



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

Case Reference : **MAN/00DA/LDC/2020/0026**

Property : **St George's Building, Great George Street,
Leeds LS1 3DL**

Applicant : **LIONEL DAVID LEVINE**

Respondents : **LEASEHOLDERS as attached schedule**

Type of Application : **Section 20ZA, Landlord and Tenant Act 1985
for dispensation of section 20 consultation
requirements**

Tribunal Members : **A M Davies, LLB
A Rawlence, MRICS**

Date of Decision : **20 April 2021**

Date of Determination : **21 April 2021**

DECISION

The consultation requirements of section 20, Landlord and Tenant Act 1985 are dispensed with in relation to the following work and services at the Property provided by the Applicant:

2020 supply and installation of a fire alarm system

Waking watch from January 2020 to January 2021 inclusive.

REASONS

1. St George's Building is a 13 storey purpose built block in central Leeds, containing 92 flats above ground floor level. It is approximately 36 metres high.
2. The Applicant commissioned an External Façade Report on the Property. Dated 15 August 2019, the report recommended that unsafe panels, laminate cladding and insulation be removed from the façade, that the cladding be replaced with appropriate fire resistant material, that fire barriers be provided, and that the wooden balconies be replaced.
3. On 26 November 2019 West Yorkshire Fire advised the Applicant that a waking watch was to be in place until an effective fire alarm system had been installed and the cladding had been rendered safe.
4. On 16 December 2019 a quotation for fire alarm provision and installation in the sum of £29,565 was provided by Aarhus Fire Protection Ltd. Figures were also provided for annual service and testing visits.
5. A waking watch was in place from early January 2020. Following installation the new fire alarm system was commissioned early in February 2020. The paid waking watch service was then reduced from 3 persons 24 hours per day to 1 person 24 hours per day until it was removed with permission from West Yorkshire Fire and replaced by a volunteer system supplied by the leaseholders. Remedial work to the façade of the building has yet to be carried out.

6. The fire system installation and the provision of a waking watch service were required as a matter of urgency once the Applicant had advice from West Yorkshire Fire. In or about November 2019 Watsons Property Management notified the leaseholders of the intended expense and the requirement for access to their flats. The Tribunal has not been provided with any indication that the leaseholders responded to this correspondence.
7. Section 20 of the Landlord and Tenant Act 1985 (“the 1985 Act”) and regulations made under the section provide that prior to incurring expenditure on work which will add more than £250 to the service charge account of any leaseholder or on services which will add more than £100, a landlord must follow a consultation procedure to enable leaseholders to obtain alternative quotations for the intended work, and to warn them of the expense to be incurred. This procedure typically takes some months.
8. In view of the risk of uncontained fire and potential danger to the residents of the Property the Applicant arranged for the work to be carried out and the waking watch service to be provided prior to any consultation taking place. By an undated and unsigned application accepted by the Tribunal the Applicant sought retrospective leave to dispense with the section 20 procedure. Section 20ZA provides that dispensation may be granted if the Tribunal is satisfied that it is reasonable to do so.
9. The Tribunal is satisfied that in view of the potential danger to the leaseholders, it was reasonable for the Applicant to take safety precautions as advised by West Yorkshire Fire, without following the section 20 consultation procedure. This decision does not relate to the cost or quality of the work and services provided by the Applicant.

Tribunal Judge A Davies

20 April 2021

Mr D Toole & Ms K Ward
Ms H Tillotson
Mr D Cellis
Mr M Euden
Mr M Hodgkinson
Mr A Roy-Webb
Mr R Veverines
Mr & Mrs D Hardcastle
Ms B Ubhi
Ms K Ryzna
Mr P J Lovett
Mr R K Sinhar
Mr Y & Mr A Alsaif
Mr & Mrs J Pitter
Mr J O'Donnell
Ms P G Kelly
Mr O Singh-Sagoo
Ms F Clark
Mr J Green
Mr M Lee
Ms C Sha
Mr J Sykes
Miss I Gottwald-Stera
Mr & Mrs I J Hunter
Mr J Beresford
Ms K Pinchbeck
Trusthouse Properties
Mr P G Fletcher & Mrs A Kelly
Mr M Peace
Mr N G & Mrs J Watson
Miss Z Abod
Mr J Aldrees & Ms S Alyatama
Mr C Tudorache
Miss R E Clark
Mr & Mrs D A Cowley
Prof. A Balen
Mr M Anderson
Ms L Rummens
Ms C Christmal & Messrs Loewenthal
Dr M Alhusaini
Sandra Hutchinson Family Trust
Mr D & Mrs V Owen
Mr & Mrs S Wynne
Mr M A A Abdalla
Mr & Mrs Parker
Mr V & Mrs S Leiu
Mr S Parsons
Mr G & Mrs A Brown
Mr & Mrs Herzogenrath-Amelung
Mr R & Mrs N Gupta

Ms S Glen
Mr E Chan
Mr R Burnett
The Malcolm Hutchinson Trust
Mr D G Pirkhoffer
Mr D & Mrs V Harding
Mr D Parmar
Mr A Demetriou
Mr R & Mrs J McAra
Mr & Mrs D J O'Connor
Mr P & Mrs I Addison-Child
Miss Z Abod
Mr S A J Noor
Mr D Hanson
Mr R & Mrs W Bruce
Mr J Stimpson
Mr J R Ward
Ms K Smith
Mr J Yao
Mrs J White
Mr S Francart
Mrs A Lindley
Mr A & Mrs K Wyatt
Mr T Smith
Mr G Punshon
Mr T & Mrs A Tubis
Ms R Harlow
Mrs J Bonelle
Mr P Taylor
Miss E Grayson
Mr B Field
Ms J Talbot
Mrs C Langfield
Mr & Mrs Tang
Mr R de Vito Boutin
Mr M Patel
Ms M Provodova
Mr M H Ali
Mr J Broughton
Miss S Jand
Dr J Gakhal
Mr T Patankar
Mr M Euden