

# Property Conference 2025



- 09:00 Registration and refreshments
- 09:30 Opening Session: Case Law 2025 Update
- 10:00 Workshop Session 1

Choose between:

**(1) Crossing the boundary (one decade at a time) – Discussing the Supreme Court’s decision in *Ridley v Brown* [2025] UKSC 7**

Boundary disputes are hard fought, emotional and lengthy. In an attempt to avoid the same, we will distil the recent decision of the Supreme Court and other associated developments in the issue of boundary disputes in quick and practical way.

This seminar will explore the practical responses and pre-action steps needed to be taken when faced with a boundary disputes. We will explain what the correct interpretation of the reasonable belief condition is as part of the boundary “gateway” to obtaining registration as an adverse possession. Finally, there will be a focus on when and how the equitable doctrine of Laches can be deployed.

[Sam Phillips](#), [Michael Mullin](#) & [Tristan Salter](#)

or

**(2) Trusts of land, proprietary estoppel and common intention – an update following the decision in *Nilsson v Cynberg* [2024] EWHC 2164 (Ch)**

In the seminal case of *Stack v Dowden* [2007] UKHL 17, Baroness Hale stated that “*an express declaration of trust is conclusive unless varied by subsequent agreement or affected by proprietary estoppel*”. But what counts as a “subsequent agreement”? The decision in *Nilsson* provides helpful guidance, confirming that an informal common intention constructive trust is enough, and it does not even need to comply with the provisions of s.2 Law of Property (Miscellaneous Provisions) Act 1989.

In this workshop, we will consider the type of subsequent agreements, oral or otherwise, which could undo an express declaration of trust, from informal common intention constructive trusts to proprietary estoppel. We will also explore the impact of fraud, undue influence and mistake.

[Sonia Raj](#), [Angela Hall](#), [Jennifer Moate](#) & [Thomas Kidney](#)

11.15 Break

11.30 Workshop Session 2

Choose between:

**(3) ‘You Can’t Always Get What You Want, But You Can Try’  
An introduction to challenging a will’s validity or its effects**

As our society ages and family dynamics continue to evolve, courts are increasingly facing challenges to the way in which people arrange their affairs for the time after they have passed away. Whether you work in a specialist contentious probate and inheritance team, or are a general litigator with these matters in your portfolio, this session will offer valuable insights to support your practice. We will cover substantive challenges to the validity of a will itself, including testamentary incapacity and undue influence, as well as offering insight on practical procedural considerations that will be of use to both claimants and defendants. The session will also examine a different sort of challenge, this time to the *effects* of a will (or intestacy), and seeking to obtain reasonable financial provision under the Inheritance (Provision for Family and Dependents) Act 1975.

[Christopher Stead](#), [Ben Leb](#) & [Scarlet Taylor-Waller](#)

or

**(4) Dilapidations & the 1954 Act: Strengthening Your Position in Lease Negotiations and Claims**

The talk will focus on the most important clauses to include when negotiating commercial leases in order to protect your client's future position, in terms of both bringing and defending dilapidation claims. We will examine the critical role of the Dilapidations Protocol, the principle of supersession, and the importance of robust expert evidence. Finally, we'll walk through the key components involved in the calculation of costs to ensure you're fully equipped to navigate claims effectively.

[David Mold](#), [Tiernan Fitzgibbon](#) & [Freyja McLoughlin](#)

**12.45**      **Lunch**

**13:45**      **Workshop Session 3**

**Choose between:**

**(5) RO's and RCO's under the BSA: Where are we now?**

This year marked the third anniversary of the Building Safety Act 2022. First-Tier Tribunal decisions relating to applications for Remediation Orders and Remediation Contribution Orders under s.123/s.124 are now gaining pace.

This workshop will focus on practical lessons that can be learnt from the approach of the FTT in the developing case law. Recent Tribunal decisions covered will include the *Thanet Lodge*, *Empire Square*, and *Purbeck House* cases.

We will also review the decision of the Upper Tribunal in the *Smoke House & Curing House* case, and the Court of Appeal decision in the *Triathlon Homes* case.

[Stephen Evans](#) & [Ben Maltz](#)

or

**(6) Reasonable adjustments under the Equality Act 2010, s. 20 and Part 4 'Premises'**

Under the Equality Act 2010, s. 20, 'Duty to make adjustments' and Part 4, 'Premises', landlords and managing agents have a duty, in certain

circumstances, to make reasonable adjustments to ameliorate disadvantage that disabled people suffer in their use of the relevant premises.

This duty to make reasonable adjustments also applies to the employment sector and to the provision of services. The leading (e.g. *Paulley v FirstGroup Plc* [2017] UKSC4) and high-profile cases are in those sectors. The application of the principles from these cases to premises cases is not always clear.

In this workshop we will cover:

- Who can be a defendant in a reasonable adjustment claim relating to Premises?
- What types of adjustment can be ordered by the Court?
- The requirement for a request?
- What is a 'reasonable' adjustment, in particular must it eliminate all disadvantage and can the defendant take into account the cost of the adjustment?

[Nicholas Grundy KC](#) & [Taylor Blair](#)

**14:45 Champagne Reception**

**15:15 Commonhold as a land holding: history and reform**

Dissatisfaction with the operation of residential leasehold has been expressed across the political spectrum.

In Jan 2023, M. Gove (who was then SoS for Levelling Up, Housing and Communities) stated that he didn't "*believe leasehold is fair in any way. It is an outdated feudal system that needs to go. And we need to move to a better system and to liberate people from it.*"

The last Government rushed through the Leasehold Reform Act 2024 before the last election. It was not comprehensive and most of it remains not yet in force. However, it did not abolish residential leasehold.

In March 2025 the Labour Government issued its Commonhold White Paper "*The proposed new commonhold model for homeownership in England and Wales*". The press release for which stated that it marked the "Beginning of the end for the 'feudal' leasehold system".

In this, post champagne reception, Workshop we will take a wry look at why the new tenure of Commonhold introduced by the Commonhold and Leasehold Reform Act 2002 has not taken off and at the proposals for reform in the 2020 Law Commission Report 'Reinvigorating Commonhold' as well as Labour's proposals for reform of Commonhold.

[Nicholas Grundy KC](#) & [Felix Gibson](#)

**16.00 Networking & Drinks**