

# PROPERTY FLAGSHIP 2025

## *Easements: From Start to Finish*

Chaired by **Mark Harper KC**, members of the Kings Chambers Property Team will discuss the lifecycle of a right of way dispute, looking at up to date case law and offering practical guidance.

**12:30 - 13:30 Registration and Lunch Available**

### **Stage 1: Does the right exist?**

**Nathan Smith** addresses the fundamental question: has the right of way been acquired in the first place?

Even if it did exist, **Lucy Wilson-Barnes** will analyse whether it has been lost through abandonment.

### **Stage 2: What is the scope of the right?**

Are there any restrictions in terms of the purpose for which the right of way can be used? **Geraint Wheatley** will look in particular at whether the dominant land can be developed and used for a different purpose.

Can the client park on the right of way? **Ian Cooper** will assess the state of the case law.

**Break**

### **Stage 3: Additional rights**

**Matthew Hall** considers the crucial issue for development sites of pipes and services below the surface.

### **Stage 4: Interference by the servient owner / third parties**

Practical analysis of the test for interference in general, and the law on whether it is permissible to close gates across the route, with **Harry Dyson**.

**Break**

### **Stage 5: Remedies & Resolution**

**Rory Goodson** will discuss the principles underpinning the award of injunctions and damages in lieu.

And finally, **Nigel Clayton** will review where we are up to with ADR and mediation in particular – looking at the different options available to negotiate the range of issues that commonly arise in right of way disputes.

**5pm Onwards | Stage 6: Drinks on the terrace!**