

9538



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

**Case reference** : **LON/00BK/LDc/2013/0088**

**Property** : **197-209 Sussex Gardens  
London W2 3UA**

**Applicant** : **Church Commissioners for  
England**

**Representative** : **Knight Frank LLP**

**Respondent** : **Various lessees (see list attached to  
application)**

**Representative** : **N/A**

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

**Tribunal member(s)** : **Judge Tagliavini**

**Date and venue of  
hearing** : **14 October 2013 at 10 Alfred Place,  
London WC1E 7LR**

**Date of decision** : **14 October 2014**

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**DECISION**

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## **Decisions of the tribunal**

- (1) The tribunal determines that it is reasonable and appropriate pursuant to section 20ZA of the Landlord and Tenant Act 1985, to dispense with the requirements of consultation in respect to the proposed major works to the heating and hot water boilers.

## **The application**

1. The applicant applies for a determination pursuant to section 20ZA of the Landlord and Tenant Act 1985, seeking to dispense with the consultation requirements prior to carrying out major works to the heating and hot water boilers. The subject premises comprise a period conversion containing 28 apartments.
2. The tribunal received a bundle of indexed and paginated documents from the applicant in support of the application. It was noted that of the lessees of the 28 apartments only the lessees of three flats responded to the notice of the works or the application to dispense with the consultation requirements and all three were in favour. No lessee indicated any opposition to the requirements.

## **The tribunal's decision and reasons**

3. The tribunal is satisfied from the documents provided by the applicant that the proposed major works are both necessary and urgent. In light of the lack of any opposition to the application the tribunal are of the view that the lessees have not demonstrated any prejudice caused to them by the lack of consultation.
4. In conclusion the tribunal dispenses with the section 20 consultation requirements

**Name:** LM Tagliavini

**Date:** 14 October 2013