



Wednesday 27th March 2019

2.00pm—5.15pm

With speakers from St John's Chambers

Venue: Plymouth University, Rolle Building

# TOLATA Update

Alex Troup, Andrew Commins and Zoë Saunders of St John's Chambers will provide an update on cohabitee disputes and the Trusts of Land And Appointment of Trustees Act 1996 ("TOLATA"), and will consider in particular:

- ◆ How one cohabitee can establish a beneficial interest in a property owned solely by the other
- ◆ The relationship between constructive trusts, resulting trusts and proprietary estoppel
- ◆ Quantifying beneficial interests in both sole and joint ownership cases
- ◆ Orders for sale and other remedies under TOLATA
- ◆ Equitable accounting

*Biographical details overleaf*

**Email [mail@dasls.com](mailto:mail@dasls.com) or call 01392 366 333 to book your place.**

**Please reserve places at the TOLATA Update seminar on Wednesday 27th March 2019 for:**

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2.....  
3.....  
Firm .....  
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**PLS & DASLS Members:**

£115.00 + VAT (£138.00 inc. VAT) for the first delegate  
£97.00 + VAT (£116.40 inc. VAT) for subsequent delegates  
£57.50 + VAT (£69.00 inc. VAT) Associate Members (Trainee Solicitors)

**Non-members:** £143.00 + VAT (£171.60 inc. VAT)

We will provide a VAT invoice for payment. (BACS payment preferred)

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Please send the completed form back to Devon & Somerset Law Society,  
Aston Court, Pynes Hill, Exeter, Devon EX2 5AZ. DX 8361 Exeter.

**NB. Delegate Cancellations and Refunds:** With 7 clear days notice prior to the seminar: full refund subject to an administration charge of £5.00 + VAT. Within 7 days of the seminar: a 50% refund will be given. We regret that cancellations received on the day of the seminar and thereafter will not be eligible for refund. We reserve the right to cancel courses and refund accordingly.

The Society was established in 1808 and incorporated in England as a Company Limited by Guarantee in 1926 with registration number 213866.

Registered Office – Aston Court, Pynes Hill, Exeter EX2 5AZ. VAT No: 141 338 689



### **Alex Troup, Head of Wills & Trusts - Call 1998**

“He is absolutely excellent in terms of his experience, knowledge and the way he conveys his message to court, clients and opponents. He is concise, clear and right on the money.”  
Chambers UK, 2019

Alex is a chancery barrister who is often instructed in property litigation cases. Some of his property cases overlap with his trust and contentious probate practice, such as proprietary estoppel claims, disputes over the beneficial ownership of property, and challenges to the validity of inter vivos gifts of property. He has appeared in courts and tribunals at all levels in relation to property disputes, including an appearance as junior counsel in the House of Lords in *Bettison v Langton* [2002] 1 AC 27, a case concerning rights of common.



### **Zoë Saunders - Call 2003**

A junior best known for her work on cohabitation disputes, including TOLATA and Schedule 1 applications. ‘She has an extremely good grasp of the law and is a very confident advocate. She is also very good with clients.’ ‘Always impressive and always thorough, she is a formidable advocate as well as a skilled negotiator.’ “ Chambers UK, 2019 Family/Matrimonial

Head of Divorce & Financial Remedy, Zoë has extensive experience of advising and representing clients in relation to disputes involving TOLATA and additional issues which often accompany them such as civil and partnership disputes, intervention in matrimonial financial remedy cases, Proceeds of Crime Act claims and claims for financial provision under schedule 1 of the Children Act. Zoë has been involved in numerous multi-track trials in many different areas of the country and have successfully dealt with cases before the Land Registry Adjudicator, County Court, High Court and at appellate level. Zoë has particular expertise in relation to farming cases and claims of proprietary estoppel.



### **Andrew Commins - Call 2004**

Andrew specialises in matrimonial finance and cohabitee disputes. He has particular expertise in cases involving pensions, partnerships, companies and trusts. ‘He is brilliant. He is so thorough and detailed. Clients really like him.’ “ Chambers UK, 2019 Family/Matrimonial. “Fiercely bright, personable and determined.” Legal 500, 2018 Family and Children Law

Andrew is a family law barrister, mediator and author specialising in all matters of family finance and has over six years’ experience. He advises and represents lay clients, trustees and companies, where appropriate. His practice is principally in mid to higher net worth cases. Andrew is regularly instructed in cases involving property (UK and abroad), farming partnerships, discretionary and constructive trusts, bankruptcy, company interests, nuptial agreements and complex pension disputes. He also has extensive experience of cases involving inherited wealth and pre-marital assets, allegations of conduct and the treatment of post-separation accruals.

Andrew is the contributing author to *The Red Book* (Family Law Practice) in all matters of financial remedies and cohabitation disputes (TLATA 1996).

He has recently launched his new website ‘Financial Remedy Channel’. The Financial Remedy Channel provides a dedicated online resource for solicitors, barristers and other professionals specialising in the law of family financial provision.



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