

Index/Contents

Section	Description	Pages
1	Application Form S20 Dispensation	Appendix 1
2	First Tier Tribunal Directions	Appendix 2
3	Letters to respondents <ul style="list-style-type: none">• 5th August 2024• 13th September 2024• 15th November 2024	Appendix 3 Appendix 4 Appendix 5
4	Party Statements <ul style="list-style-type: none">• Table of observations• Copies of Respondent Reply Forms	Appendix 6 Appendix 7
5	Respondent List <ul style="list-style-type: none">• Respondents removed from the Contract and Application• Respondents Letter• Remaining Respondents	Appendix 8 Appendix 9 Appendix 10

Appendix 1

First-tier Tribunal Property Chamber
(Residential Property)

Ref no. (for office use only)

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Application for the dispensation of all or any of the consultation requirements provided for by section 20 of the Landlord and Tenant Act 1985

Section 20ZA of the Landlord and Tenant Act 1985

It is important that you read the notes below carefully before you complete this form.

This is the correct form to use if you want to ask the Tribunal to dispense with all or any of the consultation requirements set out in section 20 of the Landlord and Tenant Act 1985 and in the Service Charges (Consultation Requirements)(England) Regulations 2003.

A fee is payable for this application (see section 13 for Help with Fees).

Applications should be sent as a Microsoft Word document by **email** to the relevant regional tribunal address shown in the Annex to this form. You must also send by email **the documents listed in section 13 of this form**. If you cannot access email or find someone to assist you in lodging your application by email, then a paper application will be acceptable although there may be a delay in dealing with this. Sending an application on paper will not be suitable in urgent cases.

You can now pay the **the fee (if applicable) by an on-line banking payment or by cheque/postal order enclosed with the application form.**

If you want to be sent online banking payment details by email, please tick this box

Please make sure a copy of the application is served on the other party/parties to the application. If you are unable to serve a copy on the other party/parties, please bring this to the tribunal's attention in the covering email or if sending by post in a covering letter.

Please do not send any other documents. When further evidence is needed, you will be asked to send it in separately.

If you have any questions about how to fill in this form, the fee payable, or the procedures the Tribunal will use please contact the appropriate regional office.

If you are completing this form by hand please use BLOCK CAPITAL LETTERS.

1. DETAILS OF APPLICANT(S) (if there are multiple applicants please continue on a separate sheet)

Name:

Capacity

Address (including postcode):

Address for correspondence (if different from above):

Telephone:

Day: Evening: Mobile:

Email address: Fax:

Representative name and address, and other contact details: Where details of a representative have been given, all correspondence and communications will be with them until the Tribunal is notified that they are no longer acting for you.

Name:

Reference no. (if any)

Address (including postcode):

Telephone:

Day: Mobile:

Email address: Fax:

2. ADDRESS (including postcode) of SUBJECT PROPERTY (if not already given)

3. DETAILS OF RESPONDENT (S) the person against whom an applicant seeks determination from the tribunal – this will only be the landlord's managing agent if they are a party to the lease. If there are multiple respondents, please continue on a separate sheet.

Name:

Capacity

Address (including postcode):

Reference no. for correspondence (if any)

Address for correspondence (if different from above):

Telephone:

Day: Evening: Mobile:

Email address: Fax:

Note: If this is an application by a landlord, then usually all tenants liable to pay a service charge for the costs in question should be joined as respondents. If tenants are not joined in this way, the landlord should provide the Tribunal with a list of the names and addresses of service charge payers. If this is not possible or is impractical, then a written explanation must be provided with this application.

If you are the landlord/management company making the application please omit, if known, the telephone/fax numbers and email address of the respondent(s) when completing Box 4 and include them on a separate sheet. This is because the application form may be copied by the tribunal to other appropriate persons (e.g. other service charge paying leaseholders in the building or development).

4. BRIEF DESCRIPTION OF BUILDING (e.g.2 bedroom flat in purpose built block of 12 flats)

44 Leasehold and shared ownership for the elderly schemes consisting of 1110 properties including a mix of flats, houses and bungalows. The properties range in size from one bedroom to three bedroom units.

5. DETAILS OF LANDLORD (if not already given)

Name:

Address (including postcode):

Reference no. for correspondence (if any)

Telephone:
Day: Evening: Mobile:

Email address: Fax:

6. DETAILS OF ANY RECOGNISED TENANTS' ASSOCIATION (if known)

Name of Secretary

Address (including postcode):

Telephone:
Day: Evening: Mobile:

Email address: Fax:

7. DISPENSATION SOUGHT

Applicants may seek a dispensation of all or any of the consultation requirements in respect of either qualifying works or long-term agreements.

Does the application concern qualifying works? Yes No

If Yes, have the works started/been carried out? Yes No

Does the application concern a qualifying long-term agreement? Yes No

If Yes, has the agreement already been entered into? Yes No

For each set of qualifying works and/or qualifying long-term agreements please

complete one of the sheets of paper entitled '**GROUNDS FOR SEEKING DISPENSATION**'

8. OTHER APPLICATIONS

Do you know of any other cases involving either: (a) related or similar issues about the management of this property; or (b) the same landlord or tenant or property as in this application?

Yes No

If Yes, please give details

9. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?

If the Tribunal thinks it is appropriate, and all the parties and others notified of their right to attend a hearing consent, it is possible for your application to be dealt with entirely on the basis of written representations and documents and without the need for parties to attend and make oral representations. ('A paper determination').

Please let us know if you would be content with a paper determination if the Tribunal thinks it appropriate.

Yes No

Note: Even if you have asked for a paper determination the Tribunal may decide that a hearing is necessary. Please complete the remainder of this form on the assumption that a hearing will be held. Where there is to be a hearing, a fee of £200 will become payable by you when you receive notice of the hearing date.

10. TRACK PREFERENCES

We need to decide whether to deal with the case on the Fast Track or the Standard Track (see Guidance Note for an explanation of what a track is). Please let us know which track you think appropriate for this case.

Fast Track
 Standard Track

Is there any special reason for urgency in this case?

Yes No

If Yes, please explain how urgent it is and why:

Note

The Tribunal will normally deal with a case in one of three ways: on paper (see section 10 above) or 'fast track' or 'standard track'. The fast track is designed for cases that need a hearing but are very simple and will not generate a great deal of paperwork or argument. A fast track case will usually be heard within 10 weeks of your application. You should indicate here if you think your case is very simple and can be easily dealt with. The standard track is designed for more complicated cases where there may be numerous issues to be decided or where for example, a lot of documentation is involved. A standard track case may involve the parties being invited to a Case Management Conference which is a meeting at which the steps that need to be taken to bring the case to a final hearing can be discussed.

11. AVAILABILITY

If there are any dates or days we must avoid during the next four months (either for your convenience or the convenience of any expert you may wish to call) please list them here.

Please list the dates on which you will NOT be available:

N/A

12. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. the use of a wheelchair and/or the presence of a translator):

N/A

Applications handled by the London regional office are usually heard in Alfred Place, which is fully wheelchair accessible. Elsewhere, hearings are held in local venues which are not all so accessible and the case officers will find it useful to know if you or anyone you want to come to the hearing with you has any special requirements of this kind.

13. CHECKLIST

Please check that you have completed this form fully. The Tribunal will not process your application until this has been done. Please ensure that the following are enclosed with your application and tick the appropriate box to confirm:

A copy of the lease(s).

A statement that service charge payers have been named as respondents or a list of names and addresses of service charge payers

EITHER

A crossed cheque or postal order made out to HM Courts and Tribunal Service for the application fee of £100 (if applicable) is enclosed. **Please write your name and address on the back of the cheque or postal order. Please also send a paper copy of your application with your cheque or postal order, regardless of whether you have already emailed the application.**

OR

You have ticked the box at the top of this form to say you want the relevant regional tribunal office to send you details on how to pay the application fee of £100 by on-line banking. **The unique payment reference the tribunal office supplies MUST be used when making your on-line banking payment.**

DO NOT send cash under any circumstances. Cash payment will not be accepted.

Please note where there is to be a hearing, a fee of £200 will become payable by you when you receive notice of the hearing date.

Help with Fees

If you think you may be entitled to a reduced fee, the guide EX160A 'Apply for help with court, tribunal and probate fees' outlines how you can submit an application for Help with Fees.

You can submit your Help with Fees application online at www.gov.uk/help-with-court-fees or by completing the form EX160 'Apply for help with fees'. You can get a copy of the 'Apply for help with fees' form online at www.gov.uk/government/publications/apply-for-help-with-court-and-tribunal-fees or from your regional tribunal office.

Leasehold 5 Application for the dispensation of all or any of the consultation requirements provided for by section 20 of the Landlord and Tenant Act 1985 (08.20)

If you have completed an online application for Help with Fees please enter the reference number you have been given here.

H	W	F	-				-			
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If you have completed form EX160 "Apply for Help with Fees" it must be included with your application.

The 'Apply for help with fees' form will not be copied to other parties

14. STATEMENT OF TRUTH

The statement of truth must be signed and dated.

I believe that the facts stated in this application are true.

Signed: Sinade Livsey **Dated:** _____

GROUND FOR SEEKING DISPENSATION

Please use the space below to provide information mentioned in section 7 of this form.

You will be given an opportunity later to give further details of your case and to supply the Tribunal with any documents that support it. At this stage you should give a clear outline of your case so that the Tribunal understands what your application is about. Please continue on a separate sheet if necessary.

1. Describe the qualifying works or qualifying long-term agreement concerned, stating when the works were carried out or planned to be carried out or in the case of a long-term agreement, the date that agreement was entered into or the proposed date it is to be entered into.

The applicant is seeking dispensation from the consultation requirements of s.20 of the Landlord and Tenant Act 1985 (as amended) which apply to qualifying long-term agreements.

On 1st July 2024 Longhurst Group procured and entered into a long term agreement for the gas servicing contract as required in accordance with the lease.

2. Describe the consultation that has been carried out or is proposed to be carried out.

Full Section 20 consultation has been carried out.

Notice of Intention was issued on 19th January 2023 . End of consultation was 27th February 2023.

Notice of Estimates was issued on 26th April 2024. End of consultation was 31st May 2024.

Notice of award was issued on 10th June 2024.

Contract was entered into on 1st July 2024.

3. Explain why you seek dispensation of all or any of the consultation requirements.

The applicant seeks total dispensation of the consultation requirements imposed by S.20 of the Landlord and Tenant Act 1985 (as amended) in regards to the long-term agreement entered to provide a Gas Services Contract.

The Gas Services Contract consists of a two tier service including gas safety check and gas repairs. The level of service provided is delivered in accordance with the lease.

Longhurst Group sought to obtain at least two quotes and through a framework approached 7 contractors providing tender opportunities. Additionally Longhurst Group sought to obtain a tender from a nominated contractor. Despite efforts to obtain more than one quote, out of the 8 contractors approached only one contractor provided a tender and estimate for the contract.

Given the challenging market and our large operational geographical area the awarded contractor was the only contractor who provided a bid and estimate for the tender. The awarded contractor already holds contracts within the area in which we operate.

The existing contract came with our previous contractor came to an end 22 September 2022. We entered into an emergency contract on 23rd September 2023 to allow sufficient time for section 20 to be undertaken to procure for a long term agreement.

Longhurst Group considered the impact of postponing the contract award further which would have meant the gas services contract would be awarded during the winter months when it is expected to receive an increase in heating repairs. Procuring such contract during the winter months could have an impact on leaseholders as it is expected to experience issues during mobilising and the impact is less with mobilising such contract during the summer months.

ANNEX: Addresses of Tribunal Regional Offices

NORTHERN REGION

HM Courts & Tribunals Service

First-tier Tribunal (Property Chamber) Residential
Property, 1st Floor, Piccadilly Exchange,
Piccadilly Plaza, Manchester M1 4AH

Telephone: 01612 379491

Fax: 01264 785 128

Email address: RPNorthern@justice.gov.uk

This office covers the following Metropolitan districts: Barnsley, Bolton, Bradford, Bury, Calderdale, Doncaster, Gateshead, Kirklees, Knowsley, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne, Oldham, Rochdale, Rotherham, St. Helens, Salford, Sefton, Sheffield, Stockport, Sunderland, Tameside, Trafford, Tyneside (North & South), Wakefield, Wigan and Wirral.

It also covers the following unitary authorities: Hartlepool, Middlesbrough, Redcar and Cleveland, Darlington, Halton, Blackburn with Darwen, Blackpool, Kingston-upon-Hull, East Riding of Yorkshire, Northeast Lincolnshire, North Lincolnshire, Stockton-on-Tees, Warrington and York.

It also covers the following Counties: Cumbria, Durham, East Cheshire, Lancashire, Lincolnshire, Northumberland, North Yorkshire and West Cheshire.

MIDLAND REGION

HM Courts & Tribunals Service

First-tier Tribunal (Property Chamber) Residential
Property, Centre City Tower, 5-7 Hill Street,
Birmingham, B5 4UU

Telephone: 0121 600 7888

Fax: 01264 785 122

Email address: RPMidland@justice.gov.uk

This office covers the following Metropolitan districts: Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton.

It also covers the following unitary authorities: Derby, Leicester, Rutland, Nottingham, Herefordshire, Telford and Wrekin and Stoke-on-Trent.

It also covers the following Counties: Derbyshire, Leicestershire, Nottinghamshire, Shropshire, Staffordshire, Warwickshire and Worcestershire.

EASTERN REGION

HM Courts & Tribunals Service

First-tier Tribunal (Property Chamber) Residential
Property, Cambridge County Court, 197 East Road
Cambridge, CB1 1BA

Telephone: 01223 841 524

Fax: 01264 785 129

Email address: RPEastern@justice.gov.uk

DX 97650 Cambridge 3

This office covers the following unitary authorities: Bracknell Forest, West Berkshire, Reading, Slough, Windsor and Maidenhead, Wokingham, Luton, Peterborough, Milton Keynes, Southend-on-Sea and Thurrock.

It also covers the following Counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Northamptonshire, Oxfordshire and Suffolk.

SOUTHERN REGION

HM Courts & Tribunals Service

Telephone: 01243 779 394

First-tier Tribunal (Property Chamber) Residential Property, Havant Justice Centre, The Court House, Elmleigh Road, Havant, Hants, PO9 2AL

Fax: 0870 7395 900

Email address: RPSouthern@justice.gov.uk

This office covers the following unitary authorities: Bath and Northeast Somerset, Bristol, North Somerset, South Gloucestershire, Bournemouth, Plymouth, Torbay, Poole, Swindon, Medway, Brighton and Hove, Portsmouth, Southampton and the Isle of Wight.

It also covers the following Counties: Cornwall and the Isles of Scilly, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, Somerset, Surrey, West Sussex and Wiltshire.

LONDON REGION

HM Courts & Tribunals Service

Telephone: 020 7446 7700

First-tier Tribunal (Property Chamber) Residential Property, 10 Alfred Place, London WC1E 7LR

Fax: 01264 785 060

Email address: London.RAP@justice.gov.uk

DX 134205 Tottenham Court Road 2

This office covers all the London boroughs.

The Ministry of Justice and HM Courts and Tribunals Service processes personal information about you in the context of tribunal proceedings.

For details of the standards we follow when processing your data, please visit the following address <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

To receive a paper copy of this privacy notice, please call 0300 123 1024/ Textphone 18001 0300 123 1024.

Appendix 2



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

Case Reference : **BIR/41UD/LDC/2024/0020**

Properties : **Various Properties in the ownership of Longhurst Group as Landlord**

Applicant : **Longhurst Group Ltd**

Representative : **Sinade Livsey**

Respondents : **The Lessees**

Type of Application : **An application under section 20ZA of the Landlord and Tenant Act 1985 for dispensation of the consultation requirements.**

Tribunal Member : **V Ward BSc Hons FRICS – Regional Surveyor**

Date of Directions : **2 September 2024**

DIRECTIONS

IMPORTANT INFORMATION

The parties should note in particular that:

- These Directions are intended to assist the parties and the Tribunal in dealing with the application swiftly and economically. They are formal Orders and **must be complied with**. Failure to comply may result in the Tribunal refusing to hear the defaulting party's case and ordering that party to pay costs.
- Whenever you send a letter or email to the Tribunal you must also send a copy to the other parties and note this on the letter or email.
- If the Applicant fails to comply with these directions the Tribunal may strike out all or part of their case pursuant to rule 9(3)(a) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 ("the 2013 Rules").
- If a Respondent fails to comply with these directions the Tribunal may bar them from taking any further part in all or part of these proceedings and may determine all issues against it pursuant to rules 9 (7) and (8) of the 2013 Rules.
- If a party wants to alter the directions or propose new ones, they must first seek the agreement of the other party and then apply in writing to the Tribunal.
- The Tribunal's address is:

First-tier Tribunal Property Chamber (Residential Property)
Midlands Region
Centre City Tower
5 – 7 Hill Street
Birmingham
B5 4UU

0121 600 7888

Email: rpmidland@justice.gov.uk.

Background

1. The Applicant Landlord seeks dispensation from all or some of the consultation requirements imposed by section 20 of the Landlord and Tenant Act 1985 (“the Act”).
2. Section 20 of the Act, as amended by the Commonhold and Leasehold Reform Act 2002, sets out the procedures landlords must follow which are particularised, collectively, in the Service Charges (Consultation Requirements) (England) Regulations 2003. There is a statutory maximum that a lessee has to pay by way of a contribution by way of a “qualifying long term agreement” (“QLTA”) unless the consultation requirements have been met or dispensation from the same has been granted. A qualifying long term agreement is an agreement for more than 12 months where the amount payable by any one contributing leaseholder under the agreement in any accounting period exceeds £100. In addition, there is a statutory maximum that a lessee has to pay by way of a contribution to “qualifying works” (defined under section 20ZA (2) as works to a building or any other premises) unless the consultation requirements have been met. Under the Regulations, section 20 applies to qualifying works which result in a service charge contribution by an individual tenant in excess of £250.00.
3. The Applicant holds either a freehold or superior leasehold title to the Properties that are the subject of this application. The Respondents are the leaseholders of the Properties.
4. The justification for seeking dispensation relates to the provision of a Gas Services Contract to provide gas safety checks and gas repairs. The following is a brief extract from the application form submitted by the Applicant.

The applicant seeks total dispensation of the consultation requirements imposed by S.20 of the Landlord and Tenant Act 1985 (as amended) in regards to the long-term agreement entered to provide a Gas Services Contract.

The Gas Services Contract consists of a two tier service including gas safety check and gas repairs. The level of service provided is delivered in accordance with the lease.

Longhurst Group sought to obtain at least two quotes and through a framework approached 7 contractors providing tender opportunities. Additionally Longhurst Group sought to obtain a tender from a nominated contractor. Despite efforts to obtain more than one quote, out of the 8 contractors approached only one contractor provided a tender and estimate for the contract.

Given the challenging market and our large operational geographical area the awarded contractor was the only contractor who provided a bid and estimate for the tender. The awarded contractor already holds contracts within the area in which we operate.

The existing contract came with our previous contractor came to an end 22 September 2022. We entered into an emergency contract on 23rd September 2023 to allow sufficient time for section 20 to be undertaken to procure for a long term agreement.

Longhurst Group considered the impact of postponing the contract award further which would have meant the gas services contract would be awarded during the winter months when it is expected to receive an increase in heating repairs. Procuring such contract during the winter months could have an impact on leaseholders as it is expected to experience issues during mobilising and the impact is less with mobilising such contract during the summer months.

5. **The only issue for the Tribunal to determine under this application is whether or not it is reasonable to dispense with the statutory consultation requirements.**

This application does not concern the issue of whether any service charge costs will be reasonable or payable.

DIRECTIONS

6. **By 20 September 2024, the Applicant** shall write to each of the Respondents concerned by email, hand delivery or first-class post, setting out the following:
 - (a) Informing them of the application;
 - (b) Providing a copy of these Directions;
 - (c) Advising them that a copy of the application (**with all personal leaseholder details deleted***), supporting documents, a copy of these directions and a statement setting out the details of the consultation carried out, will be available on the Applicant's website, advising them of the URL address, and notifying them that any response to the application should be made by 18 October 2024 using the Reply Form at the end of these Directions;
 - (d) Informing the Respondents that if they wish to receive a printed copy of the application and these Directions they should write to the Applicant (email: sinade.livsey@longhurst-group.org.uk) by **4 October 2024**, who will then

send printed copies (**again any personal leaseholder details to be deleted***);

(e) Advise the leaseholders that as the application progresses additional documents will be added to the website, including the final decision of the tribunal.

- **Confirm to the Tribunal by email that this has been done and state the date(s) on which this was done.**

- Inform the Tribunal of the names of the Respondents (if any) who have already informed the Applicant that they object to the application.

* **For the avoidance of doubt, the schedule of leaseholders and copies of individual leases must not be shared.**

7. **By 18 October 2024, the Respondents** who oppose the application must:

- Complete the attached reply form and send it by email to the Tribunal and the Applicant; and

- Send to the Applicant, by email or by post, a statement in response to the application with a copy of the reply form. They should send with their statement copies of any documents upon which they wish to rely. A copy of any statement and documents sent to the Applicant must also be sent to the Tribunal (by email to rpmidland@justice.gov.uk)

8. **The Applicant must reply to any objection by 1 November 2024** which must be sent to the Respondent who objected and the Tribunal (by email to rpmidland@justice.gov.uk).

9. **The Applicant must by 15 November 2024:**

- Prepare a digital, indexed and paginated Adobe PDF bundle of all relevant documents for use in the determination of the application, containing all of the documents on which the landlords rely, including the application form, these and any subsequent directions, copies of any replies and/or observations from the leaseholders and any relevant correspondence with the Tribunal;

- Upload a copy of the bundle to their website;

- Write to each of the leaseholders who have sent a reply form to oppose the application, by email and/or post, providing them with a link to the uploaded bundle or, if they request one, a paper copy of the bundle;
- Provide to the Tribunal a copy of the bundle (by email to rpmidland@justice.gov.uk)
- Provide to the Tribunal, stamped addressed envelopes for all Respondents who have objected with postage for a document of approximately 20 pages.

HEARING

17. The Applicant has indicated that they would be content with a paper determination to which the Tribunal at this stage agrees. If any Respondent requires an oral hearing, they are to advise the Tribunal and the Applicant when returning the reply form.

DECISION

18. The Tribunal will send a copy of its eventual decision on dispensation to every leaseholder, who has objected and returned the reply form attached to these directions.
19. Furthermore, the Applicant shall place a copy of the Tribunal's eventual decision on dispensation together with an explanation of the leaseholders' appeal rights on their website within 7 days of receipt and shall maintain it there for at least 3 months, with a sufficiently prominent link to both on their home page. In this way, leaseholders who have not returned the reply form may view the Tribunal's eventual decision on dispensation and their appeal rights on the Applicant's website.

REPLY FORM FOR RESPONDENTS

Case References:

BIR/41UD/LDC/2024/0020

Properties: Various Properties in the ownership of Longhurst Group as Landlord

Please return this form to the Tribunal at the latest by 18 October 2024 preferably by email.

Address:

Midland Residential Property First-tier Tribunal HMCTS 13th Floor, Centre City Tower,
5-7 Hill Street, Birmingham, B5 4UU.

Email: rpmidland@justice.gov.uk

and send a copy to the Applicant:

Sinade Livsey
Longhurst Group 1 Crown Court, Crown Way, Rushden. Northants, NN10 6BS.

Email: sinade.livsey@longhurst-group.org.uk

Please complete one answer only in each of section 1 and 2.

	Yes
1. I/We support the application for dispensation from full consultation:	<input type="checkbox"/>
OR I/We do not support the application and object to dispensation being granted. Our statement of reasons is attached.	<input type="checkbox"/>

	Yes
2. I/We agree that the Tribunal may decide the matter on the basis of written representations only (no hearing):	<input type="checkbox"/>
OR I/We wish the Tribunal to hold a hearing.	<input type="checkbox"/>

Date:

Print Name:

Signed:

Address:.....

Telephone numbers: /

Email address:

Property that falls part of the :
application if different from above.

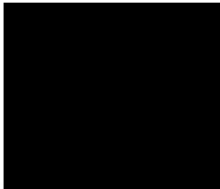
Appendix 3



Head Office,
1 Crown Court,
Crown Way, Rushden,
Northamptonshire
NN10 6BS

0300 123 1745

longhurst-group.org.uk



5th August 2024

Dear



RE:

**FIRST-TIER TRIBUNAL PROPERTY CHAMBER (RESIDENTIAL PROPERTY) AN
APPLICATION UNDER SECTION 20ZA OF THE LANDLORD AND TENANT ACT 1985**

On 1st July 2024 Longhurst Group procured and entered into a long-term agreement for the gas servicing contract as required in accordance with the lease.

Longhurst Group are applying for dispensation from the consultation requirements of the s.20 of the Landlord and Tenant Act 1985 (as amended) which apply to qualifying long-term agreements. Please find enclosed a copy of the dispensation application to the First-tier Tribunal

We are applying for dispensation because despite efforts to obtain more than one quote under section 20 consultation, out of the 8 contractors approached only one contractor provided a tender and an estimate for the contract.

Longhurst Group considered the impact of postponing the contract award further, however this would have meant the gas services contract would be awarded during the winter months when it is expected to receive an increase in heating repairs. Procuring such contract during the winter months could have an impact on leaseholders as it is expected to experience issues during mobilising and the impact is less during the summer months.

For more information on what this means for leaseholders, please see a quote from the lease advisory website below. If you require any further information, please visit their website www.lease-advisory.org

Longhurst Group Limited

A charitable housing association registered in England as a community benefit society (Reg. No. 8009) and regulated with the Regulator of Social Housing (R. 14277).
Registered Office: 1 Crown Court, Crown Way, Rushden, Northamptonshire NN10 6BS.
VAT Reg No. 325 0270 36. A member of the National Housing Federation.



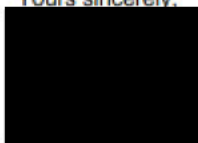
LEASE ADVISORY

Dispensation from the need to consult:

A landlord may apply to the First-tier Tribunal (Property Chamber) (FTT) for a dispensation from the need to consult. They may wish to do this if the work is urgent and it is not possible to wait the 2 months that consultation can take. They may also seek a dispensation if, for some reason, they have failed to consult fully under the Act.

We will contact you again as soon as we have received further directions from the First-tier Tribunal.

Yours sincerely,



Head of Specialist Housing and Homeownership Services

Appendix 4



Head Office,
1 Crown Court,
Crown Way, Rushden,
Northamptonshire
NN10 6BS

☎ 0300 123 1745

longhurst-group.org.uk



13 September 2024

Dear 

RE: Gas Services Contract

On 1 July 2024, Longhurst Group procured and entered into a long-term agreement for our gas servicing contract.

As required under the terms of your lease we carried out a Section 20 consultation and despite our best efforts to obtain more than one quote, out of the eight contractors we approached, only one provided a complete tender and estimate for delivery of the contract.

Therefore, on 5 August 2024, we applied to First Tier Tribunal for dispensation from the consultation requirements for qualifying long-term agreements, as defined by Section 20 of the Landlord and Tenant Act 1985 (as amended). A copy of the application was issued to you.

The First Tier Tribunal have provided Directions for Longhurst Group to complete. The Directions can be found on the enclosed document, page 4 and 5.

To confirm we have actioned the directions as requested, please see below:

- A copy of our application was issued to you on 5th August 2024.
- Enclosed is a copy of the Directions.
- A copy of the application including the final decision, when received, can be found on our website <https://www.longhurst-group.org.uk/me-and-my-home/home-owners/retirement-living/an-update-on-our-gas-servicing-contract/>
- A printed copy of the application and directions have been enclosed as required. However should you wish to request another copy, you can request this by emailing me on sinade.livsey@longhurst-group.org.uk by 4th October 2024.

Longhurst Group Limited

A charitable housing association registered in England as a community benefit society (Reg. No. 80256) and registered with the Regulator of Social Housing (No. 14277).
Registered Office: 1 Crown Court, Crown Way, Rushden, Northamptonshire NN10 6BS.
VAT Reg No. 320 0270 36. A member of the National Housing Federation.



As detailed in the enclosed directions, you can respond to the application. To submit a response, please complete the enclosed Reply Form by 18 October 2024. We will provide a response by 1st November 2024. We will also send a copy of all responses received by leaseholders and our response to the First Tier Tribunal by 15th November 2024.

If you have any further questions about this matter, please do not hesitate to contact me.

Yours sincerely



Head of Specialist Housing and Homeownership Services

Appendix 5



Leverett House,
Gilbert Drive,
Boston,
Lincolnshire PE21 7TQ

☎ 0800 111 4013

longhurst-group.org.uk

15th November 2025

Dear Resident

RE: Gas Services Contract

On 1 July 2024, Longhurst Group procured and entered into a long-term agreement for our gas servicing contract.

As required under the terms of your lease we carried out a Section 20 consultation and despite our best efforts to obtain more than one quote, out of the eight contractors we approached, only one provided a complete tender and estimate for delivery of the contract.

Therefore, on 5 August 2024, we applied to First Tier Tribunal for dispensation from the consultation requirements for qualifying long-term agreements, as defined by Section 20 of the Landlord and Tenant Act 1985 (as amended). A copy of the application was issued to you.

On 2nd September 2024 the First Tier Tribunal issued Directions for Longhurst Group to complete. A copy of the Directions and supporting information was issued to you on 17th September 2024.

Please find enclosed a copy of our Tribunal Bundle which has been issued to the court to include responses received by leaseholders and our response. Please note a copy of the bundle has been uploaded to our website.

If you have any further questions about this matter, please do not hesitate to contact me.

Yours sincerely



Head of Specialist Housing and Homeownership Services

Longhurst Group Limited

A charitable housing association registered in England as a community benefit society (Reg. No. 89028) and registered with the Regulator of Social Housing (No. L4277).
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VAT Reg No. 326 0270 96. A member of the National Housing Federation.



Appendix 6

Observation	Date received	Response	Date responded
In support of the application and agreed to written representations only.	24/09/2024	Thank you for your reply. A copy will be issued to the Tribunal	30/09/2024
Not in support of application and request for an in-person hearing	24/09/2024	Thank you for your reply. A copy will be issued to the Tribunal	30/09/2024
Not in support of application and request for an in person hearing. Does not think one quote provides best value for money. Advises not all residents will be able to respond to the reply form request.		Thank you for your reply. A copy will be issued to the Tribunal. detailed in the dispensation claim form, despite the group approaching 8 contractors, including a resident nominated contractor, only one contractor provided a tender, we also negotiated cheaper price with the awarded contractor for this service. Any residents who are unable to complete the form but wish to provide their comments, resident can contact us using the contact details on the letter.	30/09/2024
In support of the application and agreed to written representations only.	26/09/2024	Thank you for your reply. A copy will be issued to the Tribunal	30/09/2024
In support of the application and agreed to written representations only.	27/09/2024	Thank you for your reply. A copy will be issued to the Tribunal	30/09/2024
In support of the application and agreed to written representations only.	27/09/2024	Thank you for your reply. A copy will be issued to the Tribunal	22/10/2024
In support of the application and agreed to written representations only.	09/10/2024	Thank you for your reply. A copy will be issued to the Tribunal	09/10/2024
Object to the dispensation claim as sees this to encourage the importance of consultation. Contract	17/10/2024	Section 20 dispensation is a waiver from the consultation requirements of Section 20 of the Landlord and Tenant Act 1985. A landlord can apply for	22/10/2024

<p>has gone overdate and needed to be extended. Concerned about the tender information due to 8 other contractors not submitting a bid. Not providing a satisfactory customer service. Agrees tribunal can make a determination without in person hearing</p>		<p>a dispensation from the First-tier Tribunal (FTT) only in certain circumstances and as a last resort for being unable to complete a full Section 20. Our previous gas contractor terminated their contract upon notice there was not enough time to carry our Section 20 consultation, in order to provide a full consultation and continue to provide the service, we entered an emergency contract whilst we carried out Section 20. Alongside Section 20 we undertook a robust procurement of our gas services contract to follow procurement regulations which includes a tender process. Copies of the tender have been available for customers to request throughout the section 20 process. The tender process requires the contractor to be scored against quality questions with the involvement of customer led question. There are various reasons that 7 contractors did not tender for the contract, however it is worth noting that contractors do not need to provide reasons to not submit a bid for the tender.</p>	
<p>Objects and would like to keep a smaller contractor</p>	<p>02/10/2024</p>	<p>Longhurst Group owns and manages circa 24,000 homes across the Midlands, the majority being homes for rent and approximately 1,600 being leasehold for the elderly and a further 5,500 general home ownership. The balance of delivering a cost-effective quality service to all our customers, regardless of tenure is something we aim to deliver. We are also</p>	<p>18/10/2024</p>

		<p>conscious that customers, in general look to us to ensure the service charges are kept at a reasonable level, balancing mandatory requirements such as gas servicing with those that enhance the quality of life and wellbeing of a development.</p> <p>I appreciate some individual schemes had historic contracts in place with smaller local suppliers, however, in order to ensure a consistent contract management approach and help reduce costs we have sought to focus on a smaller number of suppliers and for our gas contract this has meant one contractor delivering the service across our Leasehold retirement schemes. Our aim is to improve contract management across the service offer and helping reduce and maintain service charges at a reasonable level.</p> <p>The contract has been awarded to Aaron Services through the Section 20 process. We will not be looking to change this to a smaller contractor for the reasons provided above. Section 20 was carried out and the dispensation application has been submitted to ask the First Tier Tribunal if they are satisfied that we did all we could to full fill the tender requirements.</p>	
<p>In support of the application and agreed to written representations only.</p>	<p>06/10/2024</p>	<p>Thank you for your reply. A copy will be issued to the Tribunal</p>	<p>22/10/2024</p>

In support of the application and agreed to written representations only.	08/10/2024	Thank you for your reply. A copy will be issued to the Tribunal	22/10/2024
In support of the application and agreed to written representations only.	08/10/2024	Thank you for your reply. A copy will be issued to the Tribunal	22/10/2024
can't open attachment	12/10/2024	Email to customer on 15/10 to advise	
In support of the application and agreed to written representations only.	11/10/2024	In support of the application and agreed to written representations only.	22/10/2024
In support of the application and agreed to written representations only.	11/10/2024	In support of the application and agreed to written representations only.	22/10/2024
In support of the application and agreed to written representations only.	07/10/2024	In support of the application and agreed to written representations only.	22/10/2024
Objection to move to a larger contract	10/10/2024	<p>I note you do not agree to the application because you do not want Longhurst Group to implement a large contract.</p> <p>Longhurst Group owns and manages circa 24,000 homes across the Midlands, the majority being homes for rent and approximately 1,600 being leasehold for the elderly and a further 5,500 general home ownership. The balance of delivering a cost-effective quality service to all our customers, regardless of tenure is something we aim to deliver. We are also conscious that customers, in general look to us to ensure the service charges are kept at a reasonable level, balancing mandatory requirements such as gas servicing with those that enhance the quality of life and wellbeing of a development.</p>	22/10/2024

		<p>I appreciate some individual schemes had historic contracts in place with smaller local suppliers for other contract, however, in order to ensure a consistent contract management approach and help reduce costs we have sought to focus on a smaller number of suppliers and for our gas contract this has meant one contractor delivering the service across our Leasehold retirement schemes. Previously we had one contractor already delivering this service to our leaseholders, therefore there is no change in regard to this.</p> <p>The contract has been awarded to Aaron Services through the Section 20 process. We will not be looking to change this to a smaller contractor for the reasons provided above. Section 20 was carried out and the dispensation application has been submitted to ask the First Tier Tribunal if they are satisfied that we did all we could to full fill the tender requirements.</p>	
<p>In support of the application and agreed to written representations only.</p>	<p>09/10/2024</p>	<p>Thank you for your reply. A copy will be issued to the Tribunal</p>	<p>22/10/2024</p>

Appendix 7

Copies of Reply Forms have been issued to the First Tier Tribunal. A copy of reply forms and responses are detailed above in Appendix 6.

Appendix 8

Address list not disclosed to residents as this is confidential information for affected residents only.

Appendix 9



Head Office,
1 Crown Court,
Crown Way, Rushden,
Northamptonshire
NN10 6BS

0800 111 4013

longhurst-group.org.uk

Our Ref: [REDACTED]

12 November 2024

To: [REDACTED]

Dear Resident

Gas Servicing Contract

We are writing further to the Gas Dispensation application we made at First Tier Tribunal on 5th August 2024 in relation to the Gas Services Contract we currently provide to you.

We have reviewed the observations made from residents and further reviewed your lease. We can confirm that your lease does not contain a gas servicing provision and therefore in accordance with the terms of your lease we are not required to provide this service to you.

We are aware that most residents have already received their gas safety check this year, and we will continue to provide this to the remaining residents during November and December 2024. Appointments have already been scheduled with these residents. We will also continue to provide the responsive repairs service until 31 March 2025.

From 1 April 2025 we will not be providing you with a gas servicing contract and you will be responsible for arranging your annual safety check/service and any replacements or repairs as required.

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If you have any questions or concerns you wish to raise, please contact myself via 0800 111 4013 or talktous@longhurst-group.org.uk. I will visit the Scheme on Wednesday 27 November 2024 from 11.00am should any residents wish to make an appointment to meet with me individually.

Yours sincerely

[REDACTED]

Homeownership Manager – Retirement Living

Appendix 10

Address list not disclosed to residents as this is confidential information for affected residents.