



Commercial Property Law and Practice Annual Review 2024

Virtual Seminar - 26 November 2024

£80 + VAT

Registration: 09.25 Finish: 11.30

2 Hours CPD

This is an essential update and briefing for anyone involved in commercial property management. Ideal for busy practitioners to stay abreast of law, practice and market trends – all from the comfort of your home or office.

From a legislative point of view, this has been the year of the 'dog that didn't bark'. The Renters' Reform Bill fell with the Conservative government, High Street Rental Auctions have still not been implemented, and the Law Commission's review of the Landlord and Tenant Act 1954 is still waiting on the launch-pad.

Needless to say, though, there has been plenty of other change. Developments in dispute resolution can usually be left to the lawyers, but this year the Supreme Court has invented the 'newcomers' injunction, a startling new remedy which is already proving valuable to local authorities, and also to private landowners faced with disruption by protesters. Also, reference to Alternative Dispute Resolution has moved a step nearer to becoming compulsory, the courts at the same time widening the scope of what are thought of as Alternative Dispute Resolution processes. Both of these developments may change the landscape significantly.

As ever, there has been caselaw on the jurisdiction to modify or discharge restrictive covenants, and new issues arising under the Landlord and Tenant Act 1954, with three significant cases on opposed lease renewals.

With the courts also considering dilapidations, aspects of forfeiture, and the assessment of damages for unconsented alterations, there is plenty to take on board in keeping knowledge and skills up-to-date.

Speaker:

Mark Shelton

Commercial Property Management Law Trainer, CPM Law Training Limited and Author of 'A Practical Guide to the Law of Dilapidations' and 'A Practical Guide to Applications for Landlords' Consent and Variation of Leases'

Programme:

Topics to be covered in this seminar include:

- Newcomer injunctions for trespass, and multi-site protests (Wolverhampton City Council v Persons Unknown, Valero Energy Ltd v Persons Unknown, London Borough of Enfield v Snell)
- Mandatory Alternative Dispute Resolution (Churchill v Merthyr Tydfil Borough Council)
- Rights of light (RICS Rights of Light Professional Standard)
- Insurance and war exclusion (University of Exeter v Allianz Insurance)
- Knotweed nuisance (Davies v Bridgend)
- 'Cynical' conduct may prevent discharge of restrictive covenant (Fosse Urban Projects Ltd v Whyte)
- Application to modify restrictive covenant rejected (Briant v Baldacchino)
- High Street Rental Auctions – response to consultation published
- Service charges – recoverability of legal costs (89 Holland Park (Management) Ltd v Dell)
- Scope of 'sweeper' clauses in service charges (Tower Hamlets LBC v Lessees of Brewster House and Maltings House)
- Opposed lease renewal – business occupation (Royal Borough of Kensington & Chelsea v Mellcraft Ltd)
- Misrepresentation in opposed lease renewal (McDonald's Restaurants Ltd v Shirayama Shokusan Company Ltd)
- The 'holding' and the 1954 Act (Sainsbury's Supermarkets Ltd v Medley Assets Ltd)
- Assessment of dilapidations damages (Peachside Ltd v Lee)
- Forfeiture of lease for failure to comply with building obligation (The Tropical Zoo Ltd v LB Hounslow)
- Consequences of unlawful forfeiture (Tanfield v Meadowbrook Montessori Ltd)
- Damages for alterations without consent (Brown v Ulrick)