



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

**Case reference** : **CAM/00MA/LDC/2 021/0014**

**Property** : **1 – 25 Ferriby Court Bracknell  
Berkshire RG12 1DU**

**Applicant** : **Silva Homes**

**Representative** : **-**

**Respondent** : **Mr S P T Bird and Mr H C Bird (Flat 14)**

**Representative** : **-**

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

**Tribunal member(s)** : **Mrs E Flint FRICS**

**Venue** : **Remote hearing on the papers**

**Date of decision** : **7 September 2021**

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**DECISION REFUSING PERMISSION TO APPEAL**

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DECISION OF THE TRIBUNAL

1. The tribunal has considered Miss Annette Bird's letter of 19 July 2021, on behalf of the respondent's, requesting permission to appeal and determines that:
  - (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 respondent 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. Where possible, you should send your further application for permission to appeal **by email** to [Lands@justice.gov.uk](mailto:Lands@justice.gov.uk), as this will enable the Upper Tribunal (Lands Chamber) to deal with it more efficiently.
4. Alternatively, 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).

#### REASON FOR THE DECISION

5. The reason for the decision is that the tribunal had considered and taken into account all of the points now raised by the respondent, when reaching its original decision.
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 in the request for permission to appeal below.
7. The application was in respect of the statutory consultation requirements only. The application did not relate to the liability of the respondents under the service charge regime in their lease. The tribunal's decision does not prevent the parties making an application regarding the reasonableness of the works or their cost at a later date. Moreover the decision does not preclude further discussions between the Applicant and respondents regarding the liability and cost of the works.

**Name:** E Flint

**Date:** 7 September 2021

