



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

Case Reference : **MAN/00DB/LDC/2017/0034**

Property : **Hebble Wharf, Navigation Walk,
Wakefield, WF1 5RD**

Applicant : **Waterfront Wakefield (Hebble Wharf)
Limited**

Applicant's representative : **DWFM Beckman Solicitors**

Respondents : **Various leaseholders (See Annex A)**

Type of Application : **Landlord & Tenant Act 1985
– Section 20ZA**

Tribunal Judge : **Judge J Holbrook**

Date of Directions : **20 December 2017**

DIRECTIONS

PRELIMINARY

1. This application is made by Waterfront Wakefield (Hebble Wharf) Limited for dispensation of the consultation requirements imposed by Section 20 of the Landlord and Tenant Act 1985 ('the Act') with regard to works to repair a defective fallpipe connection and remedial fire protection work. The Applicant considers that the works need to be carried out urgently.
2. The only issue for the Tribunal to consider is whether or not it is reasonable to dispense with the consultation requirements. **The application does not concern the issue of whether any service charge costs resulting from any such works are reasonable or indeed payable and it will be open to lessees to challenge any such costs charged by the Applicant.**
3. It is considered that this matter is one that can be resolved by way of submission of written evidence leading to an early determination or by a hearing if requested by the parties. If any party wishes to make oral representations before the Tribunal, please inform the Tribunal's Office in Manchester by letter within 14 days from the date of these Directions

DIRECTIONS

4. The Applicant shall within **21 days** of the date of these Directions, send three copies to the Tribunal, with a copy to each Respondent, of a bundle of documents, consisting of;
 - a. These Directions
 - b. The application form
 - c. A statement of case explaining why the application has been made to the Tribunal
 - d. Any correspondence sent to the leaseholders in relation to the works
 - e. An explanation and any documents confirming the urgency of the works.
 - f. Any quotes or estimates for the proposed works and relevant reports.
 - g. Copies of any other documents the Applicant seeks to rely on in evidence.
5. Each Respondent may, within 7 days of receipt of (4) above, send to the Applicant and three copies to the Tribunal, any statement they wish to make in response to the Applicant's case. This submission should include any documents upon which they seek to rely in evidence.

6. Submissions in respect of Directions 4 and 5 must be indexed and numbered page by page. These submissions must be received by post or delivered in person and **cannot** be accepted by fax or email. The submissions must include copies of every document upon which the parties seek to rely in evidence.
7. The Tribunal will determine this matter on or shortly after **22 January 2018**. This matter will be dealt with by a determination on the papers received, unless any of the parties request a hearing before then.
8. An inspection of the subject property is not deemed required by The Tribunal, however if later one becomes considered necessary then you will be notified of the date and time in due course.
9. If a hearing is requested, the hearing of the application will take place at a venue to be fixed and on a date to be notified. The hearing fee of £200.00 must be paid by the Applicant no later than 14 days before the date of the hearing.
10. No documents or letters are to be sent to the Tribunal unless also sent to the other party to these proceedings and that this shall be clearly marked on each document or letter.
11. **SERVICE OF DOCUMENTS BY POST / HAND DELIVERY ONLY**, (documents sent by fax / email will NOT be accepted).

FAILURE TO COMPLY WITH THE TRIBUNAL'S DIRECTIONS MAY RESULT IN DETRIMENT TO A PARTY'S CASE. FOR EXAMPLE, IT MAY LEAD TO THE TRIBUNAL REFUSING TO HEAR LATE EVIDENCE; TO A PARTY'S CASE BEING STRUCK OUT; AND/OR TO AN ORDER FOR COSTS BEING MADE.

Annex A

List of Respondents

**Mr & Mrs Wong
Mr AS Booth
Miss HR Firth
CMD Leeds Ltd
Ms KA Chapman
Mr D Gulbrandson
Ms J Raine
Mr AS McIntosh
Mr PR Stables & Mrs JM Stables
Mr MP Winham & Mrs J Winham
Mr GD Richardson & Mrs SL Richardson
Mr R Watson & Mr N Watson
Ms A Lea
Mr D Reeves & Mr D McNicholas
Ms L Stirk
Mr P Long & Mrs J Long
Mr M Kenna
Mr A Moran
Mr AH Dodgson
Ms YD Berns
Mr & Mrs A Wright
Mr L Nowakowski & Miss M Piskorska
Mr & Mrs J Hodgkins
Mr & Mrs F Dodds
Mr F Coupe & Mr A Coupe
Mr J Leatham
Mr & Mrs SP Collins
Mr DJ Pitts
Mr & Mrs D Poynton
Mr J Corr & Mrs E Keany-Corr
Mr & Mrs T Tonkin
Mr & Mrs B Cammack
Mr R Stross
Mr KR Gardner
Ms EM Wright
Mr LT Lee
Mr I Chouglay
Lessors Quarmby**