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**Ref: LON/00AY/LDC/2010/0082**

**LEASEHOLD VALUATION TRIBUNAL FOR THE LONDON RENT  
ASSESSMENT PANEL**

**DECISION OF THE LEASEHOLD VALUATION TRIBUNAL ON AN  
APPLICATION UNDER s 20ZA OF THE LANDLORD AND TENANT ACT  
1985**

**Applicant: 15 Woodfield Avenue Streatham Management  
Company Limited**

**Represented by: Mr M Bolton (Flat 1)**

**Respondent: Mr Adu-Gyamfi (Flat 5) and other Lessees**

**Represented by: N/A**

**Premises: 15 Woodfield Avenue, London SW16 1LL**

**Hearing date: (Paper Track) 23 September 2010**

**Members of the Leasehold Valuation Tribunal: Mrs F R Burton LLB LLM MA  
Mr T N Johnson FRICS**

**Date of Tribunal's decision: 23 September 2010**

LON/00AY/LDC/2010/0082

**15 WOODFIELD AVENUE, LONDON SW16 1LL**

**BACKGROUND**

1. This was an application by the Right to Manage Company (15 Woodfield Avenue Management Company Limited) dated 12 August 2010 for dispensation of all or any of the consultations requirements contained in s 20 of the Landlord and Tenant Act 1985, in respect of major works at the subject property for the urgent renewal of the roof and rainwater goods and to reduce the size of the brick chimneys. The matter is urgent owing to water ingress and concerns about health and safety issues, as the risk of bad weather and loose slates slipping from the roof could put at risk Lessees and those of neighbouring properties. It is also feared that delay would increase the costs. Some informal consultation had been carried out since the problems with the roof emerged in 2006, there has been no formal s 20 consultation. The property contains 6 flats and there is an objection only from one Lessee. A procedural chairman had considered the case on 13 August 2010 and had issued Directions without an oral pre trial review on 16 August 2010. The case came before a duly constituted Tribunal comprising a lawyer Chairman and a Valuer, on the LVT's paper track without an oral hearing, on 23 September 2010,.

**THE CASE FOR THE DISPENSATION**

2. In September 2006 there had been a surveyor's report which had noted that the roof was a priority for remedial work. In an email to the Lessees dated 8 July 2009 Mr Bolton (Flat 1) advised his fellow Lessees of five quotations obtained for carrying out the roof works and recommended a quotation of the order of £28,500 to be paid in accordance with the Lease requirements. The summary specification of work includes:

- Removal of existing roof coverings (man made slate, battens and felt) and replace with new to match existing. This is to the main building roof and to the side extension mansard roof.
- Provide lead flashings to dormer windows and around chimneys.
- 4No. brick chimneys to main roof to be taken down to level of mansard roof and recapped.
- Remove existing rainwater goods including all gutters, gulleys and down pipes and replace with new high capacity system. Install leaf guards as appropriate.

3. In May 2010 the three lowest pricing contractors were asked to requote, the lowest quotation being from Liam McQueeney in the sum of £32,294.88. Five out of the six Lessees agreed with one objection to the cost of works on the basis of difficulty in paying a due proportion and suggestion that repair was a better option.

4. At this stage the Management Company realised that the requirements of s 20 were applicable and, bearing in mind the timescales involved and anxious to get the works under way before the onset of winter, have submitted their application for dispensation under s 20ZA of the Landlord and Tenant Act 1985.

**DECISION**

5. The Tribunal has considered the evidence in support of the application and appreciate the concerns of the Management Company and the need to protect the fabric of the building by making it watertight. This is the overall wish of the majority of the Lessees and one with which the Tribunal concurs. Therefore the application is granted.

Chairman..... *F.R. Burt*  
 Date..... *23.9.2010*