

EVEBRIEF

Legal & Parliamentary

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ANOTHER INSTALMENT OF THE TRAVELLER'S TALE



Steve Hile
Editor

At item 01 we report on the High Court stay of execution for the Travellers at Dale Farm in Essex. At the time of going to press events have already overtaken this decision, with the Travellers and their supporters finally being removed from the site after a ten-year long battle and at a cost to the taxpayer of well in excess of £20m. Whilst not remotely condoning the Travellers' actions, this can't be the most efficient use of tax payers' money, especially as it is likely to have simply moved the problem elsewhere.

We report at items 09, 10 and 29 on various residential and commercial market surveys which do not present an optimistic outlook for these markets in the coming year. House price falls are less than they otherwise would have been, largely because of the housing shortage, particularly in the South East. At item 11 we report on the increase in affordable homes built, now at a 15-year high, and at item 12 on plans by the Housing Minister to accelerate the release of public sector land to deliver up to 100,000 homes in the next three years. This sounds a lot but the same minister yesterday suggested that there will be 240,000 new households formed every year in the coming decades which illustrates the enormity of the task ahead and the gap that the private sector has consistently failed to fill.

Steve Hile



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PLANNING

01 High Court

Injunction – enforcement notices

* EGAN V BASILDON BOROUGH COUNCIL
(2011) All ER (D) 128 (Sep) – Decision given 26.09.11

Facts: E owned a number of plots of land on a site in Basildon which was occupied by a travelling community. The defendant local authority, BBC, issued a number of enforcement notices between 2002 and 2004 requiring the occupiers of most of the plots on the site to take steps to rectify the breaches of planning control specified in the notices. None of the works specified in the notices had been carried out and BBC proposed to do the works itself. The residents feared that BBC planned to move onto the site and demolish and/or remove all the hard standings and buildings, walls, fences and gates whether or not they were permitted to do so by the terms of the enforcement notices. BBC maintained that, with the exception of six plots, it was entitled to carry out a wholesale clearance of the plots on the site.

Point of dispute: Whether E's application would be allowed for an injunction preventing BBC from taking any steps to remedy the breaches of planning control identified in the notices. The issues were:

- i. whether or not buildings constructed in breach of planning control could be removed or demolished when there was no reference to this in the enforcement notice;
- ii. whether or not walls, fences and gates constructed in breach of planning control could be removed when there was no reference to them in the enforcement notice;
- iii. whether BBC could take action under s178 of the 1990 TCPA in relation to matters that were the subject of 1998 enforcement notices when it had been stated that these matters had been remedied and those notices complied with; and
- iv. whether or not the "chalets" or caravans on certain plots were caravans within the meaning of the relevant legislation and whether or not the relevant enforcement notices required their removal or cessation of their occupation for residential use.

Held:

- i. BBC could not demolish buildings or structures that had been erected unlawfully before the issue of the enforcement notice which could have been, but were not, the subject of the enforcement notice.
- ii. To the extent that walls, fences and gates were unlawfully in place at the time of the issue of the enforcement notice in breach of planning control, they could not be the subject of the steps to be taken pursuant to the current enforcement notices under the guise of enabling works.
- iii. The statement that the 1992 notices had been complied with was an internal communication not relied upon by the residents and there was no evidence that the hard surfaces or structures that were the subject of the instant enforcement notices were those present before 1992.
- iv. There were triable issues as to whether the caravans on the site were within the dimensions prescribed in the Caravan Sites and Control of Development Act 1990 and the Caravan Sites Act, which meant that they might not fall within the requirement in the enforcement notices to remove caravans. This meant that the injunction preventing the enforcement of the notices would have to be continued for a short period.

02 Administrative Court (Manchester)

Planning permission for waste facility

* R (ON THE APPLICATION OF BOSSON) V DERBYSHIRE COUNTY COUNCIL
(2011) PLSCS 238 – Decision given 12.10.11

Facts: In 2010 the defendant council (DCC) granted planning permission for a composting facility on the site of a former colliery near to B's home. The colliery should have been restored by 2004, but in fact 40 hectares remained unrestored, including the ten hectares where the facility was to be sited. In granting permission DCC accepted the planning officer's recommendation that the location was not unacceptable for this type of development – being in the countryside meant that it would not cause problems with noise and odour, notwithstanding that there was a presumption in relevant planning policies against new development in the countryside.

Point of dispute: Whether B's application for judicial review challenging DCC's decision to grant permission would be allowed. B contended that:

- i. the environmental statement submitted with the planning application had been inadequate since it considered the environmental effects of the development against the baseline of an unrestored site rather than one which was subject to a restoration requirement;
- ii. DCC had failed to take into account that restoration was the fallback position in the absence of the development;
- iii. they had wrongly considered that a regional plan policy, which created a presumption in favour of locating new waste facilities on previously developed land, did not apply; and
- iv. they had erred in their approach to development in the countryside.

Held: B's application was dismissed.

- i. The proposed development had to be assessed against an alternative assumption that, in the absence of the development, the site would be fully restored in accordance with the colliery's planning condition. The authors of the environmental statement had clearly written their report with this in mind. DCC had evaluated the effects of the proposed development against what the position would be if the development did not take place and the site was fully restored, and that was the correct baseline against which they had taken the decision to allow the planning application.
- ii. DCC had not erred in their approach to the regional plan policy on the location of waste facilities. The policy did not apply as it was established that the site could not be treated as previously developed land, but had to be treated as open countryside, owing to the requirement to restore the site to its former state.
- iii. DCC had before it a detailed report which had enabled it to decide whether the case was of an exceptional nature, where, considering both the benefit and potential environmental effects, the development was justified. They had come to a decision on whether a compelling case had been made out for an exceptional development in the countryside.

03 CLG Consultation

Community Infrastructure Levy – Detailed proposals and draft regulations for reform

Deadline for Responses 30.12.11

The Community Infrastructure Levy was introduced by the Planning Act 2008 which established the powers to bring the levy into effect. The Community Infrastructure Levy Regulations 2010, which came into force in April last year, allow a charging authority to levy a charge on the owners or developers of land so that they must contribute towards the costs of providing the necessary infrastructure for development of the area. In the Localism Bill the Government set out proposals to reform the Community Infrastructure Levy to require local authorities to pass a certain proportion of receipts to the neighbourhoods where the development that gave rise to them took place. The Bill also clarifies that receipts may be spent on the ongoing costs of providing infrastructure to support the development of the particular area and gives the local area more choice over how a charge is implemented. This consultation seeks views on the detailed implementation of the Government's proposals and on the draft regulations.

<http://www.communities.gov.uk/publications/planningandbuilding/cilreformconsultation>

04 CLG Publication

Community Infrastructure Levy: collection and enforcement – Information document

This document contains an explanation of how the Community and Infrastructure Levy Collection and Enforcement provisions work and provides information to local authorities and other interested parties about collecting and enforcing the levy. This document is not a guidance and local authorities are not required to have regard to it. It should be read alongside Parts 4, 8, 9 and 10 of the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment) Regulations 2011).

<http://www.communities.gov.uk/publications/planningandbuilding/cilcollectionenforcement>



05 Greater London Authority Guidance

Energy Planning

This guidance note provides information on the provision of energy assessments to accompany strategic planning applications. The purpose of an energy assessment is to demonstrate that climate change mitigation measures are integral to the scheme's design and evolution and that they are appropriate to the context of the development. It should address the requirements of Policies 5.2 to 5.9 of the London Plan and also take account of any relevant design, spatial, air quality, transport and climate change adaptation policies in the Plan. It should also clearly outline the applicant's commitments in terms of CO² savings and measures proposed.

<http://www.london.gov.uk/sites/default/files/guidance-energy-assessments-2011.pdf>

06 CLG Publication

An introduction to neighbourhood planning

The purpose of this leaflet is to provide a simple introduction to neighbourhood planning which the Government wants to bring forward through the Localism Bill. It explains what neighbourhood planning is, why it matters, and how it will work in practice. It also contains information about the sources of advice and support for interested communities. Neighbourhood planning will enable local communities to decide about the future of the places where they live and work as it will allow them to:

- choose where they want new homes, shops and offices to be built;
- have a say on how new buildings should look; and
- grant planning permission for new buildings.

<http://www.communities.gov.uk/publications/planningandbuilding/introductionneighbourplanning>

07 CLG Consultation

Neighbourhood planning regulations: Consultation

Deadline for comments: 05.01.12

This consultation seeks views on the Government's proposed new regulations governing the process for establishing neighbourhood areas and forums, the requirements of Community Right to Build organisations, the preparation of neighbourhood plans and neighbourhood development orders, and Community Right to Build orders. The consultation aims to consider whether the proposed approach to taking up the regulation making powers in the Localism Bill with regards to neighbourhood planning strikes the right balance between standardising the approach to neighbourhood planning across the country and providing sufficient local flexibility.

<http://www.communities.gov.uk/publications/planningandbuilding/planningregulationsconsultation>

08 CLG Publication

Neighbourhood planning: e-flyer

The purpose of this leaflet is to provide some brief information on new neighbourhood planning being introduced by the Government and to indicate how to access further information.

<http://www.communities.gov.uk/publications/planningandbuilding/neighbourhoodplanningeflyer>

HOUSING

09 Halifax House Price Index

Halifax House Price Index 06/10/2011

- House prices in Q3 2011 were 0.1% higher than in the previous quarter. This is the first quarterly rise since Q1 2010.
- House prices fell by 0.5% in September. This year has seen a very mixed pattern of monthly price movements.
- The average UK house price in September was £161,132, 1% lower than in December 2010.
- On an annual basis prices in September were 2.3% lower as measured by the average for the three months to September compared with the same period a year earlier. This figure continues the improvement seen since May when prices were 4.2% lower annually.

<http://www.lloydsbankinggroup.com/media/pdfs/2011/HousePriceIndexSeptember2011.pdf>

10 CLG Statistical Publication

House Price Index – August 2011

These latest house price statistics produced by the Department for Communities and Local Government were released on 11.10.11 and include data based on mortgage completions during August. The key points from the release are:

- in August UK house prices decreased by 1.3% over the year, but increased by 0.6% over the month (seasonally adjusted)
- the average mix-adjusted UK house price was £208,476 (not seasonally adjusted)
- average house prices remained unchanged over the quarter to August, compared to a quarterly decrease of 0.2% during the previous quarter (seasonally adjusted)
- average prices fell in all UK countries: by 1.2% in England, by 0.3% in Wales, by 1.5% in Scotland and by 4.3% in Northern Ireland
- on average, prices paid by first time buyers were 1.8% lower than a year earlier. Prices paid by former owner occupiers also fell, by 1.1%
- prices paid for new properties were 9.2% higher on average than a year earlier, but prices for pre-owned dwellings fell by 2%

<http://www.communities.gov.uk/publications/corporate/statistics/hpi082011>

11 DCLG Statistics

Affordable Housing Supply, England, 2010-2011

The latest statistics on gross affordable housing supply in England were released on 05.10.11. The key points were:

- 60,630 gross additional affordable homes were supplied in England in 2010/11, an increase of 5% on the number supplied in 2009/10 and the highest number since 1995/6
- 39,170 new affordable homes were provided for social rent in 2010/11, up 18% on 2009/10
- there were 53,380 new build affordable homes in 2010/11 – 88% of the total supply of additional affordable homes
- 55,250 homes were delivered with a grant from the Homes and Communities Agency in 2010/11, 88% of which were new build homes
- half of all the additional affordable homes were supplied in London (23%), the South East (15%) and the South West (12%) in 2010/11
- seven out of nine of the English regions saw an increase in affordable housing supply, the largest growth being in Yorkshire and the Humber. Decreases were seen in the South East (-17%) and the East (-14%)

<http://www.communities.gov.uk/publications/corporate/statistics/affordablehousing201011>

12 CLG Report

Accelerating the release of public sector land

This summary report provides an update following the announcement in June by the Housing Minister of the Government's plans to accelerate the release of public sector land in order to deliver up to 100,000 homes within the Comprehensive Spending Review period, and support economic growth. It provides an overview of the work that has already been done, how the Government intends to continue to support and facilitate the accelerated release of public land, and proposals for taking the next phase of work forward. The report is of interest to developers looking for land for housing development and community groups leading local housing projects.

<http://www.communities.gov.uk/publications/housing/acceleratingreleaseland>

13 CLG Publication

The Public Request to Order Disposal process: A simple explanation

This note provides a basic description of the request process that applies to both Statutory and Non-Statutory Requests. The Statutory Request process applies to public bodies included in Schedule 16 of the Local Government Planning and Land Act 1980. Under that Act, the Sec of State has powers to direct these bodies to dispose of land or property. The Non-Statutory Request process applies to bodies, not included in Schedule 16, who have signed a voluntary memorandum of understanding with the Department for Communities and Local Government. The Sec of State can treat Non-Statutory Requests in a similar manner to Statutory Requests, but can only recommend, not insist, that these bodies dispose of land or property. Request cases are handled by the Department for Communities and Local Government National Planning Casework Unit.

<http://www.communities.gov.uk/publications/housing/prodprocessexplanation>



LEASEHOLD REFORM

14 High Court

Collective enfranchisement – abuse of process

* WESTBROOK DOLPHIN SQUARE LTD V FRIENDS PROVIDENT LIFE AND PENSIONS LTD
(2011) PLSCS 229 – Decision given 14.09.11

Facts: The defendant, FP, was the freehold owner of a block of 1,223 flats. The claimant, WDS, acquired an underlease of the site and in order to enable it to exercise the right to collective enfranchisement it set up a corporate structure whereby it granted 1,223 underleases to 612 Jersey companies (SPVs) purporting to be qualifying tenants, and then served an initial notice under s13 of the Leasehold Reform, Housing and Urban Development Act 1993, specifying itself as the nominee purchaser of the freehold at a proposed price of £97.8m. FP's counternotice did not admit the right of the SPVs to collective enfranchisement on the basis that the corporate structure had been ineffective in making them qualifying tenants. WDS issued a first claim seeking a declaration that the SPVs were entitled to exercise a right of collective enfranchisement but, shortly before the trial, it issued a notice of discontinuance because property values had fallen since the date of the initial notice. WDS's second notice was substantially the same as the first but contained a different date, proposed price and manner of signature.

Point of dispute: Whether FP's application to strike out the second initial notice pursuant to CPR 3.4(2)(b) and/or (c) would be allowed on the grounds that the court had not granted permission to make a second claim pursuant to CPR 38.7 and/or it was an abuse of court procedure.

Held: FP's application was granted.

- i. The principles that no one should be vexed twice in respect of the same cause and that it was in the public interest that litigation should come to an end informed the court's approach to CPR 38.7, under which the onus was on the applicant to show that it should be granted permission to bring the new claim.
- ii. The facts in the second claim were substantially the same as the first.
- iii. The major issue between the parties remained the corporate structure.
- iv. The 1993 Act permitted the making of successive claims, but not by a party claiming to be a qualifying tenant of the premises in question without some material change in the facts.
- v. WDS had not shown that it should be given permission to bring the present claim which amounted to an abuse of process. Time and resources had been expended on the previous claim, which it had discontinued shortly before trial when it could and should have pursued the matter to trial.

REAL PROPERTY

15 Court of Appeal

Right of way over an agricultural track

* ALFORD V HANNAFORD
(2011) PLSCS 236 – Decision given 07.10.11

Facts: In 1991, the appellant purchased 40 acres of agricultural land from a neighbouring farmer, the defendant's predecessor in title. In the transfer the appellant was granted a limited right of way along a track "at all times and for all purposes with or without vehicles and animals to pass and repass over and along the track...". The appellant had to install a gate at a specified point. By an oral agreement between the appellant and the vendor's daughter in 2003, the appellant had been permitted to erect cross-over gates at the northern end of the track, but these were not to be used for farm purposes by animals or vehicles.

Point of dispute: Whether the appellant's appeal would be allowed against the ruling of the county court judge that she was not permitted to drive animals along the track, nor could she access the right of way through the gate since the track was impassable at that point, and that the right of way was limited to the section of the track that had been identifiable in 1991. The appellant argued that the grant of the right of way included the right to drive animals along the track, and also that there was an implied grant of a right of way through the gate, either as a matter of construction, or under s62 of the Law of Property Act 1925 as she had been granted a licence to use the land for grazing.

Held: The appeal was dismissed.

- i. The court had to give the language used in the transfer document its natural meaning and the wording did not give the appellant a right to drive animals along the track.
- ii. The judge was entitled to consider the situation on the ground and it was unlikely that the vendor intended to grant the appellant a right of way over land that had been impassable for years. Reference to "the track" had to read as being the usable track at the time of the grant.
- iii. The grant of a licence to use land for grazing did not amount to occupation of the land sufficient to engage s62 of the Law of Property Act 1925 by creating identifiable rights over the vendor's retained land. The fact that the transfer had expressly required the presence of secure boundaries was sufficient to exclude the grant of a right of way under s62.
- iv. There was enough factual material to justify the judge's finding that the appellant had agreed to stop using the track for farming purposes in the area in question.

16 High Court

Adverse possession

* BALEVENTS LTD V SARTORI
(2011) All ER (D) 148 (Sep) – Decision given 29.09.11

Facts: The defendant, S, operated a food business from a trailer stationed on a piece of land in front of a club. S's father had occupied the land since 1974 and S took over the business and the land in 1986. Subsequently the club incorporated the land into its area, but the food trailer continued to operate. In 2003 the lease of the club was assigned to the claimant company, B. In May 2009 S was registered as freehold proprietor of the land with possessory title. A dispute arose between R, who financed B's businesses, and S.

Point of dispute: Whether S was validly registered as proprietor of the land. B contended that the business had never been in possession of the land and that, if it had been, it had not been in possession for the requisite period of time; in any event, any title that S might have had had been extinguished by the adverse possession of B's businesses. S argued that he had always made it clear that the land belonged to him and that he had been entitled to be registered as proprietor of the land.

Held: B's claim that S's registration as the proprietor of the land was invalid was dismissed. R had known about and consented to S making the application to register the land in his own name and for his own benefit, and had known of all the material facts when that consent was given. On the facts, S had been in adverse possession of the land for more than ten years when he had made his application to be registered as proprietor.

CONTRACT

17 Court of Appeal

Estate agent's commission – construction of agreement

* ESTAFNOUS V LONDON & LEEDS BUSINESS CENTRES LTD
(2011) PLSCS 241 – Decision given 14.10.11

Facts: The appellant, E, who was an estate agent based in a building owned by the respondent company, LL, entered into an agreement with LL to sell the property to one of his clients. The agreement stated that LL would pay commission to E when a buyer completed the purchase. Eventually, the property was acquired by K, but LL argued that it was not obliged to pay E any commission because a company associated with K had acquired shares in LL's parent company. At first instance the High Court judge found that the obligation on LL to pay commission to E had not been triggered by this transaction since K had not purchased a legal estate in land. The property remained vested in a company as the legal owner of the registered leasehold estate, holding on trust for LL. K had just purchased shares which gave him control of the building.

Point of dispute: Whether E's appeal against the High Court decision would be allowed. E argued that the agreement should be construed as subsuming the share sale agreement within the concept of a sale of the property.

Held: The appeal was dismissed. The language in a contract had to be interpreted according to conventional usage in order to understand what the parties to a contract wanted it to mean. In this case any term that would have the result argued for by E would not be implied. The parties had not considered what would happen if the property sale was restructured as a share sale. Each case had to be decided on the wording of the particular agreement and in the context of particular facts. E was not entitled to recover from LL the £2m specified in the agreement.

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 18 Commercial Court

Equitable estoppel

 PARAGON MORTGAGES LTD V McEWAN-PETERS
 (2011) PLSCS 235 – Decision given 05.10.11

Facts: The claimant, PM, provided mortgage funds to professional landlords in the buy-to-let market. The defendant, MP, had a large portfolio of residential properties that were mainly let to students, the finance for which was provided by PM. By 2007, MP had acquired about 200 properties and its debt to PM was about £27m. PM claimed £6.8m following formal demands for two months' arrears of mortgage payments in respect of specified loans.

Point of dispute: Whether PM's claim would be allowed. MC's argument was that PM was estopped from making this demand since it had promised not to enforce its legal rights under the mortgages and guarantees unless the arrears amounted to three months.

Held: PM's claim was allowed. MP could not rely on equitable estoppel as there was nothing in the documentation to support its claim that PM's legal rights would not be enforced unless MP was three months in arrears, and it was unclear as to whether and in what circumstances any such assurance had been given. PM had made it clear that enforcement action would be taken if the arrears exceeded three months, which was different from undertaking not to take enforcement action if the arrears were less than three months. The fact that the mortgages were payable on demand was not unfair.

MINERALS

 19 CLG Survey Results

Collation of the results of the 2009 Aggregate Minerals Survey for England and Wales

This report, which was produced by the British Geological Survey for the Department of Communities and Local Government, is a collation of the 2009 data for primary aggregates. It contains information on regional and national sales, consumption, permitted reserves and data on the movement and consumption of primary aggregates by sub-region. It also includes statistics relating to the quantity of aggregate minerals granted and refused planning permission, as well as information on withdrawn planning permission applications or those awaiting a decision by site type and environmental designation between 2006 and 2009.

<http://www.communities.gov.uk/publications/planningandbuilding/aggregatesturvey2009>

ENERGY

 20 Statutory Instrument

SI 2011/2452 The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) (Amendment) Regulations 2011

These Regulations which come into force on 06.04.12 ensure the continued implementation in England and Wales of Articles 7 and 9 of Directive 2002.91/EC on the energy performance of buildings ("the Directive"). The Directive lays down the requirements for the production of energy performance certificates (EPCs) when buildings are constructed, sold or rented out, for display of such certificates in large public buildings and for regular inspections of air-conditioning systems. The Regulations make amendments to the 2007 Regulations mainly concerning the requirements for the production of EPCs and the inspection of air-conditioning systems.

<http://www.legislation.gov.uk/uksi/2011/2452/contents/made>

GENERAL

21 English Heritage Guidance Note

Theft of Metal from Church Buildings

This guidance note, which replaces the 2008 version, sets out English Heritage's response to the current epidemic of lead theft which is affecting historic buildings and in particular parish churches. The first part outlines English Heritage's approach and its advice for congregations on the significance of lead, how to protect it, and how to respond to thefts. The second offers practical information about selecting the material to be used for historic church roofs and making it secure.

<http://www.helm.org.uk/upload/pdf/theft-metal-church-buildings.pdf?1317615605>

22 Office of Fair Trading (OFT) Consultation

OFT guidance for estate agents – Compliance with the Consumer Protection from Unfair Trading Regulations 2008 and the Business Protection from Misleading Marketing Regulations 2008

Deadline for Comments: 09.12.11

This consultation concerns the OFT's draft guidance on the application of these regulations to estate agents (and others) in relation to the buying or selling of property or land in the UK. The consultation is aimed primarily at estate agents offering property sales services, property developers that market and sell their own developments, relevant trade associations and professional bodies, and the property ombudsmen.

<http://www.of.gov.uk/OFTwork/consultations/current/estate-agents/>

23 British Council of Offices (BCO) Report

Property Data Report 2011

This document contains key facts about the commercial property sector. It was produced by the Property Industry Alliance which is made up of the Association of Real Estate Funds, the British Council of Shopping Centres, the BCO, the British Property Federation, the Investment Property Forum and the RICS.

<http://www.bco.org.uk/research/researchreports/detail.cfm?rid=175&cid=0>

24 English Heritage Report

Successful school refurbishment case studies

When considering the refurbishment of historic school buildings English Heritage believes that the philosophy of "Constructive Conservation" should be the guide to these projects. This means that old buildings should be adapted where this can be done sensibly and in such a way to enable them to accommodate new uses and equipment and modern teaching methods. This report explains how three particular projects have successfully adopted this philosophy.

<http://www.helm.org.uk/upload/pdf/Successful-school-refurbishment.pdf?1318224340>

25 Landscape Institute Report

Local Green Infrastructure – helping communities make the most of their landscape

The aim of this publication is to inspire people to make positive changes in their neighbourhoods by considering the potential offered by the natural environment and integrating this into the way that places are planned, designed and managed.

http://www.landscapeinstitute.org/PDF/Contribute/LocalGreenInfrastructurewebversion_000.pdf

26 RICS Commercial Market Survey

RICS UK Commercial Market Survey – Q3 2011

- Tenant demand fell over the quarter. Coupled with the rise in available space, this has led to a more negative view on rental expectations.
- Rents in London are expected to fall for the first time in a year. Outside London, rental expectations are even more negative.
- Available space rose fastest in the retail sector, but at a national level rental expectations were most negative for offices.
- Development starts declined across all sectors.
- Investment demand remained largely unchanged from the previous quarter.
- Capital value expectations fell across all sectors outside of London, most noticeably for offices.

http://www.rics.org/site/download_feed.aspx?fileID=10614&fileExtension=PDF

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Evebrief has been established for more than 30 years. It is a summary of the latest statutory and legal cases affecting the property industry and is widely regarded in the industry as the most comprehensive document of its type.

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Abbreviations

The following abbreviations are used in evebrief:

BLD	Lexis Nexis Butterworths (internal abbreviation)
EG	Estates Gazette
EGLR	Estates Gazette Law Reports
EWCA	England & Wales Court of Appeal
EWHC	England & Wales High Court
P&CR	Property, Planning and Compensation Reports
PLSCS	Property Law Service Case Summaries

The star system

Cases are marked with one, two or three stars as follows:

- *** Essential reading on the point of law or valuation with which the case is concerned, because it adds to, or clarifies or changes, the law.
- ** Noteworthy case which does not significantly alter the law or which relates to a relatively obscure point.
- * Interesting but non-essential reading.

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One of our key roles at Gerald Eve Research is to communicate with our clients and others; to inform them, for example, on our latest thinking on topical issues such as legal matters and the implications for broader property market trends.

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