

Restrictive Covenants and Freehold Land

A Practitioner's Guide

Fifth Edition

ANDREW FRANCIS

"Andrew Francis's excellent Restrictive Covenants and Freehold Land – A Practitioner's Guide...An area of law described on the dust jacket as "very complex"...desperately needs a book like this...Marvellous" NEW LAW JOURNAL – *Review of previous edition*

This popular work has established itself as an essential guide for the practitioner requiring an understanding of the law of restrictive covenants affecting freehold land. In this book a complex topic is made intelligible by easily understood text, complemented by flowcharts and checklists. This enables the adviser to solve problems quickly and accurately. The author brings his extensive experience of cases involving covenants to the work, dealing with points that arise in practice both comprehensively and with authority.

The book considers all the key areas of law and practice affecting restrictive covenants. This new edition has been completely revised and updated with more detailed treatment of major issues affecting restrictive covenants, including:

- Coverage of recent key Supreme Court decisions on the construction of documents.
- Revised chapter on remedies in the light of *Fen Tigers* and later decisions.
- Discussion of negotiating damages in the context of restrictive covenants after the Supreme Court's decision in *Morris-Garner* in April 2018.
- New chapter on competition law and its effect on restrictive covenants - taking into account the latest effects of Brexit.
- Latest decisions of the UTLC under s. 84(1) Law of Property Act 1925 - such as the Court of Appeal's decision in *Alexander Devine Cancer Trust v Millgate Developments Ltd* in November 2018 and its appeal to the Supreme Court.
- Completely revised and expanded text throughout, including public law aspects of restrictive covenants such as the new terms of overriding powers under s. 203 Housing and Planning Act 2016.

ABOUT THE AUTHOR

Andrew Francis is a barrister in practice at Serle Court, Lincoln's Inn, London. He has had many years' experience as Chancery counsel in real property matters and other areas of Chancery work. He is also the co-author of *Private Rights of Way* (1st edition 2012); *Rights of Light: The Modern Law* (3rd edition 2015) and is the author (with contributors) of *Inheritance Act Claims: Law Practice and Procedure* (looseleaf) all published by Lexis Nexis.



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