



We start with a key and continuing preoccupation: building safety.



FirstPort Property Services Ltd v Lessees of Citiscape (LON/00AH/LSC/ 2017/0435) was the first case heard by the First-tier Tribunal (Property Chamber) on the recoverability of the costs of re-cladding through the service charge.

As in all of the service charge cases on the recoverability of cladding and waking watch costs following Grenfell, the Tribunal interpreted the leases and s.19 of the Landlord & Tenant Act 1985 to the effect that the leaseholders were liable to meet both re-cladding and waking watch costs. There was no appeal: the original developer of the Citiscape building, Barratt, stepped in, agreeing to meet the costs of both re-cladding and waking watch.

On 29 November, just two days ago, the Government announced that regulations had been laid before Parliament to “give legal effect to the combustible materials ban” declared earlier this year. The regulations, it is said, are intended “to enable local authorities to carry out emergency work on affected private residential buildings with unsafe ACM cladding and to recover the costs from building owners”.

