



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

Case Reference : CHI/24UG/HIN/2019/0032

Property : Providence House, Bartley Way, Hook,
Hampshire RG27 9FF

Applicant : Bartley Way Limited

Representative : Sonn Macmillan Walker

Respondent : Hart District Council

Representative : Ian Barton

Type of Application : Appeal against Improvement Notice

Tribunal Member(s) : Judge D. R. Whitney

Date of Decision : 23rd December 2019

DECISION

This is a formal order of the Tribunal which must be complied with by the parties. The Tribunal directs that the parties must comply with the STATEMENT ON TRIBUNAL RULES AND PROCEDURE issued 1 February 2019 which is enclosed with the directions.

1. The Applicant appeals against an improvement notice dated 8 November 2019.
2. The Appeal was received on 2 December 2019 which was within 21 days of the date on 11 November 2019 when the Applicant said it received the improvement notice. Directions were issued by the tribunal on 5th December 2019. The tribunal invited representations by 20th December 2019 from both parties.
3. No representations have been received from the Applicant or the Respondent council.
4. The Improvement Notice identifies category 1 hazards relating to fire.
5. The Applicant's principal ground of appeal is that the improvement notice is a nullity because it gives a date of the 3 December 2019 for commencing the works which is less than 28 days from the date of the notice. The tribunal notes that the council may serve a new notice providing correct dates for compliance.
6. The Tribunal allows the Appeal on the basis that the Notice required works to begin less than 28 days from the date of the Notice.
7. The Tribunal does not order reimbursement of the tribunal fee.

Judge D. R. Whitney