



How Section 20 consultation works

This guide provides a summary of the regulations that Southern Housing must follow when consulting you about works or services that you must pay for.

We'll consult you before certain works or agreements go ahead. This page explains what Section 20 consultation means, when it applies, and how you can share your views.

Why do we consult you?

Your lease says you must contribute to the cost of services and works to your block or estate.

The law requires us (under Section 20 of the Landlord and Tenant Act 1985 (as amended by the Commonhold and Leasehold Reform Act 2002)) to consult you before some works or agreements go ahead.

What must we consult you on?

Under the terms of your lease, you must pay towards the cost of any services or work to the block or estate in which you live. Under section 20 of the Landlord and Tenant Act 1985 (as amended by section 151 of the Commonhold and Leasehold Reform Act 2002), we must consult you about some of the work and services that you are expected to pay for.

We'll consult you before:

- Major works that may cost you more than £250. This includes repairs, maintenance and improvements to your block or estate
- Long-term agreements (lasting more than 12 months) with contractors or service providers that may cost you more than £100 a year
- Works under a long-term agreement that may cost you more than £250.

What's a Section 20 notice?

A Section 20 notice is a formal notice telling you about intended works or services you'll contribute too.

There are four types of notice, depending on what we're consulting you about:

Schedule	Consultation procedure for:	Public Notice needed?
1	Long-term agreements - works or services	No
2	Long-term agreements - works or services	Yes
3	Works under a long-term agreement	No



4 (part 1)	Works	Yes
4 (part 2)	Works	No

The content and process vary depending on the type of contract and whether a public notice is required.

What's public notice?

Some contracts must be advertised publicly under UK procurement rules. This means we publish contract opportunities on the Find a Tender Service (FTS): www.find-tender.service.gov.uk

Public notices apply to contracts for works or services above certain values. Since January 2022, the threshold for works is £5,336,937. Nominations are not permitted for contracts being procured through this route.

You can read more about procurement thresholds on the UK Government website: www.gov.uk/guidance/public-sector-procurement-policy

How can you take part?

You have the right to share your views at each stage of the consultation. Each stage lasts a minimum of 30 days, and you can send us your comments in writing. We'll respond within 21 days. This gives you a chance to hear about the plans and ask questions.

If public notice isn't required, you can suggest a contractor or supplier you'd like us to consider.

What happens if we don't consult you?

If we don't follow the rules, we're limited in what we can charge you:

- £250 per item of repair work
- £100 per year for services under a long-term agreement.

In some cases, we can apply to the First-tier Tribunal (FTT) for dispensation. This means we ask FTT to allow us to proceed without full consultation - for example, in an emergency like repairing a lift in a tower block. We must show we took reasonable steps to inform leaseholders or that urgent action was needed.

Got a question or want to have your say?

If you have any questions or would like to share your views, please email qlta@southernhousing.org.uk or write to: Section 20 Consultation Team, Southern Housing, Fleet House, 59–61 Clerkenwell Road, London EC1M 5LA



Explaining the different schedules

We consult with you before certain works or agreements go ahead. Here's how the different schedules work and what each stage involves.

Consulting you about long-term agreements (Schedules 1 & 2)

Qualifying long-term agreements (QLTAs) cover services or works lasting more than 12 months.

If any leaseholder's share is over £250 for works or £100 for services, we'll send notices to all leaseholders and any Recognised Tenants' Association (RTA).

Stage 1: Pre-tender (Notice of Intention)

We must send you a section 20 notice before we invite contractors to tender.

- We'll send you a Notice of Intention before inviting tenders
- This explains what we're planning, though costs won't be final yet
- You'll have 30 days to share your views, and we'll consider them before progressing.

Stage 2: Tender (Notice of Proposal)

We must send you a section 20 notice after we have received tenders.

- We'll get at least two proposals, including a contractor not connected to us.
- If you or your RTA nominate someone, we'll include them (see 'nominating contractors below')
- You'll receive a Notice of Proposal with contractor details, term length, and estimated cost. You'll have 30 days to comment.

Stage 3: Award (Notice of Award of Contract)

We must send a section 20 notice if we don't go with lowest tender or a contractor nominated by you or an RTA.

- If we don't pick the lowest bidder or reject your nomination, we'll issue a Notice of Award
- This explains our decision and includes a summary of feedback and our responses.

Consulting you about an existing agreement (Schedule 3)

Sometimes we'll need to do work that's already part of an existing QLTA, such as repairs or planned maintenance.

Even though we consulted you initially, we'll send another notice for works we carry out over the duration of the qualifying long-term agreement.

Notice of Intention

- We'll send you a Notice of Intention with planned works and your estimated cost
- You'll have 30 days to comment, and we'll respond to your feedback



- You're unable to nominate a contractor at this stage, since the contractor has a pre-existing contract with us known as a "qualifying long term agreement" (QLTA).

Consulting you about standalone works (Schedule 4)

If works are not part of a long-term agreement but will cost more than £250 per leaseholder, we'll consult you and your RTA.

Schedule 4 includes:

- Part 1 – works above the threshold requiring a public notice
- Part 2 – works below the public procurement threshold.

Stage 1: Pre-tender (Notice of Intention)

We must send you a section 20 notice before we invite contractors to tender.

- We'll outline the planned works, though costs may not be final
- You'll have 30 days to share your views, and we'll consider your feedback.

Stage 2: Tender (Notice of Proposal)

We must send you a section 20 notice after we have received tenders.

- We'll gather at least two quotes, including a contractor not connected to us.
- Nominated contractors (by you or your RTA) will also be considered, unless the value of the works is above the threshold.
- You'll get a Notice of Proposal with contractor details and estimated cost. You'll have 30 days to comment.

Stage 3: Award (Notice of Award of Contract)

We must send a section 20 notice if we don't choose the lowest tender or a contractor nominated by you or an RTA.

- Only If we select a higher-priced quote or decline your nominated contractor, we'll send a Notice of Award
- This will include reasons, feedback and our responses.



Nominating a contractor

If the works don't require public notice and you'd like us to invite a contractor to tender, you can nominate them during the consultation period. This gives you a chance to have a say and be involved in the tender exercise to carry out the work.

How to nominate

Please send the contractor's details in writing to the address shown on your first Section 20 notice and ensure this reaches us within the 30-day consultation period.

What contractors need to meet

To be eligible for a Southern Housing contract, contractors must meet certain minimum conditions, such as:

- Having the right level of insurance for the works
- Having the correct certification, accreditation and can demonstrate the skills, knowledge, and experience to carry out the required works
- Showing they have the capacity to deliver the contract in line with our requirements.

What happens after you nominate?

Here's what we'll do once we receive your nomination:

- We'll confirm we've received your nomination
- We'll consider your nomination along with any others
- You'll see the result of the tender process in the second Section 20 notice.

What if more than one contractor is nominated?

When several contractors are nominated:

- We'll try to get a quote from the contractor with the most nominations
- If two or more contractors receive the same number of nominations, we'll attempt to get a quote from one of them.

Can a leaseholders' association (RTA) nominate a contractor?

Yes, but only if the association has a constitution approved under Section 29 of the Landlord and Tenant Act 1985. Once approved, it becomes a Recognised Tenants' Association (RTA).

What if an RTA nominates a contractor?

If a Recognised Tenants' Association (RTA) nominates a contractor, we'll try to get an estimate from that contractor.

If both RTA and individual leaseholders nominate different contractors, we'll aim

to get quotes from both.



Need more information or independent advice?

If you have a question, please email qlta@southernhousing.org.uk or write to: Section 20 Consultation Team, Southern Housing, Fleet House, 59–61 Clerkenwell Road, London EC1M 5LA

For independent advice on Section 20 consultation, you can visit the Leasehold Advisory Service (LEASE), which is an independent organisation offering free and impartial advice on leasehold matters: www.lease-advice.org

