



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

Case Reference : MAN/00CY/LDC/2025/0658

Property : 5–12 & 14–18 Sinderhill Court, Northowram,
Halifax, West Yorkshire, HX3

Applicant : Vega Holdco 4 Limited, Berkeley House, 304
Regents Park Road, London, N3 2JX.

Representative : Trinity (Estates) Property Management
Limited.

Respondents : The Residential Long Leaseholders (13)

Type of Application : Landlord & Tenant Act 1985 – Section 20ZA

Tribunal members : Judge J White
: Valuer J Elliott

HMCTS code : P:PAPER REMOTE

Venue : Northern Residential Property First tier
Tribunal, 1 floor, Piccadilly Exchange, 2
Piccadilly Plaza, Manchester, M1 4AH

Date of decision : 10 June 2026

DECISION

The Tribunal grants this application to dispense retrospectively with the consultation requirements imposed by section 20 of the Landlord and Tenant Act 1985 without condition in respect of replacing one of the communal water pumps to the 13 apartments at 5-18 Sinderhill Court, Northowram, Halifax, West Yorkshire, HX3.

The Application

1. On, 1 August 2025 the Applicant applied for dispensation from the statutory duty to consult in respect of urgent works to namely replacement of the communal water pump serving the 13 apartments at 5-18 Sinderhill Court, Northowram, Halifax, West Yorkshire, HX3 ("the Property").
2. The Property is a stone built refurbished grade 2 listed apartment block of 13 apartments.
3. On 16 December 2025, the tribunal issued Directions. The Directions stated that the Tribunal would determine the application on the papers, unless any party requested an oral hearing. No party has done so. The Tribunal has determined that it is able to make a fair decision without a hearing or inspection. The Application is not opposed, and the issues are straight forward.
4. The Applicant was directed within 28 days to send to the Tribunal, with a copy to each Respondent, a bundle of documents, consisting of;
 - a. A copy of the Tribunal application form
 - b. A full statement of case explaining why the application has been made to the Tribunal.
 - 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 lessees of any delay.
 - e. Any quotes or estimates for the proposed works and relevant reports (including full details of attempts made by the Applicant to obtain quotes or estimates).
 - f. Copies of any other documents the Applicant seeks to rely on in evidence.
5. The Respondents had 28 days to oppose the application.
6. On 20 December 2025, the Applicant confirmed that it had complied with this Direction. There are no objections to the application.
7. The Application and statement establish that on 21 July 2025 the long leaseholders informed the Applicant that the Property had limited running water. The same day the Managing Agent informed the leaseholder that Trinity was aware of water supply issue affecting some properties and WCS Group (Clearwater) were instructed to investigate. Clearwater, a specialist company, attended the same day. They identified the issue and affected a temporary repair. Pump 1 had failed and the remaining pump was temporarily wired directly to incoming power supply. Clearwater advised that a full replacement was required due to its age and multiple ongoing issues. The supply was temperamental and repairs were very temporary; the pump could fail at any point.
8. On 24 July 2025 Clearwater quoted £23,554.32 including VAT to replace the pump, remove the old pump and undertake all associated works. No

further quotes are included in this application.

9. On 26 July 2025 the Applicant instructed Clearwater to proceed. Clearwater installed a new pump on 4 September 2025.
10. The Applicant says it sent detailed updates to leaseholders explaining the need for works and dispensation on 21 July 2025, 29 July 2025 and 4 September 2025.
11. Section 20ZA (1) of the Act provides: *“Where an application is made to the appropriate 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.”*
12. **The only issue which this Tribunal has been required to determine is whether or not it is reasonable to dispense with the statutory consultation requirements. This application does not concern the issue of whether any service charge costs will be reasonable or payable.**
13. The Tribunal is satisfied that it is reasonable to grant dispensation from the statutory consultation requirements. This is justified by the risk of temporary repairs to the water pump and very high risk of it failing, causing disruption to water supply to all apartments as set out above. There is no suggestion that any prejudice has arisen. In these circumstances, it is appropriate to grant dispensation without any conditions.

Judge J White

10 June 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 **by e-mail** 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, further application for permission may be made to the Upper Tribunal (Lands Chamber).