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

Case reference : LON/00BE/LDC/2016/0065

Property : Eagle Wharf, Admiral Court, The
Cooperage, Compass Court and Knot
House, forming part of Tower Bridge
Piazza, London SE1

Applicants : Sackville UKPEC7 Tower Nominee 1 Ltd
Sackville UKPEC7 Tower Nominee 2 Ltd

Representative : Rendall & Ritter Ltd

Respondents : The long leaseholders of the 160
residential units named in the schedule to
the application form

Type of application : To dispense with the requirement to
consult lessees about major works

Tribunal : Judge Nicol
Mr H Geddes RIBA

Venue : 10 Alfred Place, London WC1E 7LR

Date of hearing : 13th July 2016

DECISION

Decision of the Tribunal

The Tribunal has determined that the Applicant shall be granted dispensation from the statutory consultation requirements in relation to the works proposed to the electrical systems in each of the subject properties.

Reasons for Decision

1. The Applicants are the freeholders of a number of buildings at Tower Bridge Piazza in Shad Thames:
 - Eagle Wharf, Lafone Street, London SE1 2LZ
 - Admiral Court, 30 Horselydown Lane, London SE1 2LJ
 - The Cooperage, 6 Gainsford Street, London SE1 2NG
 - Compass Court, 39 Shad Thames, London SE1 2NJ
 - Knot House, 3 Brewery Square, London SE1 2LF
2. The Applicant's agents, Rendall & Ritter, commissioned a 5-yearly electrical test across the buildings which was carried out on or about 20th May 2015. The contractor, HSL Group Ltd, employed a sub-contractor who identified a number of remedial works they coded as C1, meaning that they needed to be attended to as an emergency, and as C2, meaning that they were potentially dangerous, putting the safety of users at risk and requiring urgent attention. Unfortunately, HSL fell into dispute with the sub-contractor who withheld the report and the data on which it was based which led to a long delay. The C1 works were addressed as soon as the report was finally obtained but a quote was sought for the C2 works.
3. The quote from HSL for the C2 works, although dated 5th April 2016, was only received on 31st May 2016. Costs had to be broken down between commercial and residential units, which was done in June. Rendall & Ritter had not anticipated it, but the sums involved were large enough to trigger the statutory consultation requirements under section 20 of the Landlord and Tenant Act 1985 ("the Act") and the Service Charges (Consultation Requirements) (England) Regulations 2003. They served the first section 20 notice on 4th July 2016 but also anticipated that the entire consultation process would take too long, given the potential danger to users. Therefore, they have applied to the Tribunal for dispensation from the consultation requirements in accordance with section 20ZA of the Act.
4. The lessees have been notified of but not participated in these proceedings. A number of lessees emailed questions to Rendall & Ritter about the proposed works, querying both the time taken to reach the decision to carry out works and the cost of the works, but none appear to have maintained any objection.
5. The hearing of this application took place on 13th July 2016 and was attended by Ms Anastasiya Rimmer from Rendall & Ritter and Mr CR Wren and Mr D Finnegan from HSL. Judge Nicol disclosed that an acquaintance of his is a lessee in one of the subject properties but that he had not discussed this matter with him. There was no objection to the Tribunal continuing with Judge Nicol as a member.
6. The Applicants have partially complied with the statutory consultation requirements. The Tribunal is satisfied that the lessees are aware of what is

being proposed. There is no evidence that any lessee would be prejudiced by the lack of full consultation. On the contrary, the works seem to be necessary and urgent, albeit that there has been significant delay in reaching the current position.

7. In the circumstances, the Tribunal is satisfied that it is appropriate to grant dispensation from the consultation requirements.

Name: NK Nicol

Date: 13th July 2016