

LEASEHOLD VALUATION TRIBUNAL

Case number : CAM/00KG/LSC/2005/0034



Property : Queensgate Centre, Orsett Road, Grays, Essex RM17 5DF

Application : For determination of liability to pay service charges for the five years 2000 to 2004 and the on-account service charges for the year 2005 [LTA 1985, s.27A]

Applicant : Sovereign Estates Limited, 78 High Street, Lewes, East Sussex BN7 1XF [head lessor]

represented by : Dean Wilson Laing, 96 Church Street, Brighton BN1 1UJ

Freeholder : Robert Leonard Investments Limited, Lancaster House, Aviation Way, Southend on Sea, Essex SS2 6UN

Respondents : The lessees of all 46 flats numbered 21 to 66 Queensgate Centre

represented by : Capstick Dale & Partners, 224 Main Road, Gidea Park, Romford, Essex RM2 5HA [ref AL/SB/Queensgate]

DECISION BY CONSENT

Tribunal : G K Sinclair (chairman), Ms M Krisko B Sc FRICS (Valuer), R S Rehahn (lay member) sitting at the Park Inn, North Stifford, Grays, Essex on Monday 12th December 2005

UPON HEARING Mr Giles Mooney of counsel for the Applicant landlord and Mr Michael Daiches of counsel for the Respondent lessees

AND BY CONSENT :

1. It is determined that the service charge represented by the "final proportion" (as defined in the relevant leases) is as follows :
 - a. Accounting period 24th June 1999 – 23rd June 2000 £932.02 per lessee
 - b. Accounting period 24th June 2000 – 23rd June 2001 £885.89 per lessee
 - c. Accounting period 24th June 2001 – 31st December 2001 ... £430.30 per lessee
 - d. Accounting period 1st January 2002 – 31st December 2002 £489.54 per lessee
 - e. Accounting period 1st January 2003 – 31st December 2003 £461.72 per lessee
2. It is determined that the date on which all the said service charges became due and

payable was 10th June 2005.

3. It is determined that the "on account" service charge of £750.00 per lessee in respect of the accounting period 1st January 2004 – 31st December 2004 is reasonable, and is payable as per the relevant lease.
4. It is determined that the "on account" service charge of £750.00 per lessee in respect of the accounting period 1st January 2005 – 31st December 2005 is reasonable, and is payable as per the relevant lease.
5. It is determined that the alleged service charge of £955.34 per lessee purportedly demanded on 16th November 2000 in respect of concrete works is not payable.
6. It is determined that all the costs incurred by the Applicant in connection with these proceedings are not to be regarded as relevant costs to be taken into account in determining the amount of any service charge payable by any of the lessees of the Queensgate Centre, in accordance with section 20C of the Landlord and Tenant Act 1985.

Dated 12th December 2005



Graham Sinclair — Chairman
for the Leasehold Valuation Tribunal