



**PROPERTY CHAMBER
(RESIDENTIAL
PROPERTY)**

Case Reference : LON/00AP/LDC/2016/0146

Property : Harcourt House, 16-17
Haringey Park, Crouch
End, London N8 9JB

Applicant : Southern Land Securities

Representative : Ms Young of Together
Property Management

Respondent : Various lessees

Representative : N/A

**Type of
Application** : Dispensation of
consultation

**Tribunal
Members** : Judge Tagliavini
Mrs S Redmond MRICS

**Date and venue of
hearing** : 10 Alfred Place, London
WC1E 7LR
24 May 2017

Date of Decision : 24 May 2017

DECISION

The tribunal's decision

(i) The tribunal determines that it is reasonable and appropriate to dispense with the consultation requirements prescribed by section 20 of the Landlord and Tenant Act 1985 in respect of drainage works carried out by 24hr Aquaflow Services Limited in about December 2016 in the sum of £3,162.00 (including VAT).

The application

1. By an application dated 9 December 2016 pursuant to section 20ZA of the Landlord and Tenant Act 1985 ("the Act") the Applicant sought the tribunal's retrospective dispensation of the section 20 consultation requirements for drainage works carried out to the exterior of the subject property.

The background

2. The subject premises comprise two adjoining purpose built blocks containing a total of 8 flats. The Applicant had previously applied to the tribunal in respect of works to remedy problems of damp in 2014. However, problems with damp have again arisen necessitating further works and this current application to the tribunal. The tribunal gave directions dated 16 December 2016 and again on 2 March 2017 requiring the notification and service of this application with supporting documents on the lessees. Subsequently, no lessee indicated to the Applicant or to the tribunal that they wished to oppose this application.

The applicant's case

3. The tribunal was provided with a comprehensive bundle of documents in support of the application which included a Statement of Case dated 3 April 2017 setting out the chronology of events. Ms Young attended the hearing of the application and informed the tribunal that Together Property Management had followed the advice of their chartered surveyors, Langley Byers Bennett, to commission urgent works from 24hr Aquaflow Services Limited, in an attempt to remedy the damp penetrating Flat 5 and possibly avoid the need for considerably more extensive works.

4. The Aquaflow works comprised excavating an external area around the lower ground floor Flat 5, dye testing and jetting through the relevant drains and patch repairs to three drain lines together with the installation of a new manhole cover. These works had unfortunately only been successful to a limited extent and further major works (not the subject

of this application) were anticipated.

The respondents' case

5. No objections were made or received by or on behalf of any of the lessees to this application after having received the information directed by the tribunal to be provided.

The tribunal's decision and reasons

6. Having regard to the Applicant's oral and documentary evidence and the lack of any substantive opposition for the lessee Respondents, the tribunal is satisfied that it was appropriate to carry out and complete these urgent works on the advise of the Applicant's surveyors. The tribunal has not identified any prejudice caused to the lessees as a result of the consultation requirements not being followed. Therefore the tribunal directs that the section 20 consultations requirements be dispensed with in accordance with section 20ZA of the Act.

Signed: Judge LM Tagliavini

Date: 24 May 2017