



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

Case reference : **LON/00BK/LDC/2021/0001**

Applicant : **The Crown Estate Freehold
(represented by D&G Block
Management)**

Respondents : **All leaseholders of 145 Grosvenor
Road, London SW1V 3JU (as per
schedule attached to directions
dated 22nd January 2021)**

Property : **Crown Reach, 145 Grosvenor Road,
London SW1V 3JU**

**Date of decision
(on paper
determination)** : **18th March 2021**

Judge Hargreaves

**DECISION ON A SECTION 20ZA OF THE LANDLORD AND
TENANT ACT 1985 APPLICATION**

The Applicant is granted dispensation pursuant to s20ZA Landlord and Tenant Act 1985 in respect of the contract awarded to CC Cousins Limited referred to below.

REASONS

1. The s20ZA application is dated 24th December 2020. The background details are set out in the Tribunal's directions dated 22nd January 2021. References are to the pages in an e-bundle provided by the Applicant.
2. At p109 is a copy of a specimen lease (this one is dated 29th November 2013). The Applicant is responsible for works including those the subject matter of this application, and the leaseholders (identified by reference to a schedule attached to the January directions), are responsible for making a financial contribution to them as part of their service charges (see clause 2, and Second Schedule, paragraph 1.1).
3. The s20ZA application seeks dispensation from carrying out the statutory consultation requirements of the 1985 Act. The relevant works in respect of which dispensation is sought would require the landlord to consult the leaseholders pursuant to s20 of the 1985 Act, a process that usually takes in excess of 3 months. The works have in fact been carried out and paid for.
4. 145 Grosvenor Road is a Thames-side development comprising a mixture of 60 flats, some social housing, and 6 houses.
5. On 5th May 2020 Tetra Consulting Limited provided a report on health, safety and fire risk assessment in respect of the property. See p48. The report identified risks with fire compartmentalisation features, such as the fire doors. The managing agents decided the works had to be carried out as a matter of urgency given the risk levels identified in the Tetra report.
6. Relying on the report, the landlord's managing agents obtained two estimates for the advised works. The first estimate was provided by CC Cousins (16th June 2020) which is at pp12-24 of the bundle and quotes £22,650.10 plus VAT. The second quote was provided by City Restoration (p25) and provides an estimate of £24,885 plus VAT.

7. The leaseholders were notified informally of the need to carry out a “fire door remedial project” by emails dated 24th November 2020. The directions made by the Tribunal have been complied with and there are no recorded objections to the proposals or the notification of this application.
8. The managing agents decided to proceed with the CC Cousins contract because it was cheaper. In fact the final figure was increased (with an explanation) to £25,402.90 plus VAT, but nothing in that increase affects this decision.
9. It is reasonable to grant dispensation. The works were properly identified and estimates obtained. There is increased sensitivity around fire remedial works which justifies implementing measures which are advised sooner rather than later. There has been no objection. Any delay in carrying out the statutory consultation procedure might have caused adverse prejudicial effects to the leaseholders. There is no evidence that they are prejudiced by this order granting dispensation.

Judge Hargreaves

18th March 2021

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

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.

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.

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.

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.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).