

We Built This City: Urban Development in the 21st Century



The Brewery, London | 8 May 2018 | £125 + VAT | 4.0 CPD

Timetable

1.30pm Registration and refreshments

2.00pm **Welcome from chairperson** – Charlotte Black

2.10pm **"It's Not Unusual": A look at common clauses in development agreements – how to draft them, how to construe them and how to argue for the meaning you need**
Jonathan Seidler QC

- "Faith": Good faith clauses
- "You can't always get what you want": Best and reasonable endeavours
- "God only knows": Force majeure
- "A little bit more": Overage

2.35pm **"Please Release Me": Damages in development disputes**
Tiffany Scott QC

- Recent developments
- Diminution v *Wrotham Park* damages
- Assessing the percentage of profit

3.00pm **"I Want To Take You Higher": Rooftop developments**
Julian Greenhill QC

- Who has the right to develop airspace?
- Restrictions and getting round them
- Nuisance, trespass and other pitfalls in building upwards

3.25pm BREAK

3.55pm Workshops (Please select one)

W1 **"Stand And Deliver": Ransoming developments**
Joanne Wicks QC, Tom Roscoe and Jamie Holmes

- Boundaries and ransom strips – small but tricky bits of land
- Access, rights of way and other issues
- To injunct or not to injunct? That is the question

W2 **"Appetite For Destruction: Is It So Easy?": The 1954 Act – enabling redevelopment of land subject to business tenancies**
Zoë Barton and Benjamin Faulkner

- Intention and motive: what's the difference and does it matter?
- Undertakings and proving a genuine intention to carry out the works
- Defeating the landlord: works with the tenant in situ and the relevance of the landlord's reservations
- Break clauses in unopposed renewals: how to get one and how long will it be for?

Workshops continued (Please select one)

W3 **"Try A Little Harder": Unreasonable endeavours, overage and conditional contracts**
Mark Wonnacott QC and Harriet Holmes

- Impossible choices
- Is there a mental element?
- What happens to the contract?

W4 **"The Ties That Bind": Restrictive covenants**
Martin Hutchings QC and Charlotte Black

- Practical issues relating to registration
- Challenging enforceability
- Covenants requiring the consent of a named party – how to challenge them
- Court or Tribunal?
- Tips on securing modification, and particular dos and don'ts

5.10pm **"Don't Underestimate The Things That I Will Do": Statutory undertakers and impediments and opportunities for developers**
James McCreath

- Powers and rights of statutory undertakers in development situations
- Potential restrictions they can impose on developments
- Rights and restrictions on compensation

5.35pm **"You Know That I'm Fast And Loose": The "5 minute pitch" – game-changers for developers**
Chaired by Thomas Roscoe

Joanne Wicks QC, Martin Hutchings QC, Mark Wonnacott QC, Charlotte Black and Harriet Holmes will each pick a case (or statutory provision) and attempt to persuade you that it is the most important for developer clients. They will have five minutes each. Who is the most effective? You decide

6.00pm **"Closing Time" from the chairperson** – Charlotte Black

6.10pm **"Red Red Wine": Drinks reception**