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

Case Reference : LON/00BK/LDC/2013/0147

Property : The Quadrangle, Cambridge Square, London W2 2RN.

Applicant : The Church Commissioners for England

Representative : Knight Frank

Respondent : Lessees of the Apartments

Representative :

Type of Application : Application for Dispensation under S.20ZA Landlord & Tenant Act 1985.

Tribunal Members : Miss. A. Hamilton-Farey LLB, FRICS, FCI Arb

Date of Decision : 12 February 2014.

DECISION

Decisions of the Tribunal

- (1) The Tribunal grants dispensation from all of the consultation requirements under S.20 of the Landlord & Tenant Act 1985 in relation to additional works found during the carrying out of structural repairs to the property, in addition to those already determined under the Tribunal decision referenced LON/00BK/LDC/2013/0083.

- (2) Lessees were informed in the Directions issued by the Tribunal that the question of reasonableness of the works or cost was not included in this application, and that the sole purpose of the application was to seek dispensation.

Reasons for the Decision:

- (3) The Tribunal determines from the evidence before it, that it would not be feasible for consultation to be undertaken in respect of these works, as the contractor is already on site with scaffold in place.
- (4) The Tribunal is of the opinion that delay in carrying out of these works would lead to additional expenditure, and would disrupt the on-site works.

The Applicants' Case:

1. The application under S.20ZA of the Landlord & Tenant Act 1985 ("the Act") was made by the agents on behalf of the applicants on 12 December 2013.
2. The application is in relation to additional structural works and repairs to the premises that have been identified during a contract already on site.
3. The Tribunal is aware that lessees had been consulted under S.20 in respect of external repairs and redecorations, and that it granted dispensation from the requirements to consult in respect of additional works that were discovered in its decision of LON/00BK/LDC/2013/0083.
4. It now appears that further additional works are necessary and should be carried out as soon as possible, utilising the same contractors and scaffold. The Tribunal has been informed that these additional works will not involve any large increase in costs to the lessees, and that in addition, there is a health and safety risk resulting from loose brickwork and internal dampness. A report detailing the extent of the additional works was supplied to the Tribunal in the bundle.
5. Directions were issued by the Tribunal on 19 December 2013 and required that any leaseholder who opposed the application should inform the Tribunal and applicant on or before 10 January 2014.
6. The Tribunal has not received any documents from leaseholders to suggest that they oppose the application for dispensation.

7. As nothing was heard from the lessees in accordance with the Directions, the Tribunal is entitled therefore to determine from this that they did not oppose the application for dispensation.

Aileen Hamilton-Farey