



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

Case references	:	LON/00BG/LVM/2018/0018 LON/00BG/LVM/2019/0010 LON/00BG/LVM/2019/0013 LON/00BG/LVM/2019/0014 LON/00BG/LVM/2019/0016
Property	:	Canary Riverside Estate, Westferry Circus, London E14 (the “Estate”)
Type of applications	:	Applications under section 24(9) of the Landlord and Tenant Act 1987 for the manager to be discharged and for the appointment of a new manager
Tribunal	:	(1) Judge Amran Vance (2) Mr L Jarero, BSc FRICS
Venue	:	10 Alfred Place, London WC1E 7LR
Date of directions	:	13 June 2019

DECISION AND DIRECTIONS

BACKGROUND

1. This is the tribunal's determination of several applications to vary the terms of a Management Order, originally made by the tribunal on 5 August 2019, under which Mr Alan Coates was appointed the manager of residential properties, common parts, car parking spaces, and shared services in the mixed residential and commercial estate in Westferry Circus, at Canary Wharf, known as Canary Riverside ("the Estate") made under the provisions of s.24 Landlord and Tenant Act 1987.
2. By order dated 6 June 2019, the tribunal ordered that, unless ordered otherwise, Mr Coates will be discharged as the appointed manager, with effect from 1 October 2019, subject to conditions to be determined at a further hearing.
3. The variations of the Management Order sought concern the appointment of a new Manager to replace Mr Coates. There are two remaining proposed nominees (FirstPort Property Services Ltd, the Interested Leaseholders nominee, having withdrawn from appointment following the hearing of these applications on 4-6 June 2019). The remaining nominees are:
 - (a) Mr Jon Edwards of Lambert Smith Hampton Group Limited, proposed by Palm Trees Paradise Holdings Ltd (application LON/00BG/LVM/2018/0018); and
 - (b) Mr Duncan Rendall and Mr Richard Daver of Rendall & Rittner Limited, proposed by Canary Riverside Estate Management Limited (application LON/00BG/LVM/2019/0013).
4. At the hearing on 4-6 June 2019, the tribunal indicated it would notify the parties of its decision on 13 June 2019, following its inspection of the Estate on 12 June 2019, with written reasons to follow. This will include its reasons for ordering Mr Coates' discharge.

DECISION

1. It is just and convenient, in all the circumstances, to vary the Management Order to appoint a Manager to replace Mr Coates;
2. However, it is not just and convenient to appoint either: (a) Mr Jon Edwards; or (b) Mr Rendall and Mr Daver.

DIRECTIONS

1. Any interested person may propose an alternative Manager to replace Mr Coates. Any such proposal must be made as soon as possible, and no later than **5pm on 27 June 2019**. All parties represented at the 4-6 June 2019 hearing must confirm, by that date and time, if they are proposing a replacement manager (no application form or fee is required). Notification of any proposed replacement Manager must be given to the tribunal, and to the parties represented at the hearing on 4-6 June 2019.
2. Any proposal must be accompanied by:
 - a written statement of the proposed manager's experience in property management and previous tribunal appointments;
 - a proposed future management plan, proposed remuneration and details of any professional indemnity insurance of the proposed manager;
 - confirmation that the proposed manager has inspected the property, read the lease(s) and current Management Order and will accept appointment;
 - suggested arrangements for handover, including of service charge accounts and monies in hand;
 - confirmation that the proposed manager will comply with the current edition of the Code of Practice published by the Royal Institution of Chartered Surveyors;

- any witness statements of fact relied upon (with a signed statement of truth).
3. Any interested person may submit a statement in response to a nomination of a new Manager, and any witness statements on which they intend to rely, by **5pm on 4 July 2019**.
 4. The hearing listed for **Monday 8 July 2019** will be used to determine whether to appoint any of the proposed replacement Manager(s) and, if time allows, the conditions of Mr Coates' discharge. If there is insufficient time to do so, the question of conditions of discharge will be dealt with at a subsequent hearing. Parties should provide dates to avoid for the months of July, August and September 2019 by **20 June 2019**.
 5. Any skeleton arguments to be relied upon at the hearing on 8 July 2019 must be filed at the tribunal by **12 noon on 5 July 2019**.
 6. All documents sent to the tribunal in accordance with directions 1 and 2 above **must** be provided by **email** with hard copies submitted by post.

Judge Amran Vance

13 June 2019