



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

Case Reference : **BIR/00FN/HSV/2018/0001**

Property : **20 Evesham Road, Leicester, LE3 2BD**

Applicant : **Mr Justin Morgan**

Representative : **Seddons Solicitors**

Respondent : **Leicester City Council**

Type of Application : **Application under Schedule 5,
paragraph 32 (1) of The Housing Act
2004 against a decision by the
Respondent to refuse to vary a licence.**

Tribunal Members : **Judge S McClure
Mr P Cammidge (FRICS)
Mr R Chumley-Roberts MCIEH
CEnvH, JP**

Date of Hearing : **7 November 2018
New Walk, Leicester.**

Date of Decision : **10 December 2018**

DECISION

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Background

1. On 19 December 2012, the Applicant had been granted a House in Multiple Occupation (HMO) licence in respect of 20 Evesham Road, Leicester, LE3 2BD (the Property) for occupation by 7 persons in 7 rooms.
2. On 16 February 2018 the Respondent served the Applicant with a proposed HMO licence, following the Applicant's application to renew the licence. The Property had been altered since the grant of the 19 December 2012 licence, and now had 10 bedsit rooms. The proposed licence provided for occupation for 5 persons in 5 rooms.
3. The Applicant made representations on the proposed licence, contending that the property was suitable for occupation by 10 persons in 10 rooms.
4. On 27 June 2018 the Respondent served the Applicant with the HMO licence. The licence provided for occupation for 5 persons in 5 rooms.
5. The application is an appeal against the Respondent's decision to refuse to vary the licence in the terms sought – Housing Act 2004 s.71, SCH5, paragraph 32 (1) (b).
6. By the date of the hearing the only matter in dispute was whether the 5 rooms for which a licence had not been granted were too small to be licenced for occupation as bedsit accommodation. The Applicant contended the rooms were not too small, the Respondent contended that they were too small.

Inspection

7. The Tribunal inspected the property on 7 November accompanied by the Applicant and his representatives, and employees of the Respondent and their representative.
8. The property comprises a centre terraced house of traditional brick construction surmounted by a pitched roof with various coverings. Extensive renovation and conversion works have been carried out and the property is currently maintained to a reasonable standard.
9. The Property contains 10 bedsitting rooms, one of which has en-suite toilet and sink (A3), and another en-suite shower, toilet and sink (A4).
10. The communal facilities comprise:
 - a) Small room containing a shower, toilet and sink on the ground floor (the ground floor shower room)
 - b) A small cupboard type room, with a window, containing the boiler on the ground floor (the cupboard)

- c) A small shower room on the first floor (the first floor shower room)
 - d) A toilet on the first floor
 - e) A small rear yard, with access only from the front of the house for 9 of the 10 bedsits
 - f) A washing machine located outside in the rear yard, under a mono-pitched roof shelter, with access only from the front of the house for 9 of the 10 bedsits
11. The accommodation on the ground floor comprises of an entrance hall with access to bedsits A1, A2 and A3, the ground floor shower room and the cupboard. Bedsit A4 is contained within a single-story rear extension, with its entrance at the rear accessed by an integral covered passage. Bedsits A1-A3 are licenced. A4 is not licenced.
 12. The accommodation on the first floor comprises bedsits B1-B4 and a communal toilet. None of bedsits B1-B4 are licenced.
 13. The accommodation on the top floor comprises bedsits A and B. Both bedsits are licenced.
 14. Each of the 5 rooms contained a bed, a wardrobe with drawers, a desk with drawers, a small easy chair and foot stall. 4 of the 5 rooms contained a dining/desk chair.
 15. Additionally, each room contained cooking facilities, comprising wall cupboard, sink/drain, work surface, microwave with hob, fridge.
 16. The rooms were all small. The work space was limited. The wardrobes were small, with 3 small drawers incorporated. The rooms were very tidy and did not have a “lived in” look. There were very few personal possessions apparent.

Hearing

17. The Applicant was present, and was represented at the hearing by Mr Skelly of Counsel. For the Applicant, we heard oral evidence from Mr Simon Swanton, an Environmental Health Officer and Mr David Beaumont, a chartered surveyor. The Applicant filed a witness statement. He was not required by the parties or the Tribunal to give oral evidence.
18. The Respondent was represented at the hearing by Mr Dymond of Counsel. For the Respondent, we heard oral evidence from Mr Matthew Elliot and Ms Alison Lea, both Environmental Health Officers employed by the Respondent.

Powers of the Tribunal

19. Section 34 of Schedule 5 to the Housing Act 2004 (“the Act”) sets out the Tribunal’s powers on appeal:

34(1) This paragraph applies to appeals to the appropriate tribunal under paragraph 31 or 32.

(2) An appeal—

(a) is to be by way of a re-hearing, but

(b) may be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority.

20. It is accepted by both parties that the Tribunal is not acting as a court of review but is required to conduct a “complete rehearing” (see **Clark v Manchester City Council** [2015] UKUT 0129 (LC) at paragraph 40). One of the consequences of the matter being a rehearing is that the Tribunal has to consider the Property as it is at the date of the hearing. Accordingly, risks previously identified and subsequently rectified are not relevant to this decision.

The Law

21. The test is set out in section 64(3)(a) of the Act:

“that the house is reasonably suitable for occupation by not more than the maximum number of households or persons mentioned in subsection (4) or that it can be made so suitable by the imposition of conditions under section 67”

22. The number of persons specified in sub-section (4) is either the maximum number specified in the application or some other maximum number decided by the authority. Accordingly, the issue before the Tribunal is whether or not the Property is reasonably suitable for occupation by 10 persons, or whether it can be made suitable by the imposition of conditions by the local housing authority under section 67.
23. Section 65 of the Act provides that for a property to be found reasonably suitable it must meet the prescribed standards contained within The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (“the 2006 Regulations”). It is agreed by the parties that the prescribed standards are met in respect of the Property.
24. Section 65 (2) of the Act provides that the authority may decide that the house is not reasonably suitable for occupation by a particular maximum number of households or persons even if it does meet prescribed standards for occupation by that number of households or persons.
25. The effect of section 65 (2) of the Act is that satisfaction of the minimum legal requirements contained within the 2006 Regulations may not necessarily be sufficient for an HMO to be considered reasonably suitable for occupation by a particular maximum number of households,

and that a local authority may impose conditions on an HMO licence pursuant to section 67.

The Local Authority Guidance

26. In this instance the Local Housing Authority has adopted the DASH guide which is a joint guide adopted by a number of Local Housing Authorities in the East Midlands.
27. In HMOs where cooking facilities are provided within the bedroom, the guidance of DASH and the Respondent on minimum floor space is 14 square metres (sqm).

The issue to be determined

28. The 5 rooms for which a licence was not granted are all less than 14 sqm. The issue for the Tribunal to determine is whether, despite the rooms providing less space than that set out in the Respondent's guidance, they are, nonetheless, "reasonably suitable for occupation".

The size of the rooms in dispute

29. The Applicant instructed two independent experts to provide reports on the suitability of the rooms, Mr Swanton and Mr Beaumont. Each expert provided a set of measurements of the rooms. The Respondent provided its own set of measurements, as taken by its Environmental Health Officers.
30. The measurements of Mr Swanton were broadly consistent with those of the Respondent. The measurements of Mr Beaumont were inconsistent with both sets of measurements. When asked about this, Mr Beaumont was unable to explain the discrepancy. The Tribunal prefers the evidence of Mr Swanton and the Respondent, as they are consistent with each other, and otherwise credible. The Tribunal finds, contrary to the submission of the Applicant, that the area forming the entrance within the bedsitting room to B2 is not usable space and is excluded from the measurements. On that basis, the Tribunal finds that the size of each room is:

Unit	Applicant	Respondent	Average	Tribunal
A4	11.13	11.02	11.08	11.08
B1	9.68	9.68	9.68	9.68
B2	10.19	9.74	9.97	9.74
B3	9.07	9.04	9.06	9.06
B4	9.32	9.55	9.44	9.44

31. It is important to note that, despite the variations in the individual measurements of each room, on any of the proffered measurements the rooms were all significantly smaller than the Respondent's guidance figure of 14sqm.

32. The dimensions of the 5 rooms that are licensed by the Respondent, as measured by Mr Swanton, are:

Unit	sqm
A1	10.14
A2	11.71
A3	14.4
A	10.91
B	11.3

33. It can be seen that 4 of the 5 rooms that have been licensed are smaller than the 14sqm set out in the Respondent's guidance.

No category 1 hazards and no high category 2 hazards

34. The 2004 Act brought in a new system for assessing housing conditions and enforcing housing standards. A local authority has a duty to keep the housing conditions in their area under review, and they may (and sometime must) carry out inspections of specific houses to ascertain whether any hazards exist at that house. Ascertaining a hazard is carried out using a process of hazard scoring, under which hazards of specific types may be identified as either a Category 1 or a Category 2 hazard. The process of hazard scoring is the Housing Health and Safety Rating System (HHSRS).
35. The parties agreed that there were no category 1 hazards present at the Property. The parties agreed that whilst there were category 2 hazards present, they were not high category 2 hazards, and any residential accommodation would have such category 2 hazards. The category 2 hazards presented such a low risk of harm that those hazards were not material to the granting of a licence.
36. Although hazards were a factor in the Respondent's initial refusal of a licence, subsequent work had remedied the material hazards. The Respondent confirmed at the hearing that room size was now the sole reason for refusal of a licence, and not hazards.

The evidence for the Respondent

37. The reason given in correspondence between the Respondent and the Applicant for the refusal of a licence for the 5 rooms was that the rooms were "substantially smaller" than the 14sqm set out in the guidance.
38. In its statement of case, at paragraphs 30-31, the Respondent provided further detail as to why it viewed the rooms as too small. The statement of case was prepared before the Applicant carried out further works to the Property, and before the Respondent carried out a further inspection on 22 October 2018.

Mr Elliott

39. At the hearing, Mr Elliott agreed that the further inspection revealed that some of the concerns set out in the statement of case had been remedied. In particular, he accepted there were no material hazards present at the Property. Mr Elliott confirmed that, notwithstanding the fact that all material hazards had been remedied, he remained of the view that the rooms were too small to be licenced.
40. In view of the fact that the Respondent's statement of case was prepared prior to its final inspection, the main evidence before the Tribunal of the Respondent's reasons for refusing a licence other than that the rooms were less than 14sqm, was the oral evidence of Mr Elliott and Ms Lea.
41. Mr Elliott said that he applied a higher standard to A4, the self-contained bedsit with the rear entrance, because it was a new build. As such the Applicant knew, or should have known, of the space standard and should build to that standard. His reason for refusing a licence for A4 was, therefore, largely because it was a new build and so should have been built to the guideline standard of 14sqm.
42. Mr Elliott said that, even taking into account the recent works, rooms B1-B4 remained too small to be reasonably suitable for occupation.
43. Mr Elliott said that with a bedsit, the question he asked himself was whether someone could live in that room as their home.
44. At the inspection, the rooms displayed very few personal possessions. The wardrobe/drawer unit was small. He did not see how someone could keep all of their personal possession in the rooms.
45. Mr Elliott said that the need to store all of your belongings, spend all of your time when at home, do all normal household things in a room so small, cooking, living, reading, having friends round, etc, was not tolerable in the long term. He said that the rooms would be acceptable as a hotel room, but that they were too small if that was the only space you had to call your own.
46. In his view, the rooms were so small that to live in them would be intolerable in the longer term, and would have a detrimental effect on the occupant's mental health.
47. Mr Elliott referred the Tribunal to the report of the Applicant's expert, Mr Swanton, at page 25 of Mr Swanton's report, where Mr Swanton had stated that "the smaller than average accommodation will make it more difficult to undertake normal household activities. In addition, there is limited space for the storage of personal belongings. In view of this the likelihood of a harm occurring over the next 12 months is greater than average". Mr Elliott stated that this showed that Mr Swanton agreed with him.

48. It was clear that Mr Elliott's aim was to seek to ensure that occupiers of licenced accommodation had a decent standard of accommodation, and it was clear that he applied the correct test of whether the accommodation was reasonably suitable for occupation. It was also clear that, in his view, the accommodation in B1-B4 was not reasonably suitable because it was too small.

Ms Lea

49. The evidence of Ms Lea was briefer. The material point from her evidence was that her explanation to the Applicant for the refusal of the licence was that the rooms were substantially smaller than that set out in the guidance of 14sqm.

**The evidence for the Applicant
The Applicant**

50. The Applicant filed a witness statement. He was not required to give oral evidence. His witness statement set out the history of the licence application, and his reasons for asserting the rooms were suitable to be licensed. He stated that the rooms met the prescribed requirements set out in the 2006 Regulations in respect of amenities such as washing and cooking facilities. In addition, the rooms contained the following furniture: standard sized double bed; desk with built in drawers; a dining/desk chair; twin door wardrobe with built in drawers and mirrors; a single easy chair; leather footstall and a bin.

Mr Swanton

51. The Tribunal notes that at page 24 of Mr Swanton's report, after the extract referred to by Mr Elliott in his evidence of "the smaller than average accommodation will make it more difficult to undertake normal household activities. In addition, there is limited space for the storage of personal belongings. In view of this the likelihood of a harm occurring over the next 12 months is greater than average", Mr Swanton goes on to say "Despite this, there is adequate space for sleeping, living, cooking and recreational activities for one person."
52. Mr Swanton concludes, at section 5 of his report, that "in the absence of any Category 1 or significant Category 2 hazards, and in my opinion having adequate floor space in each unit of accommodation as well as adequate shared amenities, it is my opinion that the HMO is reasonably suitable for occupation by not more than the maximum number of 10 household and 10 persons."
53. Mr Swanton said in his oral evidence that the rooms were not dangerous or so hazardous that it would be intolerable for someone to live there. He said he asked himself whether the rooms were dangerous or not, and if they were not dangerous, why can't they be licenced. He accepted that the rooms were small, but said that because they presented such a low risk of injury, they were not intolerable.

Mr Beaumont

54. In his report, under Conclusions, Mr Beaumont stated that “bearing in mind that most of the property has been previously licenced, that most of the rooms fall below the council’s adopted guidance standard but about half have been licensed under this application, that none of the occupiers are believed to have made any complaint about the accommodation and that the rooms appear to be suitable for their purposes it is my opinion these should be fully licensed for single occupation.”
55. In his report, Mr Beaumont referred to the new minimum standards for bedrooms that came into force on 1 October 2018 by way of the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 (the 2018 Regulations). Mr Beaumont submitted that whilst the Tribunal was not bound by the 2018 Regulations, it should take account of them.
56. The new minimum standard, set out in the 2018 Regulations, for a bedroom for one person is between 6.77 and 8.71sqm. The regulations do not provide for a minimum space standard for bedsits.
57. Mr Beaumont submitted that the new statutory minimum size for bedrooms should be increased by 2 to 2.5sqm for bedsits, to allow room for cooking facilities. He submitted that on this basis the 5 rooms in dispute were all of sufficient size. In his oral evidence, he stated that his figure of 2 to 2.5sqm was only his view and not based, for example, on research or other evidence.
58. Mr Beaumont further submitted that the Respondent was rigid in its application of its guidance, and also submitted that the Respondent was inconsistent in its decision making.

Deliberation

59. It is accepted by both parties that the rooms meet the prescribed standard set out in the 2006 Regulations. It is accepted by both parties that the rooms do not meet the space standard set out in the Respondent’s guidance.
60. The Tribunal believes that a flexible approach is required in relation to adopting floor areas when considering Bedsit rooms as there is no statutory guidance. Whilst the Respondent’s adoption of the DASH guide is accepted by the Tribunal as perfectly reasonable, it is the view of the Tribunal that an holistic approach is essential whilst still having regard to these aspirational standards.
61. A floor area below the aspirational standard could be acceptable as providing adequate space to enable a licence to be granted. The specific floor area is important but it is not the only factor the Tribunal takes into account in assessing suitability. Other factors include:

- a) Quality of floor area - that is how much is usable and how much would contribute adequately to a standard of living. For example, areas in dark corners or too close to cooking areas are much less desirable than well-lit areas.
 - b) Natural light - this is important to well-being and factors include the amount of natural light as well as the quality of the same and its effectiveness in lighting of the room.
 - c) The location of doors - how doors open into a room can dictate usage and in practical terms the placing of furniture and the limitation or otherwise of circulation space.
 - d) The shape of the space – this is important and, in some cases, a smaller area offering a good usable shape can be more attractive as a living area than a larger space which may be awkward.
 - e) Other accommodation that may be used in common with other tenants may also be taken into account.
62. The Tribunal finds that Respondent has not applied its guidance rigidly. The fact that of the 5 rooms it has licensed, 4 are less than 14sqm, is evidence of its flexibility. It also finds that the Respondent has not been inconsistent in its decision making. The inconsistency asserted by the Applicant is found by the Tribunal to be the very flexibility the Applicant says the Respondent must apply.
63. The Tribunal is faced with expert evidence for the Applicant that the rooms are reasonably suitable for occupation, and expert evidence for the Respondent that they are not so suitable.
64. Mr Swanton's oral evidence indicated he was not applying the correct test in his assessment of the rooms. The test is not whether a room is so dangerous or hazardous that it would not be tolerable for someone to live in it. Whilst at page 24 of his report, Mr Swanton does address some detail of the use of the room, it is in the context of hazards. He does not clearly address the test of whether the rooms are reasonably suitable for occupation. We do not disregard Mr Swanton's report, but we do not find it to be compelling evidence that the rooms are reasonably suitable for occupation.
65. Mr Beaumont does address the correct test, however his conclusion is based upon several matters that the Tribunal does not find compelling. The fact that the Respondent has licensed 4 rooms which fall below its minimum standard is not a reason for finding the rooms in dispute should be licensed. Each room has to be assessed on its own merits.
66. The fact that it appears, as asserted on behalf of the Applicant, that no tenants have complained about the accommodation is not a reason to grant a licence. The test is not whether a particular person finds the accommodation to be suitable. It is not a subjective test, but an objective one. In any event, a particular tenant may say their accommodation is suitable for any number of reasons. They could have come from a lower

standard of accommodation, for example, so by comparison the current accommodation may seem suitable to them.

67. Mr Beaumont also based his conclusion that the rooms were suitable on his analysis of the 2018 Regulations.
68. The Tribunal accepts that it should take account of the 2018 Regulations where it is material to the issue in dispute. However, the 2018 Regulations, which deal with the size of bedrooms, are not relevant to this application, which is dealing with the size of bedsits. The Tribunal does not take the Regulations into account, and so does not take into account Mr Beaumont's view as to the additional space needed for cooking facilities.
69. We do not disregard Mr Beaumont's report, but we do not find it to be compelling evidence that the rooms are reasonably suitable for occupation.
70. The main evidence before the Tribunal of the Respondent as to the suitability of the rooms in their current state comes from the oral evidence of Mr Elliott.
71. It is right that, as Mr Elliott stated, the rooms were small and displayed very little personal possessions. He is right that the wardrobe/drawer unit was small.
72. However, Mr Elliott only provided limited additional evidence in support of his assertion that the room was too small to live in as one's home. For example, there was no provision of a floor plan with, say, the standard sized furniture that Mr Elliott may say was necessary for storage of all personal possessions, imposed upon it, to demonstrate his assertion that this would not be possible in rooms of this size, and/or the rooms could not function as a home if furnished in such a way.
73. For clarity, whilst there are no prescribed standards for furniture, such matters are relevant to the suitability of the room for occupation for use as a home.
74. The Tribunal is mindful of Mr Elliott's experience, and of the comments in **Clark v Manchester** at paragraphs 39-41 of the weight to be given to the opinion of a local authority in applications such as these. However, it is also clear from the case that the Tribunal must make up its own mind, taking account of all of the evidence before it.
75. The Tribunal does take into account Mr Elliott's evidence, and places weight upon it, but has to weigh that up against the other evidence including, importantly, the evidence from the inspection.
76. The inspection showed rooms that had the facilities and furniture asserted by the Applicant to be present, save that B3 did not have a desk/dining chair apparent. The Tribunal had to consider how those

rooms would function with the amount of possessions one would usually expect to be present in a room used as a home.

77. Taking the above and, based upon the evidence before it, applying it to the Property the Tribunal is of the following view.
78. Room B1 – this room whilst having a modest and quite tight floor area is of a good shape and has a sufficient return by the door to allow the sink units and cooking facilities to be reasonably located and not intrude too much into the main space. In addition, the door opens into the room allowing a full view upon entrance and is not restricted by the sink unit. This gives a view direct to the window which is always preferable within a small room. Accordingly, whilst this is at the lower end of the room size spectrum it is the Tribunal’s view that it is suitable for a license.
79. Room B2 - this room is immediately adjacent to the above. Both of these rooms appear to have been one in a previous configuration and a stud wall has been incorporated to create two rooms. However, the entrance to this room is now via a short hallway which is not well lit and this gives a restrictive feel upon entry in the room. Also, on entry into the room you are directly in line with the sink unit and cooking facilities and then you have to manoeuvre around the corner of the stud wall into the main body of the room. The room itself is narrow and the need to put the bed under the window against the wall does not yield good circulation space. The hall access and the location of and protrusion of the sink unit into the room creates an unusable area of floor space and this substantially reduces the usable floor area within this room leaving inadequate circulation space which is not of a good quality with the whole being quite narrow. Accordingly, the Tribunal is of the view that this room is inadequate for licensing purposes.
80. Room B3 - Located at the rear of the principle building this room is adjacent to a communal wet room that has been installed. The installation of a wet room has had significant impact on the layout of this room as this three-sided structure now takes up a not insignificant part of the original floor area. However, it is not only the loss of the floor area but the protrusion is dominant upon entering the room creating reduced entrance into quite a small room. The entrance into the room is further narrowed by the “kitchen area” immediately opposite the protrusion. This means that the desk which forms a continuation of the kitchen unit is located partially under the work surface and this is the only way of creating enough space to ensure the easy chair can be used. The bed is under the window and the amount and quality of the circulation and usable space is poor. Accordingly, the Tribunal is of the view that this room is inadequate for licensing purposes.
81. Room B4 - Located at the rear of the building in the original rear wing. It is a reasonably shaped room with a door opening onto the wall and sink unit adjacent on internal and right-hand wall. The kitchen fittings do not protrude into the room too much as they are located on this short internal wall. This room benefits from natural light from two windows

and whilst the room is at the lower end of the room size spectrum it is the Tribunal's view that it is suitable for license.

82. Room A4 (outside) - this accommodation is self-contained and is approached by the shared covered entry to the rear garden. The structure appears to incorporate a small area of the original building but is fundamentally a new single storey construction. It was noted that some of the design and construction details were not of a high standard but on the day of the Tribunal's inspection issues of this type impacting on the decision to be made were not manifest.
83. Internally, the unit is quite narrow and despite being new construction the natural daylight afforded by the two small windows is disappointing. Having a more central door location does allow a design with the small bedroom area to one end and the kitchen and bathroom areas at the other. Accordingly, whilst this is at the lower end of the room size spectrum it is the Tribunal's view that it is suitable for license.
84. The Tribunal did note the Local Housing Authority's position that as new construction the space should comply fully with the aspirational standards as set out in the DASH guidance. The Tribunal is of the view that whilst this would be desirable it is not enforceable and it is important to revert to the basic test which revolves around the suitability of the space provided for licencing purposes. The Tribunal is mindful of the fact that with an existing property which as in this case was subject to a conversion programme there are limitations imposed by the structure itself such as floor areas and ceiling heights. This still applies to an extension as again there are restrictions. In this case such restrictions relate to the area of ground upon which the extension is constructed and this was very limited especially in relation to its width due to the need to retain a rear access to the yard. This limitation amongst others will have restricted flexibility in the design and any potential ability to reach the aspirational standards.
85. It is important to note that the 3 rooms that the Tribunal has found are reasonably suitable for occupation are very small, and B1 and B4, in particular, are at the very edge of suitability. However, the Tribunal found that the evidence of the Respondent that the rooms were too small, was not sufficient to outweigh the findings from the inspection.

Decision

86. The decision of the Tribunal is that the licence dated 27 June 2018 is varied to "the HMO is reasonably suitable for occupation by not more than the maximum of 8 households and 8 persons".
87. The condition at section 7 of Schedule 2 of the licence conditions to be varied as follows:

Ground floor Far Rear Bedsit (A4)	1 Person
First Floor Front bedsit, left when viewed from front (B1)	1 Person
First Floor Rear bedsit (B4)	1 Person

Either party may appeal this decision to the Upper Tribunal (Lands Chamber). Prior to making such an appeal, an application must be made, in writing, to this Tribunal for permission to appeal. Any such application must be made within 28 days of the issue of this decision.

S McClure
Judge of the First-tier Tribunal
10 December 2018