



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

**HMCTS code (audio,  
video, paper)**

**P: PAPERPREMOTE**

**Case reference** : **CAM/00JA/HNA/2021/0007**

**Property** : **178 Clarence Road  
Peterborough  
PE1 2LE.**

**Applicant** : **Tariq Khan**

**Respondent** : **Peterborough City Council**

**Date of Application** : **7 July 2020**

**Type of application** : **Application for permission to appeal**

**The Tribunal** : **Tribunal Judge S Evans  
Mrs Michele Wilcox BSc MRICS**

**Date application  
received** : **9 July 2021**

**Date of original  
decision** : **18 June 2021**

**Date of decision** : **12 July 2021**

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**DECISION**

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## **Covid-19 pandemic: description of hearing**

This has been a remote decision. The form of remote decision is P: PAPERREMOTE. A face-to-face hearing was not held because this is an application for permission to appeal. The documents before the Tribunal are contained in the original bundle of 469 pages, the supplemental bundle of 111 pages, the documents sent by the Applicant under cover of email dated 25 January 2021, and the application for permission to appeal dated 8 July 2021.

### **DECISION OF THE TRIBUNAL**

1. The Tribunal has considered the grounds for appeal and determines:
  - (a) it will not review its decision; and
  - (b) permission be refused.
2. In accordance with section 11 of the Tribunals, Courts and Enforcement Act 2007 and rule 21 of the Tribunal Procedure (Upper Tribunal) (Lands Chamber) Rules 2010, the applicant may make further application for permission to appeal to the Upper Tribunal (Lands Chamber). Such application must be made in writing and received by the Upper Tribunal (Lands Chamber) no later than 14 days after the date on which the First-tier Tribunal sent notice of this refusal to the party applying for permission to appeal.
3. The Upper Tribunal (Lands Chamber) may be contacted at: 5th Floor, Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL (tel: 020 7612 9710); or by email: [lands@hmcts.gsi.gov.uk](mailto:lands@hmcts.gsi.gov.uk).

### **REASON FOR THE DECISION**

4. The reason for the decision is that the Tribunal had considered and taken into account all of the points now raised by the Applicant, when reaching its original decision.
5. The original Tribunal's decision was based on the evidence before it and the Applicant has raised no legal arguments in support of the application for permission to appeal.
6. For the benefit of the parties and of the Upper Tribunal (Lands Chamber) (assuming that further application for permission to appeal is made), the Tribunal has set out its comments on the specific points raised by the Applicant in the application for permission to appeal, in the appendix attached.

APPENDIX TO THE DECISION  
REFUSING PERMISSION TO APPEAL

For the benefit of the parties and of the Upper Tribunal (Lands Chamber), the Tribunal records below its comments on the grounds of appeal.

Specific comments on the grounds of appeal

1. The Tribunal did not found its decision on facts that the Applicant had refused to licence the Property. It was sufficient that he had failed to do so.
2. The Tribunal did not base its decision on the Applicant's inability to obtain a gas certificate or electrical certificate.
3. The Applicant's alleged inability to seek legal advice conflicts with the oral evidence he gave to the Tribunal. In any event, the Applicant was aware in 2020 he needed to licence the Property and to pay the fee in full, even without the benefit of legal advice.
4. The Tribunal's task was not to penalise the Respondent for misfiling the Applicant's email of August 2020. The Tribunal did not brush the matter aside; the Tribunal noted its concern, but found that the Applicant had not been prejudiced, and that he should have followed the matter up himself (paragraph 55).

**Name:** Tribunal Judge S Evans      **Date:** 12 July 2021