



St John's
CHAMBERS

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Wales



Contentious property seminar

Tuesday, 1st October 2019 | 1.00 pm - 4.45 pm
The Hilton, Kingsway Greyfriars Road, Cardiff, CF10 3HH

Book your place by visiting:
www.stjohnschambers.co.uk/events-and-seminars

Cost:

£45 + VAT (£54)

LNW Members £33.75 + VAT (£40.50)

CPD

3 hours

Programme

12.30 - 12.55pm Registration and refreshments

12.55 - 1.00pm Welcome and introduction
John Sharples, Head of Real Estate team, St John's Chambers

1.00pm - 1.05pm Legal Network Wales
Stephanie Harris, Solicitor and Business Development Manager

1.05 - 1.35pm A practical guide to TOLATA claims
Joss Knight, Barrister, St John's Chambers

1.35 - 2.05pm Promises, promises – recent developments in proprietary estoppel
Annie Sampson, Barrister, St John's Chambers

2.05 - 2.35pm Flood risks, liability and protection for land
Christopher Jones, Barrister, St John's Chambers

2.35 - 2.50pm Afternoon tea

2.50 - 3.20pm A guide to proceedings in the Property Chamber of the First-tier Tribunal
Charles Auld, Barrister, St John's Chambers

3.20 - 3.50pm All you need to know about party walls but were too busy to ask
John Sharples, Head of Real Estate team, St John's Chambers

3.50 - 4.20pm Our team of barristers invite you to join in with discussions on issues arising out of the talks.

4.20pm Drinks & Networking Reception

About Legal Network Wales

Exclusively for law firms Legal Network Wales is a FREE to join referral and support service which assists member firms by offering expert legal advice to their clients in areas they do not practice in. Over the last 12 years, the network has helped hundreds of law firms to retain their clients and increase their revenue via their fee sharing arrangement. The network offers a non-poaching commitment to ensure your clients stay your clients. Other benefits of the free network include seminars & training, referral opportunities to your firm and a free enquiry line.

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Presenters



St John's
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Charles Auld
Barrister, Call 1980
St John's Chambers

"Manages a successful property practice, and is an expert in right of way issues, adverse possession and boundary disputes. 'Excellent at all aspects of the job. He is great with clients, controls the courtroom and has a very effective manner with judges. He has a first-class legal brain with plenty of commercial sense as well.' 'He argues cases brilliantly in court.' "

CHAMBERS UK 2019, REAL ESTATE

Charles has considerable experience dealing with real estate matters including boundary disputes, landlord and tenant work (both residential and commercial), rights of way, restrictive covenants and registration at HM Land Registry.

His work also includes: disputes over land including traditional boundary disputes, restrictive covenants, rights of way and other easements. He was successful in the Court of Appeal in an action concerning the interaction of boundary agreements and section 2 of the Law of Property (Miscellaneous Provisions) Act 1989, landlord and tenant disputes, both residential (*Springfield Investments v Bell* [1991] 1 EGLR 115 CA) and commercial (*Toms v Ruberry* – [2018] 1 WLR 1138), matters relating to mobile homes and mobile home parks (*Howard v Kinvena Homes* (1999) 32HLR541), and applications to the Property Chamber of the First-tier Tribunal and previously to the Adjudicator (*Mann v Dingley* [2011] EWLandRA 2010_0582).

“ St John's Chambers is considered the pre-eminent set for property disputes on the Western Circuit. It possesses a deep bench of real estate specialists who are active at all levels of the judicial system from the county courts through to the Supreme Court and the Court of Appeal. Commentators praise the set's 'strength in depth' and 'quality' and note that 'its familiarity, friendliness and responsiveness set it apart in the local area.' ”

CHAMBERS UK, 2019

REAL ESTATE



St John's Chambers
voted 'Chambers of
the Year 2018' by
Bristol Law Society



John Sharples,
Head of Real Estate, Call 1992
St John's Chambers

"Pre-eminent junior with an outstanding reputation for his property disputes practice. 'Extremely good at arguing his case in court.' 'A very knowledgeable barrister in all property matters. Very good with clients and a highly competent advocate.' 'An excellent advocate who gets to the core issues of every case.' "

CHAMBERS UK 2019, REAL ESTATE

John is very well versed in handling a variety of complex cases, and is frequently instructed on behalf of estates, developers, public authorities as well as private clients. He is ranked in Band 1 for both real estate litigation and chancery in Chambers UK and is one Legal 500's leading individuals.

Chambers UK describe him as "...an exceptional barrister both in terms of his judgement and his people skills and as good as any senior junior in the county." He has a First Class Law degree from Oxford University and Masters of Law degrees from Cambridge University and the University of Pennsylvania. He was formerly an Attorney in New York.

John's practice covers the whole area of real estate but his particular specialisms include conveyancing disputes, general land disputes and landlord and tenant.

John has written a book on Land Licences, (Jordans Publishing) in which Lord Neuberger of Abbotsbury writes the foreword.

Presenters



Christopher Jones,
Barrister, Call 2004
St John's Chambers

"Strong junior who handles property-related matters within his broader chancery practice. 'Approachable, personable and easy to deal with. He offers attention to detail and delves into the issues. His advice is practical and workable.' "

CHAMBERS UK 2019, REAL ESTATE

Christopher is a chancery and commercial specialist with particular emphasis in real property litigation (particularly in relation to easements, restrictive covenants and contracts for the sale of land) and commercial and agricultural landlord and tenant disputes. He also regularly advises on professional negligence claims, particularly in relation to claims against solicitors, accountants and tax consultants in relation to negligent conveyancing and tax advice as well as being a trained mediator.

Christopher is consistently recommended as a leading junior in Chambers UK and Legal 500.

Christopher is identified as 'most highly regarded' junior at the property Bar by Who's Who UK Bar: Real Estate 2017, the only barrister on the Western Circuit to be recommended. He is noted for his "excellent client, skills, rational thinking and practical application of legal principles'. Jones focuses his practice on litigation relating to easements, restrictive covenants and land sale contracts."

Christopher is listed in the Who's Who UK Bar: Real Estate 2016 and is described as "accessible and easy to work with" and commended for his commercial and agricultural landlord and tenant disputes work."



Joss Knight,
Barrister, Call 2014
St John's Chambers

Joss specialises in real estate matters, and has extensive experience of both commercial and residential landlord and tenant matters. As well as appearing on behalf of both landlord and tenants in lease renewal claims under the 1954 Act; possession claims; and claims under the dilapidations protocol.

Joss also acts in a wide variety of residential property matters including boundary disputes, claims under the Trusts of Land and Appointment of Trustees Act 1996 and claims for easements.

His recent caseload includes:

- C v G (2017) – a dispute as to the effect of a local authority signing, but not exchanging, an engrossed counterpart lease.
- W v M (2017) – a dispute arising upon the termination of a tenancy as to whether there had been an implied surrender and re-grant or whether the tenancy had simply been varied.
- D v B (2017) – advised in relation to an application for a statutory lease renewal under the Leasehold Reform, Housing and Urban Development Act 1993. The case also considered the applicability of the principles of waiver and estoppel.
- H v W (2017) – a two-day trial in which Joss successfully defended his clients in dispute with their neighbours, including, inter alia, a claim under the Protection from Harassment Act 1997.



Annie Sampson
Barrister, Call 2015
St John's Chambers

Annie has experience across the breadth of property and real estate matters and her recent cases include:

- A two-day trespass trial arising in the context of the breach of a licence and including extensive expert evidence.
- A one-day possession trial to evict a tenant on the basis of breach of his tenancy agreement due to anti-social behaviour.
- Advising the respondent to an application to set aside the transfer of a property due to alleged misrepresentation, deceit, undue influence, unconscionability and mistake.
- The settlement of a ToLATA dispute at the directions hearing and acting for the successful claimant at the trial of another.
- Advising in respect of nuisance, restrictive covenants, easements and the enforceability of contracts for the sale of land.
- Acting for the successful claimants at the trial of their claim for the breach of leasehold covenants by a management company.

Annie also gained experience of a wide range of property matters during pupillage, including boundary disputes and adverse possession claims. This experience includes both trials in the First-tier Tribunal (Property Chamber) and the mediation of property disputes.