



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

**Case Reference** : **CAM/00MF/OCE/2019/0017**

**Property** : **45, 47, 49 and 51 Springfield Park, Twyford,  
Reading RG10 9JG**

**Applicant** : **Susan Claire Hedger, Robert Malcolm Bridges,  
Lisanne Emma Stewart, Louise Catherine and  
Stephen John Baird- Smith**

**Representative** : **Samuels and Co Solicitors**

**Respondent** : **The Estate of Paul Gold Deceased  
The personal representatives of Paul Gold  
deceased**

**Representative** : **Not applicable**

**Type of Application** : **Application under sections 26 and 27 of the  
Leasehold Reform Housing and Urban  
Development Act 1993**

**Tribunal Members** : **Mrs M Hardman FRICS IRRV(Hons)**

**Date of Decision** : **19 September 2019**

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**DECISION**

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## **DECISION**

The Tribunal determines that the premium payable by the applicants for the freehold interest is **£750**.

### **Background**

1. This is an application pursuant to a vesting order made by District Judge Hesford at the County Court at Leeds on 28 June 2019 under section 26 of the Leasehold Reform Housing and Urban Development Act 1993 (“the 1993 Act”).
2. The applicants in this matter were the qualifying tenants of four flats, namely 45, 47, 49 and 51 Springfield Park, Twyford, Reading RG10 9JG. These four flats together constitute 47-51 Springfield Park, Twyford, Reading (“the Property”).
3. On 28 March 2019, the applicants issued a Part 8 Claim at the County Court sitting at Leeds for an order pursuant to section 26(1) of the 1993 Act vesting the freehold interest in the Property in the applicants. The applicants have been unable to ascertain the whereabouts of the respondent and they were therefore unable to serve a notice on him pursuant to section 13 of the 1993 Act.
4. District Judge Hesford ordered that the case be transferred to the First-tier Property (Residential) Tribunal in order to determine the terms of acquisition to include approving the form of transfer.

### **The Leases**

5. The applicant, Susan Claire Hedger acquired the lease of 45 Springfield Park, Twyford, Reading on 9 June 1999. The lease was for 999 years from 25 March 1960 at a rent of £15 per annum. The site is identified on the HM Registry plan as title number edged red under title number BK14681.
6. The applicant, Robert Malcolm Bridges acquired the lease of 47 Springfield Park, Twyford, Reading on 21 December 2005. The lease was for 999 years from 25 March 1960 at a rent of £15 per annum. The site is identified on the HM Registry plan as title number edged red under title number BK14392.
7. The applicant, Lisanne Emma Stewart acquired the lease of 49 Springfield Park, Twyford, Reading on 7 April 2000. The lease was for 999 years from 25 March 1960 at a rent of £15 per annum. The site is identified on the HM Registry plan as title number edged red under title number BK13698.
8. The applicants, Louise Catherine Baird-Smith and Stephen John Baird-Smith acquired the lease of 51 Springfield Park, Twyford, Reading on 2 June 2014. The lease was for 999 years from 25 March 1960 at a rent of £15 per annum. The site is identified on the HM Registry plan as title number edged red under title number BK13697. The lease was subject to a deed of variation dated 13 October 1998.

## **The Law**

9. Section 26(1) of the 1993 Act concerns claims for collective enfranchisement where the relevant landlord cannot be found. It enables the court to make a vesting order in respect of any interests of the landlord which are liable to acquisition.
10. Under section 27 of the 1993 Act, the role of the Tribunal is to determine the appropriate sum to be paid into court in respect of the landlord's interests.
11. The method of calculation of the price payable is by reference to Schedule 6 Part 2 of the Leasehold Reform Housing and Urban Development Act 1993.

## **The Property**

12. A valuation report provided by Andrew Cohen MRICS REV of Talbot Surveying Services describes the property as comprising a 1950's built two storey detached block of four flats of similar kind. The block is of traditional construction with cavity brickwork to the external elevation under a pitched roof of interlocking concrete tiles. The windows are UPVC and double glazed.
13. Each property has an area of garden – 45 and 49 have a section of the front garden included in the demise and 47 and 51 an area of back garden included in the demise.

## **The Evidence**

14. The Applicants rely on the report from Andrew Cohen MRICS REV dated 20 August 2019.
15. Mr Cohen's report describes the property, outlines the tenure and provides site plans, photographs and a valuation.
16. He explains that he has adopted a capitalisation rate of 8% given that the ground rents of £15 per annum per property are not subject to review, are inflation prone and uneconomic to collect.
17. Given that there are 940 years outstanding on each lease, he is of the opinion that the reversion has no value.
18. He values the appurtenant land, consisting of part of the front garden and the passageways from front to rear at either side of the plot at a nominal value of £10.
19. His opinion is that the value of the freehold interest on the above basis is £750

## **Determination**

20. The tribunal accepts Mr Cohen's valuation and determines that the price for the freehold interest is fairly assessed at £750.
21. As no ground rent or service charges have been lawfully demanded for at least six years no further sums, other than the premium are payable by the applicants.
22. District Judge Hesford's Order of 28 June 2019 also required that the tribunal approve the form for the transfer. The tribunal has been provided with a draft of the TP1 in the bundle and this should be amended as follows:

Panel 9: Delete 'the transferor has received from the transferee.... sum' and insert 'The sum of £750 has been paid into court by the transferee.'

23. The matter is now referred back to the County Court.

**Mary Hardman FRICS IRRV(Hons)**  
**Deputy Regional Valuer**

**19 September 2019**

**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 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 to 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 (ie 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.

