respondent 2 Michael Andrea Flat 4

41. By statement [385/454] dated 5 March 2026, the Respondent says that they gained an independent report into the building and the STRESS UK report, issue by Chartered Civil Engineering company (MH Qualter) at their own cost. [para 17, 387/454]

42. The review of the report has resulted in the Respondent not having confidence in the STRESS UK report or recommendations.

43. The Respondent says that there have been concerns regarding the walkways for several years. That multiple earlier surveys recommended further investigations rather than immediate emergency works. So the Applicant had substantial prior notice of the alleged issues.

44. The Respondent opposes the application because:

(a) The Applicant failed to comply with the statutory consultation regime
(b) The alleged urgency was substantially self- created through delay
(c) Leaseholders suffered real prejudice by being deprived of meaningful consultation rights
(d) Alternative solutions and procurement routes were not properly explored
(e) The Applicant prematurely committed to a preferred contractor
(f) The Tribunal should not reward deliberate non-compliance.

Alternatively, if dispensation is granted, it should only be granted subject to stringent conditions protecting leaseholders from prejudice.

45. Linsey Quirke representing Mr Andrea set out the history of the issues and called Mr Moran as witness.

46. Mr Moran is a Chartered Civil Engineer (CEng), and Member of the Institution of Civil Engineers (MICE). In his statement [451-454], he notes his duty to the Tribunal in section B. Mr Moran's instruction is to review the structural reporting context relevant to section 20, a desktop study including assessment of likely age and construction of the Kilner House. The work

included a single site visit, it did not include intrusive opening up, laboratory testing, or long-term structural monitoring.

Mr Moran's report essentially offers challenge on the assessment of risk and the potential solutions, in the context of a desk top study.

Discussion

48.The test to be determined is in the absence of a section 20 consultation has the Respondent's suffered real prejudice.

49. It is clear that there were concerns with the walkway over a number of preceding years. These concerns were being investigated, and the section 20 process was underway. Events, that of the notification of the insurers of the Stress report, moved the required response from proactive to reactive.

50. It is not for the Tribunal to judge the accuracy of the STRESS report. No alternative reports suggesting alternative solutions have been produced. Mr Moran's report proposes observations of the STRESS report and makes suggestions on potential approaches but does not have the benefit of investigatory work. The Applicant appointed suitably qualified professional advisers. What is material is whether the leaseholders have suffered real prejudice with the lack of a section 20 consultation procedure in respect of the works that are the subject of the application notably the propping works.

51. The Tribunal finds the process of diagnosing the issue of remedying potential risk, to be reasonable supported by appropriate professionals. Similarly, the consideration of the options and the determination of a solution.

The Applicant failed to comply with the statutory consultation regime.

52. The Respondent says that the Applicant served a Notice of Intention to consult on 19 August 2025. However, the Respondent says; the Applicant expressly stated that it did "not intend to undertake any further consultation procedure". That the Applicant completed the temporary works before full statutory consultation.

53. The Applicant says when the STRESS report with the "propping" interim solution was shared with the insurer, in October 2025, the insurer gave the freeholder 28 days before they withdrew the policy. The Applicant says another insurer was found but that the "propping works" would be required to be undertaken in November 2025.

54. The Tribunal says it is common ground between the parties that the statutory consultation was never completed. Hence the application for dispensation. The Tribunal notes that consultation was started, however the managing agents informed the freeholder in October 2025 that there was at that date no active consultation process.

55. Additionally,the Respondent is concerned that [para 26 388/454] the time between the initial section 20 notice served on the 19 August 2025 and the start of temporary works was just over 3 months, the Respondent believes this would be sufficient time to run a consultation process.

56. The Tribunal says that the freeholder was in a position where they had an engineering report that had investigated, diagnosed and suggested a solution. That the report was shared with the insurer who had decided to give notice to withdraw their insurance.

57. Notwithstanding whether the Respondent believes that they have grounds to refute the initial report, the freeholder was in a situation where essentially unless propping up works were undertaken, the building was a a serious risk of being uninsured. Given this risk, the freeholder decided to undertake the works and apply for subsequent dispensation.

58. The Tribunal finds the Respondent has not been prejudiced because there was a general understanding of the situation and that the Respondent has the right subsequently to challenge the works through section 27A landlord and Tenant Act 1985, if they wish at a later date. The Tribunal finds no real prejudice for the Respondent in this challenge.

The alleged urgency was substantially self-created through delay

59. This objection is common between Mr Andrea and Ms Mitchener

60. The Tribunal says it is common ground between the parties that issues with the walkways had existed for some time. The report from STRESS was requested November 2024 and received February 2025. The report was shared with the insurer in October 2025.From this point there was a risk that the building may become uninsured. The freeholder was recommended by their solicitors to obtain dispensation. Whether consultation could have been run between February 2025 – receipt of the STRESS Report and notification with insurers is debateable. The Applicant says they had a requirement to share the report with insurers so, if this was done earlier the opportunity for consultation would not have existed.

61. The outcome that, there is a risk to insurability of the building, was reached in November 2025, this could have occurred earlier. The Tribunal finds no real prejudice for the Respondents in this challenge.

Leaseholders suffered real prejudice by being deprived of meaningful consultation rights

62. The Respondent says they have concerns over the STRESS report that made the recommendations.

63. The Applicant says no alternative propositions have been presented. The Moran report criticises the approach taken in the STRESS report but does not produce an alternative approach.

64. The Tribunal says, landlord is entitled to rely on professional advisers to scope and suggest suitable solutions. This has happened in this case, and the lack of consultation has not prejudiced the Respondents, the Applicant has sought qualified advisers to advise. The Respondents do have the opportunity to challenge the appropriateness and nature of the works, under section 27A Landlord and Tenant Act 1985.

Alternative solutions and procurement routes were not properly explored

65. The Respondent says there was no opportunity for other professional advisers to investigate and propose alternative solutions.

66. The Applicant says there is no evidence the propping works were inappropriate, there is a question of whether the insurer would have accepted a second opinion and changed its terms of cover, such that the insurer would not have insisted that the works be carried out immediately.

67. The Tribunal finds the in respect of the propping works , which is the subject of this dispensation, no alternative solution was presented and given the urgency of the works caused by the notice of withdrawal of insurance, there would be very limited time to secure alternative solutions and no guarantee the insurers would accept it. The Tribunal finds no real prejudice for the Respondent in this challenge.

The Applicant prematurely committed to a preferred contractor

68. The Respondent says alternative contractors may have enabled the market to be tested.

69. The Applicant says there is no evidence that the cost of works was unreasonable, or high and notwithstanding, that such a challenge is appropriate for reasonableness not dispensation.

70. The Tribunal finds there is no evidence that the cost was unreasonable, the landlord is entitled to use a suitably qualified contractor and there is no evidence that this contractor was not suitably qualified. The Tribunal finds no real prejudice for the Respondent in this challenge.

The Tribunal should not reward deliberate non-compliance.

71. This is covered collectively above.

The Respondents suffered financial prejudice

72. The Tribunal says there is no evidence that the works undertaken the propping works are unreasonably costed. Future medium- and long-term works are not subject to this dispensation and so any suggestion they may impact on

financially on the leaseholders is not relevant here. The Tribunal finds no real prejudice for the Respondent in this challenge.

Decision

73. The Applicant is granted unconditional dispensation under Section 20ZA of the Landlord and Tenant Act 1985 from the consultation requirements imposed on the landlord by Section 20 of the 1985 Act in respect of major works, the installation of acrow props and wire ropes, debris netting and associated works, to external walkways.

74. This decision is confined to determination of the issue of dispensation from the consultation requirements in respect of the major works outlined above.

75. **The Tribunal has made no determination on whether the costs incurred are reasonable; in terms of solution employed, the quality to which the work was undertaken, whether the cost was reasonable and whether service charges are payable in any given sum or at all. If a Lessee wishes to challenge the reasonableness of those costs and or the payable service charges, then a separate application under section 27A of the Landlord and Tenant Act 1985 would have to be made.**

RIGHTS OF APPEAL

1. A person wishing to appeal this decision to the Upper Tribunal (Lands Chamber) must seek permission to do so by making written application to the First-tier Tribunal at the Regional office which has been dealing with the case.
2. The application must arrive at the Tribunal within 28 days after the Tribunal sends to the person making the application written reasons for the decision.

3. If the person wishing to appeal does not comply with the 28- day time limit, the person shall include with the application for permission to appeal a request for an extension of time and the reason for not complying with the 28- day time limit; the Tribunal will then decide whether to extend time or not to allow the application for permission to appeal to proceed.

4. The application for permission to appeal must identify the decision of the Tribunal to which it relates, state the grounds of appeal, and state the result the party making the application is seeking.