

BLUNDELL LECTURES

TOPICAL ISSUES IN PROPERTY LAW

CPD
AVAILABLE

ALL LECTURES ARE IN-PERSON EVENTS WITH
THE OPTION TO ATTEND ON-LINE IF PREFERRED

HOW BIG EXACTLY IS THE LORD
CHANCELLOR'S FOOT?
THE LIMITS OF ESTOPPEL
MONDAY 5 JUNE 2023

THE SEARCH FOR REASON:
COVENANTS AND CONSENTS
MONDAY 12 JUNE 2023

NUISANCE CALLS: IS THE LAW OF
NUISANCE STILL RELEVANT IN THE
TWENTY-FIRST CENTURY?
WEDNESDAY 21 JUNE 2023

GOOD FAITH & ENDEAVOURS
OBLIGATIONS IN PROPERTY
CONTRACTS
MONDAY 26 JUNE 2023

SPEAKERS (IN EVENT ORDER):

Penelope Reed KC
Joseph Ollech
Adam Rosenthal KC
Julie Gattegno
Gary Cowen KC
Louise Clark
Mr Justice Edwin Johnson
Dr Janet O'Sullivan

*All lectures take place at the
LSE, New Academic Building,
54 Lincoln's Inn Fields, London.
Large (400 seat) auditorium,
enabling social distancing for
those who wish. In-person
attendance encouraged, but
on-line joining available. Ticket
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among all the professions.*

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BLUNDELL LECTURES

TOPICAL ISSUES IN PROPERTY LAW

HOW BIG EXACTLY IS THE LORD CHANCELLOR'S FOOT? THE LIMITS OF ESTOPPEL

Speakers: Penelope Reed KC, 5 Stone Buildings and Joseph Ollech, Falcon Chambers

Chair: Caroline Shea KC

Has the doctrine of estoppel (and particularly that which relates to property) gone too far, particularly in the commercial sphere? This talk will look at the history of the doctrine, with a focus on proprietary estoppel and explore whether there are firm principles in place or whether it is a question of the Court thinking that something is just not fair. It will explore whether the Courts have tried to rein in the doctrine in respect of commercial cases including those where estoppel by convention or the *Pallant v Morgan* equity is relied upon and whether, by comparison, cases supposedly in the domestic context have gone too far.

Monday 5 June 2023 – 6pm-8pm

LSE, New Academic Building,
54 Lincoln's Inn Fields, London WC2A 3LJ

THE SEARCH FOR REASON: COVENANTS AND CONSENTS

Speakers: Adam Rosenthal KC, Falcon Chambers and Julie Gattegno, CMS Cameron McKenna Nabarro Olswang LLP

Chair: Edward Peters

Covenants between landlord and tenant or between freehold owners which prohibit one party from doing something without the consent of another will usually require the consenting party not to withhold consent arbitrarily or unreasonably. A proviso that consent cannot be unreasonably withheld is sometimes included expressly or as between landlord and tenant might be implied by the Landlord and Tenant Act 1927. In relation to alienation covenants in leases, additional measures are contained in the Landlord and Tenant Act 1988 to protect tenants who are reliant on their landlord to act reasonably.

In this talk, Julie Gattegno and Adam Rosenthal KC will consider: (1) how effective the machinery is in relation to landlord and tenant covenants which depend on the consent of the landlord, (2) whether the approach which the Courts take to assessing the reasonableness of the exercise of the power to give or withhold consent is sufficiently principled and provides appropriate protection for the covenanting party and (3) whether principles which derive from the decision in *Braganza v BP Shipping Ltd* [2015] UKSC 17 have any role to play in the assessment of the reasonableness of a decision to withhold consent.

Monday 12 June 2022 – 6pm-8pm

LSE, New Academic Building,
54 Lincoln's Inn Fields, London WC2A 3LJ

NUISANCE CALLS: IS THE LAW OF NUISANCE STILL RELEVANT IN THE TWENTY-FIRST CENTURY?

Speakers: Gary Cowen KC, Falcon Chambers and Louise Clark, Louise Clark Mediation

Chair: Guy Fetherstonhaugh KC

Following the controversial decision of the Supreme Court in *Fearn v Trustees of the Tate Gallery*, Gary Cowen KC and Louise Clark will consider the wider implications of the decision for the law of nuisance and its application in modern society. In particular, they will discuss whether Fearn represents a radical departure from the existing law or merely an application of existing principle and whether it clarifies the law or makes it more difficult to apply. Twenty-first century society is inevitably very different from John le Leche's medieval tower and Gary and Louise will discuss the extent to which nuisance is still fit for purpose in modern life.

Wednesday 21 June 2023 – 6pm-8pm
LSE, New Academic Building,
54 Lincoln's Inn Fields, London WC2A 3LJ

GOOD FAITH & ENDEAVOURS OBLIGATIONS IN PROPERTY CONTRACTS

Speakers: Mr Justice Edwin Johnson and Dr Janet O'Sullivan, Associate Professor, Faculty of Law, University of Cambridge

Chair: Janet Bignell KC

The past decade has seen significant judicial moves towards embracing 'good faith' as a general common law principle applicable to commercial contracts, welcomed by many but derided by others as intrusive, uncertain and uncommercial. Dr Janet O'Sullivan's lecture will explore these developments through the prism of commercial property contracts, considering the implication of terms as to good faith in performance and the fuzzy concept of a 'relational contract', as well as obligations to negotiate in good faith and the attempted importation of good faith into the innocent party's options on the other's repudiatory breach.

Mr Justice Edwin Johnson will discuss endeavours obligations. What is required by endeavours obligations? What are best endeavours? What are all reasonable endeavours? What is reasonable? These can be difficult, and acutely fact sensitive questions to answer. This lecture aims to provide a guide to answering these and related questions in relation to property contracts, including the difficult question of the extent to which a party subject to an endeavours obligation is thereby required to act contrary to their own financial interest. The lecture will provide practical examples of the operation of endeavours obligations and review the case law on the meaning and content of endeavours obligations.

Monday 26 June 2023 – 6pm-8pm
LSE, New Academic Building,
54 Lincoln's Inn Fields, London WC2A 3LJ

REASONS TO ATTEND

- Cutting edge of property law
- Eminent speakers
- Practical and relevant
- Detailed written papers and access to recording post-event
- Interactive Q&A
- Networking with members of the 3 professions over drinks and canapés
- 1.5 hours of technical content per lecture for CPD
- Supporting your professional body's benevolent fund (£20K donated from last year's series)

“ The Blundells name is a nationally recognised brand that is synonymous with excellence in the field of property law. The annual fixture of insightful lectures adds extraordinary value to the property industry, whether it is through intellectual rigour or challenging conventional wisdom. These lectures are an absolute must for us all if we are to keep pace with the issues of today and evolve to meet the challenges of tomorrow. ”

Dellah Gilbert

Head of Property Litigation at Maples Teesdale LLP and Chair of the Property Litigation Association

The Blundell Series continues its tradition of forward thinking discussions on key developments in property law and practice. These lively debates are an indispensable practical aid to all practitioners and make a substantial annual contribution to the development of the professions involved.

Learning objective: to improve my knowledge and understanding of current trends and important developments in property law and related topics in the Business and Property Courts.

Learning rationale: To enable me to maintain and further develop my competence and performance in my core areas of practice.

TO BOOK ON-LINE (by card payment)

If you are booking multiple sets of Lectures for 5 people or more at the same time and require an invoice please email lucinda@quadrilect.co.uk directly for further information.

visit: blundell-lectures.org

Lecture Format & Timing:

Refreshments will be served from 6pm. Each lecture will start at 6.30pm + finish c.8pm

Price: £75 + VAT = £90 for each lecture or £300 + VAT = £360 for all four.

Ticket Includes:

- Attendance in person at LSE / access to join remotely
- Networking and canapé reception
- The Lecture followed by Q&A
- Speakers' written papers
- Access to zoom recording (Lecture only) for up to 3 months post-event.

Special Offer: If you purchase a complete set of 4 Lecture tickets at full price you are entitled to buy a second half price set, at the same time, for use by a colleague of under 4 years PQE

Enquiries:

If you have any questions or haven't received your confirmation of booking or tickets please contact Lucinda Howe at Quadrilect Conferences
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- The organisers accept no responsibility for views expressed or contained in conference documentation.
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- Each ticket only allows access to one person to attend/view the Lecture. Links must not be shared or viewed by more than one person. Observing these terms will maximise the amount raised for the professional charities.
- Speakers' papers and access to recordings will be supplied electronically post event.