

YOUR ESSENTIAL REVISION & STARTER GUIDE



8th edition

NUTSHELLS

LAND LAW

Michael Haley

- Get into the subject quickly
- Learn and memorise the key principles and cases
- Trust in your knowledge come assignment and exam time



SWEET & MAXWELL

NUTSHELLS

Land Law

by

MICHAEL HALEY

Solicitor,
Professor of Law,
Keele University



SWEET & MAXWELL



THOMSON REUTERS

First Edition – 1987
Second Edition – 1991
Third Edition – 1994
Reprinted – 1997
Fourth Edition – 1997
Fifth Edition – 2000
Reprinted – 2001
Reprinted – 2002
Reprinted – 2003
Sixth Edition – 2004
Seventh Edition – 2007

Published in 2010 by Thomson Reuters (Legal) Limited
(Registered in England & Wales, Company No 1679046.

Registered Office and address for service:
100 Avenue Road, London NW3 3PF)
trading as Sweet & Maxwell

**For further information on our products and services, visit
www.sweetandmaxwell.co.uk*

Typeset by LBJ Typesetting Ltd
Printed in Great Britain by Ashford Colour Press Ltd, Gosport, Hants

*No natural forests were destroyed to make this product;
only farmed timber was used and re-planted*

A CIP catalogue record for this book is available from the British Library.

ISBN: 9780414041769

Thomson Reuters and the Thomson Reuters logo are trademarks of Thomson Reuters.
Sweet & Maxwell® is a registered trademark of Thomson Reuters (Legal) Limited.

*Crown copyright material is reproduced with the permission of the Controller
of HMSO and the Queen's Printer for Scotland.*

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, or stored in any retrieval system of any nature without prior written permission, except for permitted fair dealing under the Copyright, Designs and Patents Act 1988, or in accordance with the terms of a licence issued by the Copyright Licensing Agency in respect of photocopying and/or reprographic reproduction. Application for permission for other use of copyright material including permission to reproduce extracts in other published works shall be made to the publishers. Full acknowledgement of author, publisher and source must be given.

© 2010 Thomson Reuters (Legal) Limited

NUTSHELLS

Land Law

Titles in the Nutshell Series

A Level Law
Company Law
Constitutional and Administrative Law
Consumer Law
Contract Law
Criminal Law
Employment Law
English Legal System
Environmental Law
Equity and Trusts
European Union Law
Evidence
Family Law
Human Rights
Intellectual Property Law
Land Law
Medical Law
Tort

Titles in the Nutcase Series

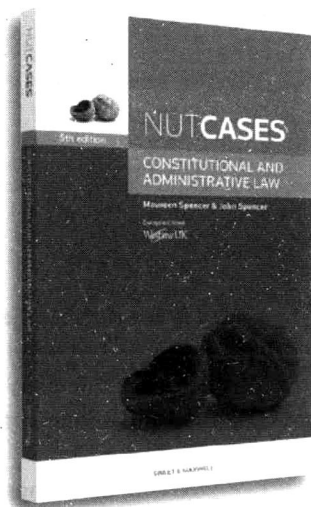
Constitutional and Administrative Law
Contract Law
Criminal Law
Employment Law
Equity and Trusts
European Union Law
Human Rights
Land Law
Tort

YOU'VE GOT IT CRACKED

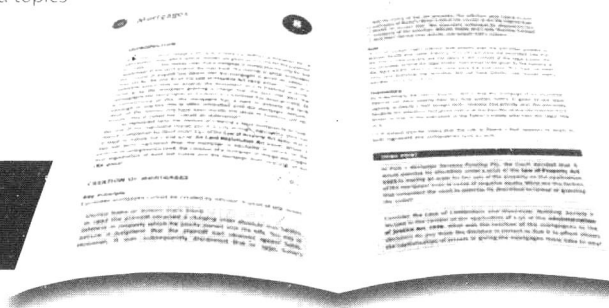


Nutcases – your essential revision and starter guides

- Provides you with in-depth case analysis of the facts, principles and decision of the most important cases in an area of law
- Incorporates colour to help distinguish cases and legislation and aid ease of use
- Presents the text in bite-size chunks and includes bullets where appropriate to aid navigation, assimilation and retention of information
- Breaks the subject down into key topics to enable you to easily identify and concentrate on particular topics
- Opens each chapter with a short introduction to outline the key concepts covered and condense complex and important information
- Highlights Court of Appeal and House of Lords cases to enable you to easily identify the relative significance of the cases examined
- Includes boxed "think points" at the end of each chapter providing further case analysis
- Fully indexed by individual cases and topics



Available from all
good booksellers



SWEET & MAXWELL



THOMSON REUTERS

Using this Book

NEW DETAILED TABLE OF CONTENTS

Welcome to our new book **NUTSHELLS** revision series. We have revamped and improved the existing design and layout and added new features, according to student feedback.

NEW DETAILED TABLE OF CONTENTS for easy navigation.

Contents

Using the book

Table of Cases

Table of Statutes

1. Introductory Topics

Introduction

Categories of Property

Ownership and Land

Land Use and the European Convention on Human Rights

2. Tenures and Estates

The Doctrine of Tenures

The Doctrine of Estates

Rights of a Fee Simple Owner

3. Law and Equity

Introduction

Instruments of Equity

Table of Cases

88 Berkeley Road NW9, Re [1971] Ch. 648; [1971] 2 W.L.R. 307 Ch D

AG Securities v Vaughan [1990] 1 A.C. 417; [1988] 3 W.L.R. 1205 H

AIB Finance Ltd v Alsop [1998] 2 All E.R. 929; [1998] Lloyd's Rep

Bank. 102 CA (Civ Div)

Abbey National Building Society v Cann [1991] 1 A.C. 56; [199

2 W.L.R. 832 HL

Abbeyfield (Harpenden) Society Ltd v Woods [1968] 1 W.L.R.

[1968] 1 All E.R. 352 CA (Civ Div)

Adealon International Proprietary Corp Ltd v Merton LBC [2

Civ 362; [2007] 1 W.L.R. 1898 CA (Civ Div)

Adl London Industrial Properties Ltd v Castlegu

1 R.R. D43 CA (Civ Div)

REDESIGNED TABLES OF CASES AND LEGISLATION for easy reference.

Tenures Abolition Act (12 Cha. 2 c.24) 12,

Prescription Act (2 & 3 Will. 4 c.71) 116, 118

5.2 118

5.3 118

1873 Judicature Act (36 & 37 Vict. c.66) 19

1875 Judicature Act (38 & 39 Vict. c.77) 19

1986 Agricultural Holding Act (59 & 60 Vict. c.16) 46

1922 Law of Property Act (12 & 13 Geo. 5 c.16) 12, 17

5.145 69, 81

1925 Settled Land Act (15 & 16 Geo. 5 c.18) 28, 33, 83

Trustee Act (15 & 16 Geo. 5 c.19) 28

5.34(2) 95

Law of Property Act (15 & 16 Geo. 5 c. 20) 14, 28,

131, 137

5.1 30

(i) 28, 35, 81

(a) 31

(b) 68

NEW CHAPTER INTRODUCTIONS to outline the key concepts covered and condense complex and important information.

INTRODUCTION

English law makes a primary distinction between (realty and personalty). Although the peculiar English exception, this distinction corresponds in the main in civil law systems between immovable and movable property. The significance of this distinction is that real property is subject to the ability to bind future purchasers of the land (as a licence) do not. The language employed, and, at first, apt to confuse.

Figure 1

DEFINITION CHECKPOINTS, EXPLANATION OF KEY CASES AND LEGISLATION HIGHLIGHTERS to highlight important information.

consequently, it is more difficult to determine possession (seisin) in determining title.

DEFINITION CHECKPOINT

In the physical sense, land includes not only the land but also all buildings on the land, any fixture and minerals and any incorporeal rights such as easements. This is the definition of land in the Law of Property Act 1925. At common law, land is said to extend up to the sky and down to the centre of the earth: *est solum, eius est usque ad coelum et ad inferos*.

pace

to a reasonable

KEY CASE

KIRIN-AMGEN INC V TRANSKARYOTIC THEARA
In *Kirin-Amgen Inc v Transkaryotic Therapies Ltd*, the court held that the patent was invalid for lack of novelty. The court found that the prior art included cells carrying small amounts of patented protein, which rendered the patent invalid.

- (c) Court order for a party to reveal relevant information under the Civil Procedure Rules (rule 31) such an order for example, the name and address of the party, along with the traditional disclosure order. The Norwich Pharmacal order (affirmed in *Norwich Pharmacal Ltd v Customs and Excise Commissioners*) is a remedy that can be ordered where the defendant is a person who is in a position to provide information that the patent is inextricably connected to the patent.

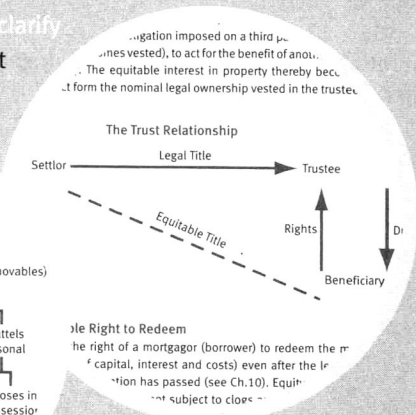
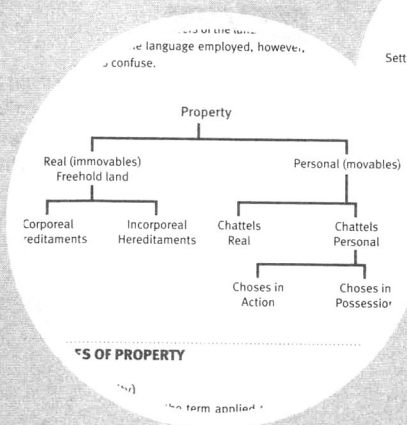
Alongside the above, the Patent Rules.

LEGISLATION HIGHLIGHTER

The Patent Rules 2007 (No. 3291), Patents and Patents (Compulsory Licensing Certificate) Regulations 2007 (No. 32) and the patent system.

MAINTAINING A PATENT

DIAGRAMS, FLOWCHARTS AND OTHER
DIAGRAMMATIC REPRESENTATION to clarify
and condense complex and important
information and breakup the text.



...1977 than that with...
...vision fell squarely within art. 1...
...of the discriminatory nature of the p...
...legitimate justification for this differen...
...provision so as to give equal rights to all...

Revision Checklist

You should now know and understand:

- the various classifications of proper
- what is meant by the term “land”;
- how to distinguish a fixture fro
- the possible impact of hur

END OF CHAPTER REVISION
CHECKLISTS outlining what you
should now know and understand.

END OF CHAPTER QUESTION AND
ANSWER SECTION with advice on
relating knowledge to examination
performance, how to approach
the question, how to structure the
answer, the pitfalls (and how to
avoid them!) and how to get the
best marks.

QUESTION AND ANSWER

Question

James enters into a contract to purchase
The building is fitted throughout with exp
paneling and exotic wall tapestries. The
collection of stuffed creatures, some of
wall cabinets. The grounds are styled to
feature free-standing traditional huts
wishes to remove the above named

Advise Kirk.

HANDY HINTS

– revision and examination tips and advice relating to the subject features at the end of the book.

HANDY HINTS

The golden rule for most law examination is to answer *all* of the question (i.e. all its constituent parts). Do not digress, keep your answer relevant, practice and planning all have a part to play.

Some issues may require discussion of the facts. Some questions may involve breach of confidence. Some also require consideration of passing property.

Passing property

NEW COLOUR CODING throughout to help distinguish cases and legislation from the narrative. At the first mention, cases are highlighted in colour and italicised and legislation is highlighted in colour and emboldened.

Leases (Chattels Real)

Historically, leases were treated as personal property. A leasehold interest was, therefore, a purely contractual relationship. It was, therefore, treated in the same way as chattels, hence the expression 'leasehold chattels'. Of course, a lease is a property right and is capable of being sold, pledged and transferred.

Chattels Personal

This category covers all other personal property apart from leases. It includes choses in action and choses in possession. A chose in action (it has no physical existence) which can only be enforced by legal action and not by taking physical possession of the thing. Examples include a cheque, bond, share certificate, patent and copyright. A chose in possession is capable of being sold, pledged and transferred. It is a tangible right that can be enjoyed by taking possession of the thing.

e.g. a car, book, furniture and land.

Table of Cases

88 Berkeley Road NW9, Re [1971] Ch. 648; [1971] 2 W.L.R. 307 Ch D	99
AG Securities v Vaughan [1990] 1 A.C. 417; [1988] 3 W.L.R. 1205 HL	73, 93
AIB Finance Ltd v Alsop [1998] 2 All E.R. 929; [1998] Lloyd's Rep. Bank. 102 CA (Civ Div)	132
Abbey National Building Society v Cann [1991] 1 A.C. 56; [1990] 2 W.L.R. 832 HL	63, 100
Abbeyfield (Harpenden) Society Ltd v Woods [1968] 1 W.L.R. 374; [1968] 1 All E.R. 352 CA (Civ Div)	71
Adealon International Proprietary Corp Ltd v Merton LBC [2007] EWCA Civ 362; [2007] 1 W.L.R. 1898 CA (Civ Div)	113
Allied London Industrial Properties Ltd v Castleguard Properties (1997) 74 P. & C.R. D43 CA (Civ Div)	155
Anchor Brewhouse Developments Ltd v Berkeley House (Docklands Developments) Ltd 38 B.L.R. 82; (1987) 284 E.G. 625 Ch D	3
Antoniades v Villiers [1988] 3 W.L.R. 139; [1988] 2 All E.R. 309 CA (Civ Div)	72
Ashburn Anstalt v WJ Arnold & Co [1989] Ch. 1; [1988] 2 W.L.R. 706 CA (Civ Div)	140
Ashley Guarantee Plc v Zacaria [1993] 1 W.L.R. 62; [1993] 1 All E.R. 254 CA (Civ Div)	136
Austerberry v Oldham Corp (1885) L.R. 29 Ch. D. 750 CA	148, 154
Avonridge Property Co Ltd v Mashru [2005] UKHL 70; [2005] 1 W.L.R. 3956; [2006] 1 All E.R. 127	170
BHP Petroleum Great Britain Ltd v Chesterfield Properties Ltd [2001] EWCA Civ 1797; [2002] Ch. 194; [2002] 2 W.L.R. 672	169, 170
Bailey v Stephens 142 E.R. 1077; (1862) 12 C.B. N.S. 91 Ct of Common Pleas	108, 109
Bailey (A Bankrupt), Re [1977] 1 W.L.R. 278; [1977] 2 All E.R. 26 Div Ct	88, 91
Bakewell Management Ltd v Brandwood [2004] UKHL 14; [2004] 2 A.C. 519; [2004] 2 W.L.R. 955	117

Ballard's Conveyance, Re [1937] Ch. 473; (1957) 7 P. & C.R. 313 Ch D	150, 159
Bank of Ireland Home Mortgages v South Lodge Developments [1996] 1 E.G.L.R. 91; [1996] 14 E.G. 92 Ch D	79
Barnett v Hassett [1981] 1 W.L.R. 1385; [1982] 1 All E.R. 80 Fam Div	47, 51
Baxter v Four Oaks Properties [1965] Ch. 816; [1965] 2 W.L.R. 1115 Ch D	153
Benn v Hardinge (1993) 66 P. & C.R. 246; [1992] N.P.C. 129 CA (Civ Div)	119
Beswick v Beswick [1968] A.C. 58; [1967] 3 W.L.R. 932 HL	147
Biggs v Hoddinott [1898] 2 Ch. 307 CA	127
Billson v Residential Apartments Ltd [1992] 1 A.C. 494; [1992] 2 W.L.R. 15 HL	80
Bircham & Co Nominees (No.2) Ltd v Worrell Holdings Ltd [2001] EWCA Civ 775; (2001) 82 P. & C.R. 34; [2001] 3 E.G.L.R. 83	37
Birrell v Carey (1989) 58 P. & C.R. 184; [1989] E.G. 53 (C.S.) CA (Civ Div)	71
Bocado SA v Star Energy UK Onshore Ltd [2009] EWCA Civ 579; [2009] 3 W.L.R. 1010; [2009] 2 P. & C.R. 23	4
Booker v Palmer [1942] 2 All E.R. 674	73
Borman v Griffith [1930] 1 Ch. 493 Ch Div	109, 116
Botham v TSB Bank Plc [1996] E.G. 149 (C.S.); [1996] N.P.C. 133 CA (Civ Div)	6, 9
Bradley v Carritt [1903] A.C. 253 HL	128
Bradley Clare Estates Application, Re (1988) 55 P. & C.R. 126 LT	156
Bremner (A Bankrupt), Re [1999] 1 F.L.R. 912; [1999] B.P.I.R. 185 Ch D	88, 91
Brew Bros Ltd v Snax (Ross) Ltd [1970] 1 Q.B. 612; [1969] 3 W.L.R. 657 CA (Civ Div)	160
Bridges v Mees [1957] Ch. 475; [1957] 3 W.L.R. 215 Ch D	65
Bristol & West Plc v Bartlett [2002] EWCA Civ 1181; [2003] 1 W.L.R. 284; [2002] 4 All E.R. 544	129
British Bakeries Ltd v Thorbourne Retail Parks [1991] Unreported 11 April (Ch.)	38
British Telecommunications v Sun Life Assurance Society Plc [1996] Ch. 69; [1995] 3 W.L.R. 622 CA (Civ Div)	161
Browne v Flower [1911] 1 Ch. 219; [1908-10] All E.R. Rep. 547 Ch D	110
Bruton v London & Quadrant Housing Trust [2000] 1 A.C. 406; [1999] 3 W.L.R. 150 HL	68, 70, 76
Buchanan-Wollaston's Conveyance, Re [1939] Ch. 738; [1939] 2 All E.R. 302 CA	87

Bull v Bull [1955] 1 Q.B. 234; [1955] 2 W.L.R. 78 CA	97
Burgess v Rawnsley [1975] Ch. 429; [1975] 3 W.L.R. 99 CA (Civ Div)	98
Burrows v Sharp (1991) 23 H.L.R. 82; [1991] Fam. Law 67 CA (Civ Div)	143
Burton v Camden LBC [2000] 2 A.C. 399; [2000] 2 W.L.R. 427 HL	92
CDC2020 Plc v Ferreira [2005] EWCA Civ 611; [2005] 3 E.G.L.R. 15; [2005] 35 E.G. 112	119
Caerphilly Concrete Products Ltd v Owen [1972] 1 W.L.R. 372; [1972] 1 All E.R. 248 CA (Civ Div)	69
Calabar Properties Ltd v Stitcher [1984] 1 W.L.R. 287; [1983] 3 All E.R. 759 CA (Civ Div)	161
Camden LBC v Shortlife Community Housing Ltd (1993) 25 H.L.R. 330; 90 L.G.R. 358 Ch D	69
Campbell v Holyland (1877-78) L.R. 7 Ch. D. 166; (1877) 26 W.R. 160 Ch D	134
Canadian Imperial Bank of Commerce v Bello (1992) 24 H.L.R. 155; (1992) 64 P. & C.R. 48 CA (Civ Div)	71, 82
Caunce v Caunce [1969] 1 W.L.R. 286; [1969] 1 All E.R. 722 Ch D	89
Central Estates (Belgravia) Ltd v Woolgar (No.2) [1972] 1 W.L.R. 1048; [1972] 3 All E.R. 610 CA (Civ Div)	78
Chamberlain v Scally (1994) 26 H.L.R. 26; [1992] E.G. 90 (C.S.) CA (Civ Div)	77
Chan Pui Chun v Leung Kam Ho [2002] EWCA Civ 1075; [2003] 1 F.L.R. 23; [2003] 1 F.C.R. 520	85
Chapman v United Kingdom (2001) 33 E.H.R.R. 18; 10 B.H.R.C. 48 ECtHR	7
Chatsworth Estates v Fewell [1931] 1 Ch. 224; (1957) 7 P. & C.R. 284 Ch D	156
Chelsea Yacht and Boat Co Ltd v Pope [2000] 1 W.L.R. 1941; [2001] 2 All E.R. 409 CA (Civ Div)	5
Cheltenham & Gloucester Building Society v Krausz [1997] 1 W.L.R. 1558; [1997] 1 All E.R. 21 CA (Civ Div)	133
Cheltenham & Gloucester Building Society v Norgan [1996] 1 W.L.R. 343; [1996] 1 All E.R. 449 CA (Civ Div)	130
Chhokar v Chhokar [1984] Fam. Law 269; (1983) 80 L.S.G. 3243 CA (Civ Div)	63, 67
China & South Seas Bank Ltd v Tan [1990] 1 A.C. 536; [1990] 2 W.L.R. 56 PC (Hong Kong)	132
Chowood's Registered Land, Re [1933] Ch. 574 Ch D	65

Chrisdell v Johnson (1987) 19 H.L.R. 406; (1987) 54 P. & C.R. 257 CA (Civ Div)	78
Citro (Domenico) (A Bankrupt), Re [1991] Ch. 142; [1990] 3 W.L.R. 880 CA (Civ Div)	88, 91
City and Metropolitan Properties v Greycroft Ltd [1987] 1 W.L.R. 1085; [1987] 3 All E.R. 839 Ch D	165
City of London Building Society v Flegg [1988] A.C. 54; [1987] 2 W.L.R. 1266 HL	33, 34, 62, 88
City of London Corp v Fell [1994] 1 A.C. 458; [1993] 3 W.L.R. 1164 HL	166, 173
Cityland and Property (Holdings) Ltd v Dabrah [1968] Ch. 166; [1967] 3 W.L.R. 605 Ch D	127
Clarke (Richard) & Co Ltd v Widnall [1976] 1 W.L.R. 845; [1976] 3 All E.R. 301 CA (Civ Div)	78
Clayton v Ramsden [1943] A.C. 320; [1943] 1 All E.R. 16 HL	31
Clear Channel UK Ltd v Manchester City Council [2005] EWCA Civ 1304; [2006] L. & T.R. 7; [2006] 1 E.G.L.R. 27	71, 72
Cleaver v Mutual Reserve Fund Life Association [1892] 1 Q.B. 147 CA	98
Clore v Theatrical Properties [1936] 3 All E.R. 483 CA	140
Coatsworth v Johnson [1886] 55 L.J.Q.B 220	74
Cobb v Lane [1952] 1 All E.R. 1199; [1952] 1 T.L.R. 1037 CA	73
Cobbe v Yeoman's Row Management Ltd [2008] UKHL 55; [2008] 1 W.L.R. 1752; [2008] 4 All E.R. 71	40, 142
Colls v Home & Colonial Stores Ltd [1904] A.C. 179 HL	118
Commission for the New Towns v Cooper (Great Britain) Ltd [1995] Ch. 259; [1995] 2 W.L.R. 677 CA (Civ Div)	37
Cook v Bath Corp (1868) L.R. 6 Eq. 177 Ct of Chancery	119
Copeland v Greenhalf [1952] Ch. 488; [1952] 1 All E.R. 809 Ch D	110
Courtney v Corp Ltd [2006] EWCA Civ 518	38
Crabb v Arun DC [1976] Ch. 179; [1975] 3 W.L.R. 847 CA (Civ Div)	142
Crago v Julian [1992] 1 W.L.R. 372; [1992] 1 All E.R. 744 CA (Civ Div)	74
Credit Suisse v Beegas Nominees Ltd [1994] 4 All E.R. 803; (1995) 69 P. & C.R. 177 Ch D	160
Crest Nicholson Residential (South) Ltd v McAllister [2004] EWCA Civ 410; [2004] 1 W.L.R. 2409; [2004] 2 All E.R. 991	152
Crow v Wood [1971] 1 Q.B. 77; [1970] 3 W.L.R. 516 CA (Civ Div)	110

Cuckmere Brick Co Ltd v Mutual Finance [1971] Ch. 949; [1971] 2 W.L.R. 1207CA (Civ Div)	132, 138
Dalton v Henry Angus & Co (1880-81) L.R. 6 App. Cas. 740 HL	118
Davies v Bramwell [2007] EWCA Civ 821; (2007) 151 S.J.L.B. 1264; [2008] 1 P. & C.R. DG2	114
Davis v Whitby [1974] Ch. 186; [1974] 2 W.L.R. 333 CA (Civ Div)	117
Dean v Andrews (1985) 135 N.L.J. 728 QBD	5, 9
Deanplan v Mahmoud [1993] Ch. 151; [1992] 3 W.L.R. 467 Ch D	77
Dennis (A Bankrupt), Re [1996] Ch. 80; [1995] 3 W.L.R. 367 CA (Civ Div)	97
D'Eyncourt v Gregory (1866-67) L.R. 3 Eq. 382 Ct of Chancery	6, 10
Diligent Finance Co v Alleyne (1972) 23 P. & C.R. 346 Ch D	46
Dillwynn Llewelyn [1862] 4 De GF & J 517	143
Dodsworth v Dodsworth (1973) 228 E.G. 1115 CA (Civ Div)	142, 145
Dolphin Quays Developments v Mills [2006] EWHC 931 (Ch); [2007] 1 P. & C.R. 12	37
Dolphin's Conveyance, Re [1970] Ch. 654; [1970] 3 W.L.R. 31 Ch D	153
Donaldson v Smith [2007] W.T.L.R. 421; (2006) 150 S.J.L.B. 744 Ch D	113
Dowty Boulton Paul Ltd v Wolverhampton Corp (No.2) [1976] Ch. 13; [1973] 2 W.L.R. 618 CA (Civ Div)	110
Draper's Conveyance, Re [1969] 1 Ch. 486; [1968] 2 W.L.R. 166 Ch D	99
Dunbar v Plant [1998] Ch. 412; [1997] 3 W.L.R. 1261 CA (Civ Div)	99
Dutton v Davis [2006] EWCA Civ 694; [2006] 2 P. & C.R. DG19	126
Dyce v Hay (1852)	110
ER Ives Investment Ltd v High [1967] 2 Q.B. 379; [1967] 2 W.L.R. 789 CA	47, 142
Earl of Sefton v Tophams Ltd [1967] 1 A.C. 50; [1966] 2 W.L.R. 814 HL	150
Ecclesiastical Commissioners for England's Conveyance, Re [1936] Ch. 430; (1957) 7 P. & C.R. 298 Ch D	147
Elitestone Ltd v Morris [1997] 1 W.L.R. 687; [1997] 2 All E.R. 513 HL	4
Ellenborough Park, Re [1956] Ch. 131; [1955] 3 W.L.R. 892 CA	108, 110, 120, 121
Ellis v Lambeth LBC (2000) 32 H.L.R. 596; (2000) 2 L.G.L.R. 353 CA (Civ Div)	65
Elliston v Reacher [1908] 2 Ch. 665 CA	153

Emile Elias & Co Ltd v Pine Groves Ltd [1993] 1 W.L.R. 305; (1993) 66 P. & C.R. 1 PC (Trinidad and Tobago)	153
Epps v Esso Petroleum Co [1973] 1 W.L.R. 1071; [1973] 2 All E.R. 465 Ch D	62
Equity & Law Home Loans Ltd v Prestridge [1992] 1 W.L.R. 137; [1992] 1 All E.R. 909 CA (Civ Div)	101
Esso Petroleum v Harper's Garage (Stourport) Ltd [1968] A.C. 269; [1967] 2 W.L.R. 871 HL	127
Evers Trust, Re [1980] 1 W.L.R. 1327; [1980] 3 All E.R. 399 CA (Civ Div)	87, 91
Fairclough v Swan Brewery Co Ltd [1912] A.C. 565 PC (Aus)	127
Federated Homes Ltd v Mill Lodge Properties Ltd [1980] 1 W.L.R. 594; [1980] 1 All E.R. 371 CA (Civ Div)	152, 159
Field v Barkworth [1986] 1 W.L.R. 137; [1986] 1 All E.R. 362 Ch D	161
Firstpost Homes v Johnson [1995] 1 W.L.R. 1567; [1995] 4 All E.R. 355 CA (Civ Div)	38
Footwear Corp Ltd v Amplight Properties Ltd [1999] 1 W.L.R. 551; [1998] 3 All E.R. 52 Ch D	162
Formby v Barker [1903] 2 Ch. 539 CA	150, 152
Four-maids Ltd v Dudley Marshall (Properties) Ltd [1957] Ch. 317; [1957] 2 W.L.R. 931 Ch D	129
Gafford v Graham (1999) 77 P. & C.R. 73; [1999] 3 E.G.L.R. 75 CA (Civ Div)	147, 158
Ghaidan v Godin-Mendoza [2004] UKHL 30; [2004] 2 A.C. 557; [2004] 3 W.L.R. 113	8
Gilbert v Spoor [1983] Ch. 27; [1982] 3 W.L.R. 183 CA (Civ Div)	156
Gillett v Holt [2001] Ch. 210; [2000] 3 W.L.R. 815 CA (Civ Div)	40
Goldmile Properties Ltd v Lechouritis [2003] EWCA Civ 49; [2003] 2 P. & C.R. 1; [2003] L. & T.R. 25	163
Goldsmith v Burrow Construction Co Ltd, The Times, July 31, 1987 CA (Civ Div)	117
Grangeside Properties Ltd v Collingwoods Securities [1964] 1 W.L.R. 139; [1964] 1 All E.R. 143 CA	126
Gray v Taylor [1998] 1 W.L.R. 1093; [1998] 4 All E.R. 17 CA (Civ Div)	73
Greasley v Cooke [1980] 1 W.L.R. 1306; [1980] 3 All E.R. 710 CA (Civ Div)	143, 145
Greenfield v Greenfield (1979) 38 P. & C.R. 570 Ch D	98
Grigsby v Melville [1974] 1 W.L.R. 80; [1973] 3 All E.R. 455 CA (Civ Div)	110

Grunhut v Ramdas, June 27, 2002 Ch D	38
Halifax Mortgage Services Ltd (formerly BNP Mortgages Ltd) v Stepsky [1996] Ch. 207; [1996] 2 W.L.R. 230 CA (Civ Div)	24
Halsall v Brizell [1957] Ch. 169; [1957] 2 W.L.R. 123 Ch D	155
Hammersmith and Fulham LBC v Monk [1992] 1 A.C. 478; [1990] 3 W.L.R. 1144 HL	77, 93
Hamp v Bygrave (1983) 266 E.G. 720 QBD	6, 10
Hanina v Morland (2000) 97(47) L.S.G. 41 CA (Civ Div)	111
Hansford v Jago [1921] 1 Ch. 322 Ch D	115
Harris v De Pinna (1886) L.R. 33 Ch. D. 238 CA	110
Harris v Goddard [1983] 1 W.L.R. 1203; [1983] 3 All E.R. 242 CA (Civ Div)	98, 99
Harris v Harris (1996) 72 P. & C.R. 408 CA (Civ Div)	87
Haskell v Marlow [1928] 2 K.B. 45 KBD	161
Haywood v Brunswick Permanent Benefit Building Society (1881-82) L.R. 8 Q.B.D. 403 CA	149, 158
Henrietta Barnett School Governing Body v Hampstead Garden Suburb Institute, 93 L.G.R. 470; [1995] E.G. 55 (C.S.) Ch D	140
Hill v Tupper, 159 E.R. 51; (1863) 2 Hurl. & C. 121 Ct of Exch	109
Hillman v Rogers [1997] Unreported 19 December CA	113
Holland v Hodgson (1871-72) L.R. 7 C.P. 328 Ct Of Exch Ch	5, 9
Hood v Oglander 55 E.R. 733; (1865) 34 Beav. 513 Ct of Ch	31
Huckvale v Aegean Hotels Ltd (1989) 58 P. & C.R. 163; [1989] E.G. 17 (C.S.) CA (Civ Div)	119
Hypo-Mortgage Services Ltd v Robinson [1997] 2 F.L.R. 71; [1997] 2 F.C.R. 422 CA (Civ Div)	63
International Drilling Fluids Ltd v Louisville Investments (Uxbridge) Ltd [1986] Ch. 513; [1986] 2 W.L.R. 581 CA (Civ Div)	162
Inwards v Baker [1965] 2 Q.B. 29; [1965] 2 W.L.R. 212 CA	142, 145
J Sainsbury Plc v Enfield LBC [1989] 1 W.L.R. 590; [1989] 2 All E.R. 817 Ch D	151
JA Pye (Oxford) Ltd v Graham [2002] UKHL 30; [2003] 1 A.C. 419; [2002] 3 W.L.R. 221	65
JT Developments Ltd v Quinn (1991) 62 P. & C.R. 33; [1991] 2 E.G.L.R. 257 CA (Civ Div)	143
James v Evans [2001] C.P. Rep. 36; [2003] C.P.L.R. 163 CA (Civ Div)	38

Javad v Aqil [1991] 1 W.L.R. 1007; [1991] 1 All E.R. 243 CA (Civ Div)	75
Jennings v Rice [2002] EWCA Civ 159; [2003] 1 F.C.R. 501; [2003] 1 P. & C.R. 8	40, 143, 144
Jeune v Queen's Cross Properties Ltd [1974] Ch. 97; [1973] 3 W.L.R. 378 Ch D	161
Jones (Deceased), Re [1953] Ch. 125; [1953] 2 W.L.R. 283 Ch D	31
Jones v Challenger [1961] 1 Q.B. 176; [1960] 2 W.L.R. 695 CA	87, 91
Jones v Morgan [2001] EWCA Civ 995	126
Joyce v Rigolli [2004] EWCA Civ 79; (2004) 148 S.J.L.B. 234; [2004] 1 P. & C.R. DG22	37
Kay v Lambeth LBC [2006] UKHL 10; [2006] 2 A.C. 465; [2006] 2 W.L.R. 570	7, 76
Kelly v Barrett [1924] 2 Ch. 379 CA	149
Kelsen v Imperial Tobacco Co [1957] 2 Q.B. 334; [1957] 2 W.L.R. 1007 QBD	3
Kelsey v Dodd [1881] 52 LJ Ch. 34	147
Kent v Kavanagh [2006] EWCA Civ 162; [2007] Ch. 1; [2006] 3 W.L.R. 572	115, 116, 117
Keppel v Bailey [1834] 2 My & K 517	110
Kinch v Bullard [1999] 1 W.L.R. 423; [1998] 4 All E.R. 650 Ch D	99
King v David Allen & Sons [1916] 2 A.C. 54 HL	141
Kingsnorth Finance v Tizard [1986] 1 W.L.R. 783; [1986] 2 All E.R. 54 Ch D	24, 26, 89
Knightsbridge Estates Trust Ltd v Byrne [1939] Ch. 441 CA	127
Kreglinger v New Patagonia Meat and Cold Storage Co Ltd [1914] A.C. 25 HL	128
Lace v Chantler [1944] K.B. 368 CA	70, 82
Lake v Craddock, 24 E.R. 1011; (1732) 3 P. Wms. 158 Ct of Ch	97
Lim Teng Huan v Ang Swee Chuan [1992] 1 W.L.R. 113; (1992) 64 P. & C.R. 233 PC (HK)	143
Link Lending Ltd v Hussein, September 24, 2009 CC Newcastle	63, 67
Liverpool City Council v Irwin [1977] A.C. 239; [1976] 2 W.L.R. 562 HL	164
Lloyds Bank Plc v Rosset [1991] 1 A.C. 107; [1990] 2 W.L.R. 867 HL	62
London & Blenheim Estates v Ladbroke Retail Parks [1994] 1 W.L.R. 31; [1993] 4 All E.R. 157 CA (Civ Div)	108