



PROPOSALS TO REFORM RIGHTS OVER NEIGHBOURING LAND

The Law Commission today publishes a consultation paper provisionally proposing wide-ranging reform of the law governing easements, covenants and profits à prendre.

Stuart Bridge, the Commissioner leading the project, said:

“Easements and covenants are of practical importance to a large number of landowners. Recent Land Registry figures suggest that at least 65% of freehold titles are subject to one or more easements and 79% are subject to one or more restrictive covenants. The rights can be fundamental to the enjoyment of property. Their effective operation is also crucial to the successful development of land for housing. The obscure terminology and dry legal complexity of the current law should not hide the fact that easements and covenants remain vitally important in the twenty-first century and the time has come to bring them up to date”.

The aim of the project is to modernise and simplify the law, removing anomalies, inconsistencies and unnecessary complications where they exist.

Those who are most affected by the current law, such as private homeowners, business and organisations that own property, those who deal with and develop land and professional advisers, would benefit greatly if the law was more accessible and easier to operate. Reform would also offer net benefits to all those involved in the conveyancing process, including lay persons, solicitors, licensed conveyancers and Land Registry.

The consultation closes on 30 June 2008.

Notes for Editors

1. The Law Commission is a non-political independent body, set up by Parliament in 1965 to keep all the law of England and Wales under review, and to recommend reform where it is needed.
2. Further information on the Easements project can be found at <http://www.lawcom.gov.uk/easements.htm>
3. To respond to the consultation contact the Property, Trust and Family Law Team at propertyandtrust@lawcommission.gsi.gov.uk
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