



FIRST-TIER TRIBUNAL
PROPERTY CHAMBER (RESIDENTIAL
PROPERTY)

Case Reference: LON/00AS/LDC/2026/0099

HMCTS code: P: PAPERREMOTE

Property: Brecon Lodge West Drayton Uxbridge
UB7 9GR

Applicant: Drayton Garden Village Estate
Management Company Limited

Representative : Ringley Law (A Theophanous)

Respondents: The leaseholders of the Property listed
in the schedule to the application

**Type of
Application:** To dispense with the statutory
consultation requirements under
section 20ZA Landlord and Tenant Act
1985 (the 'Act')

Tribunal: Judge Pittaway

Date of decision: 28 July 2026

DECISION

The Tribunal grants the application for retrospective dispensation in respect of the subject works ('the works'), namely EVS charging installation works to the car park.

This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay, for a reason other than non-consultation in respect of the subject works, and the reasonableness and/or the cost of the subject works.

Description of hearing

This has been a remote hearing on the papers which has been consented to by the applicant and not objected to by any respondent. The form of remote hearing was P:PAPERREMOTE. A face-to-face hearing was not held because no-one requested a hearing and all issues could be determined on paper.

The documents to which the Tribunal was referred are in a bundle of 75 pages which included the application dated 2 April 2026, the Tribunal's directions of 9 June 2026, a sample lease, and a witness statement by Ms Adele Roberts of Ringley Chartered Surveyors of 16 June 2026.

The Tribunal has had regard to the documents in the bundle in reaching its decision set out below.

The Application

1. The applicant seeks a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985 (the '**Act**') for retrospective dispensation from consultation in respect of the works to the Property.
2. The applicant seeks dispensation from the consultation requirements on the ground that the works were urgent because, in order to take advantage of a government grant awarded to the Property for the installation of EV charging structure within the car park, the works had to be instructed by 31 March 2026.

3. The application stated that there had been limited consultation due to the urgency of instructing the works by the deadline imposed by the government in relation to the grant.
4. By directions dated 9 June 2026 (the '**directions**') the Tribunal directed that by 16 June 2026 the applicant send to each leaseholder, any residential sublessees and any recognized residents' association the application, a brief statement to explain the reason for the application (if not contained in the application) and the directions and display a copy in a prominent place in the common parts of the property, and to confirm to the Tribunal by 19 June 2026 that this had been done. On 22 June 2026 the applicant confirmed that the application form, directions and witness statement had been sent to the leaseholders by e mail on 16 June 2026, and that the documents had been displayed at the Property.
5. The directions provided that if any leaseholder/sublessee objected to the application he/she should do so, to the applicant and the Tribunal, by 30 June 2026. The Tribunal and the applicant received one objection to the application which is referred to below.
6. The directions provided that the Tribunal would decide the matter on the basis of written representations unless any party requested a hearing. No such request has been made.

The Applicant's case

7. The application states that the cost of the works is £75,429.84. The bundle contained an invoice from Parklive Limited, with a breakdown of this cost.
8. The bundle contains a witness statement of Adele Roberts of Ringley Chartered Surveyors. She is a property manager at Ringley Limited (who trade as Ringley Chartered Surveyors) who are appointed by the applicant as managing agents of the Property. In this she states that the Property is a residential block of 87 flats, that the works commenced in April and at the date of her witness statement (16 June 2026) the works were nearing completion.

Her statement sets out the cost of the works and how they are to be funded as follows

- Deposit £30,171.94, paid out of service charge reserves.
- OZEV Grant 1 £30,000 to be paid after installation completed
- OZEV Grant 2 £14,000 to be paid after installation completed
- Balance to be paid by applicant £1,257.90

Adele Roberts confirms that the need to commence the works was urgent because the Property had been awarded a government grant for the installation of EV charging

infrastructure within the car park. A condition of the grant funding was that the works had to be instructed by 31 March 2026 or the grant funding would be withdrawn.

9. The application stated that a director of the applicant had instructed the commencement of the works.

Responses from the Respondents

10. The bundle includes an e mail from Mr Vivak Karwal of 16 June 2026 addressed to the Tribunal and copied to the applicant's solicitors opposing the application on the ground that the applicant had not asked the residents if they needed the installation, and had not explained the benefits. He objected to the additional cost to the residents by way of service charge.

Determination and Reasons

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

“Where an application is made to a leasehold valuation 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 purpose of section 20ZA is to permit dispensation with the consultation requirements of section 20 of the Act if the Tribunal is satisfied that it is reasonable for them to be dispensed with.
13. Given that only one leaseholder out of 87 raised any objection to the works the Tribunal determines that the respondents are not prejudiced by the works and it is reasonable to dispense with the consultation requirements.
14. In reaching its decision the Tribunal has considered the decision in *Daejan Investments Ltd v Benson and others* [2013] UKSC 14. It has had regard to the application and the documents provided, in particular the stated need for the works to be undertaken urgently.
15. Whether or not the respondents are liable for the cost of the works by reason of the terms of their leases, any statutory provision other than section 20ZA, and whether the works are carried out to a reasonable standard and at a reasonable cost are not matters which fall within the jurisdiction of the Tribunal in relation to this present application. This decision does not affect the Tribunal's jurisdiction upon any future application to make a determination under section 27A of the Act in respect of liability to pay and the reasonableness and /or cost of the works.

16. The applicant is reminded that, as directed, it is responsible for serving a copy of this decision to all leaseholders.

Name: Judge Pittaway Date: 28 July 2026

ANNEX - RIGHTS OF APPEAL

1. 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.
2. 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.
3. 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.
4. 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.

