



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

Case Reference : **LON/00BJ/LSC/2018/0286**

Property : **100 High Rise Blocks within the
London Borough of Wandsworth**

Applicant : **London Borough of Wandsworth**

Representative : **South London Legal Partnership**

Respondents : **Multiple Leaseholders**

Representative : **Various but including Housing &
Property Law Partnership
(solicitors)**

Type of Application : **Landlord and Tenant Act 1985,
s.27A(3)**

Tribunal Members : **Judge Siobhan McGrath
Judge Timothy Powell
Mrs Helen Bowers**

Date of Decision : **21st March 2019**

DECISION AND DIRECTIONS

Decision

1. The Tribunal has considered the various applications made to stay this case and those seeking an extension of time for a period of six months for the leaseholders to comply with the Directions Order dated 5th November 2018 . On the basis of the information provided, the Tribunal is concerned that there have been real difficulties in the leaseholders securing effective representation, in dealing with the issues of collective participation and in their ability to deal effectively with the documentation provided by the London Borough of Wandsworth in support of its statement of case. This is due to the high number of leaseholders who are respondents to the application, the fact that they are dispersed across numerous properties and the complexity of the issues in the case.
2. In responding to the applications for a stay/extension, Wandsworth have not repeated its initial concerns that this case is urgent. In fact, the Tribunal recognises that although Wandsworth are still seeking a determination from the Tribunal, any decision to proceed with the works is dependent upon the findings from the Grenfell Inquiry and would be subject to a section 20 consultation.
3. Having regard to the submissions of all parties, the Tribunal does not consider at this time, that a general stay of the proceedings pending the final recommendations of the Grenfell Inquiry is appropriate. The issue to be determined concerns the construction of the leases. At this stage the Tribunal is not persuaded that this cannot be considered independently of the GTI inquiry.
4. In the circumstances however, and in the interests of justice, the Tribunal considers that compliance with the directions order of November 2018 should be suspended until September 2019. By that time it is likely that the findings and recommendations from Phase 1 of the Grenfell Tower Inquiry will be available which may assist with the further conduct of this application.
5. In the meantime, and to facilitate communication, the Tribunal attaches to this order a proforma for the leaseholders who may choose to complete and return it to the Tribunal by 26 April 2019. On receipt of the proformas, the Tribunal will consider how the information is collated and given to the leaseholders so that they can have direct contact with each other.

6. The Tribunal therefore makes the directions set out below.

Directions

1. The Directions Order dated 5th November 2018 (and subsequently amended) is suspended for a period of six months.
2. By 26th September 2019 the parties shall write to the Tribunal with a copy to the other side with an indication how they consider the case ought to be progressed. In particular the Tribunal may consider:
 - (a) Whether to give further directions for hearing;
 - (b) Whether there should be a further stay of the proceedings;
 - (c) Whether to consider applications for strike out.
3. If appropriate and having regard to the views of the parties in September, the Tribunal may arrange for a further Case Management Hearing to be convened to consider each parties' submissions.
4. The Tribunal directs that on or before 26th March 2019, the council must upload an electronic copy of this decision and directions to its website and on or before 2nd April 2019 must send a hard copy of the following documents to all respondents

22nd March 2019