



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

Case reference	:	LON/00BK/LDC/2015/0136
Property	:	148 Strand, London WC2R 1JA
Applicant	:	Rossmoregate PLC
Representative	:	Rendall & Rittner Limited
Respondents	:	1. A. Coombes and A. Collins 2. S. Swann and K. Swan 3. T.Kuppler
Representative	:	In person
Type of application	:	For dispensation pursuant to s20ZA Landlord and Tenant Act 1985
Tribunal members	:	Judge Hargreaves Stephen Mason BSc FRICS FRI Arb
Date and venue of hearing	:	10 Alfred Place, London WC1E 7LR 18th January 2016
Date of decision	:	18th January 2016

DECISION

The Tribunal directs as follows:-

The Applicant is granted dispensation pursuant to s20ZA Landlord and Tenant Act 1985 in respect of the proposal to award a contract to Churches

Fire as specified in the Cook & Associates report on tender to Rendall and Rittner dated 3rd November 2015.

REASONS

1. The Landlord seeks dispensation from the Tribunal pursuant to *s20ZA LTA 1985* in respect of a contract to install a wireless fire alarm system at 148 Strand, London WC2R 1JA. Given the available evidence about the contract, the Tribunal considers it reasonable to give the required dispensation.
2. As stated, the relevant tender report is dated 3rd November 2015. That was a second tender report, the first being dated 28th April 2015, following a notice of intention to proceed to leaseholders issued in October 2014. Changes to the proposals were made after consulting the tenants, resulting in the further report dated 3rd November 2015. The tender was produced following a report by a health and safety consultant, which is quoted extensively in the application dated 17th November 2015, to which reference should be made for details of that report.
3. The Applicant considered that the consultation process should be re-started, due to the lapse of time between October 2014 and November 2015. However, it has made out a clear case of urgency (see p62-65 of its bundle).
4. The application to the Tribunal was made only a matter of days after the Cook and Associates (mechanical and electrical) consultants' report was produced and further s20 notices were issued to the Respondents on 16th November 2015.
5. Directions were given on 25th November 2015 which specifically invited the Respondents to indicate opposition, if any, to the application.
6. There has been no objection to the application by any of the Respondents. Mr and Mrs Swann positively support it. Mr Kuppler by letter dated 30th November asked the Applicant to obtain a further estimate from Elite Fire, but has not objected to the application.
7. The grounds of urgency have been emphasised by the service of an enforcement notice served by the London Fire and Emergency Planning Authority dated 4th January 2016 requiring steps to be taken by 15th February 2016.
8. In the circumstances this is a case in which delay could well be prejudicial to the Respondents and there is no evidence they have produced that they would be prejudiced by the dispensation.

Judge Hargreaves
Stephen Mason BSc FRICS FCI Arb

18th January 2016