

Property law in England and Wales - leasehold, commonhold and consumer rights 25th April 2019

CONDITIONS FOR USE OF TRANSCRIPTS:

This document is intended to provide a timely reference for interested parties who are unable to attend the event to which it refers. Some portions are based on transcripts of proceedings and others consist of text submitted by speakers or authors, and are clearly marked as such. As such, apart from where it is indicated that the text was supplied by the speaker, it has not been possible for the transcript to be checked by speakers and so this portion of the document does not represent a formal record of proceedings. Despite best endeavours by Westminster Forum Projects and its suppliers to ensure accuracy, text based on transcription may contain errors which could alter the intended meaning of any portion of the reported content. Anyone who intends to publicly use or refer to any text based on the transcript should make clear that speakers have not had the opportunity for any corrections, or check first with the speaker in question. If in doubt please contact the forum first.

Contents

About this Publication	3
<u>Agenda</u>	4
Session Chair's opening remarks Sir Peter Bottomley MP, Co-Chair, All-Party Parliamentary Group on Leasehold and Commonhold Reform (transcript)	6
Drafting new property law for England and Wales: outcomes from the Law Commission Reviews	
Professor Nicholas Hopkins, Commissioner, Property, Family and Trust Law, Law Commission (transcript)	8
Questions and comments from the floor (transcript)	12
The view from the judiciary - adapting to reforms and the next steps for consumer redress	
Judge Siobhan McGrath, President, First Tier Tribunal (Property Chamber), Courts and Tribunals Judiciary (transcript)	13
Next steps for changing property rights - simplifying enfranchisement, managing properties and	
reforming Right to Manage	
Roger Nelson, Managing Director, Each Side Leasehold (transcript)	16
Tony Hymers, Director, Burlington Estates (transcript)	19
Mark Chick, Partner and Head, Landlord & Tenant Team, Bishop & Sewell (transcript)	21
Questions and comments from the floor with Judge Siobhan McGrath, President, First	
Tier Tribunal (Property Chamber), Courts and Tribunals Judiciary (transcript)	25
Priorities for property law reform moving forward - HCLG Committee's Leasehold Reform Inquiry	
Clive Betts MP, Chair, House of Commons Housing, Communities and Local Government Select Committee (text to be	
submitted by speaker)	28
Questions and comments from the floor (transcript)	29
Session Chair's closing remarks	
Sir Peter Bottomley MP, Co-Chair, All-Party Parliamentary Group on Leasehold and Commonhold Reform (transcript)	34
Session Chair's opening remarks	
Marie Rimmer MP (transcript)	35
Expanding the commonhold model	
Matthew Jupp, Principal, Mortgage Policy, UK Finance (transcript)	36
Jonathan Achampong, Partner, Residential Property Team, Wedlake Bell (transcript)	38
Dr Nigel Glen, Chief Executive Officer, ARMA (transcript)	40
Questions and comments from the floor (transcript)	42
The future for leasehold - restrictions on new leases, capping ground rents and tackling 'unfair terms' in existing	
<u>contracts</u>	
Professor James Driscoll, Solicitor; Author and former Judge, First Tier Tribunal (Property Chamber) (transcript)	50
Stephanie Pollitt, Assistant Director (Real Estate), British Property Federation (transcript)	51
Louie Burns, Managing Director, Leasehold Solutions (transcript)	52
Beth Rudolf, Director of Delivery, Conveyancing Association (transcript)	55
Questions and comments from the floor (transcript)	58
Session Chair's and Westminster Legal Policy Forum closing remarks	
Marie Rimmer MP (transcript)	65
Tom Wright, Senior Researcher, Westminster Legal Policy Forum (transcript)	66
Comment Andrew Porton Director Decidential Levellanda Accesiation	- -
Andrew Burton, Director, Residential Landlords Association	67
<u>List of Delegates Registered for Seminar</u>	68
Contributor Biographies	71

Please be advised that speakers' PowerPoint presentations are included within the transcript itself, just beneath the relevant speaker's text. Please note that not all speakers are able to grant permission for us to include their slides.

About this Publication

This publication reflects proceedings at the Westminster Legal Policy Forum Keynote Seminar: Property law in England and Wales - leasehold, commonhold and consumer rights held on 25th April 2019. The views expressed in the articles are those of the named authors, not those of the Forum or the sponsors, apart from their own articles.

Although Westminster Legal Policy Forum is grateful to all sponsors for the funding on which we depend, participation in events and publications is never conditional on being a sponsor. As well as funding ongoing operations, sponsorship enables the Forum to distribute complimentary copies of publications, and offer complimentary tickets for events, to Government ministers, parliamentarians and officials most involved in policy.

This publication is copyright. Its copying, in whole or in part, is not permitted without the prior written consent of the publishers. However, extracts of the text may be reproduced for academic or review purposes, subject to the conditions of use outlined in the previous page, providing they are accurate, are not used in a misleading context and the author, their organisation and the Westminster Legal Policy Forum are acknowledged. We would also appreciate being informed.

Westminster Legal Policy Forum

UK Headquarters 4 Bracknell Beeches Old Bracknell Lane West Bracknell Berkshire RG12 7BW

T: 01344 864796 F: 01344 420121 publications@westminsterforumprojects.co.uk

Directors

Peter van Gelder Chris Whitehouse