RESIDENTIAL PROPERTY TRIBUNAL SERVICE
SOUTHERN RENT ASSESSMENT PANEL AND
LEASEHOLD VALUATION TRIBUNAL

Case number	Applicants	Respondent	Premises
CHI/00HN/OLR/2007/0015	P.&M.Minkey	RMB Trading Ltd	4 Carlton Grange,
CHI/00HN/OLR/2007/0016	D.Marlowe	RMB Trading Ltd	20 Carlton Grange,
CHI/00HN/OLR/2007/0017	I.&D.Napier & J.Tidd	RMB Trading Ltd	28 Carlton Grange,
CHI/00HN/OLR/2007/0018	F.&D.Ellis	RMB Trading Ltd	38 Carlton Grange,
CHI/00HN/OLR/2007/0019	S.Martin	RMB Trading Ltd	41, Carlton Grange, all at 28, Braidley Road, Bournemouth BH2 6JX

Applications under Section 48, Leasehold Reform, Housing and Urban Development Act 1993

Applicants' Representative
Mr Andrew Howard of Coles Miller Solicitors LLP

Respondent's Representative
Mr Stephen Boon of Messrs Eyre & Johnson

Leasehold Valuation Tribunal members
Mr C.H.Harrison
Mr D.Lintott FRICS
Mr P.E.Smith FRICS

Premises Inspection: (Flats 20 and 38 only) 29th November 2007

Hearing Date: 29th November 2007

DETERMINATION

1. Mr Howard applied for the Hearing to be adjourned to a later date in the context that terms were agreed in three out of the five cases (Flats 20, 28 and 38); in the case of Flat 4, were, according to his instructions, agreed; and, in the case of Flat 41, terms had been negotiated but outside the scope of the Leasehold Reform, Housing and Urban Development Act 1993.

2. Mr Boon objected to the application. He submitted that the substantive Applications should, to the extent terms have been agreed, be withdrawn. He made further submissions regarding unacceptable delay which would be caused by an adjournment.

3. Following an adjournment, the Tribunal determined that:

   a) the Hearing should not be adjourned to a later date;

b) to the extent terms were agreed between the parties, there was no issue for the Tribunal to determine;

c) to the extent terms were not agreed, evidence should be adduced on them so that the Tribunal may determine them;

d) there should be a further temporary adjournment in order that the parties may decide the matters on which there was any residual disagreement and adduce their evidence on those matters, if appropriate on the following day; and

e) in any event, the Tribunal had no jurisdiction to determine terms of a proposed lease outside the scope of the 1993 Act.

4. Following a further adjournment, Mr Howard reported to the Tribunal that contracts had been exchanged for the lease grant on Flat 41 and that the Applicants were satisfied that all terms were agreed in each of the other cases. He, accordingly, confirmed that each of the Applications were withdrawn.

5. Mr Boon also confirmed that all terms had been agreed.

6. (The applicants in relation to Flats 10 and 19 did not appear before the Tribunal at the Hearing, those applications having previously been withdrawn.)

7. Consequently, there were no outstanding issues for the Tribunal's decision.

Dated: 7th December 2007

Signed

Christopher Harrison
Chairman