

Insights

## BRIEFCASE 2024 QUARTER 3: KEY REAL ESTATE CASES AND UPDATES

Sep 30, 2024

### *CASE 1: THE MANCHESTER SHIP CANAL COMPANY LTD V UNITED UTILITIES WATER LTD*

#### **Water law statute does not oust private law nuisance claims against polluting sewerage undertakers.**

Supreme Court considers whether a private landowner may bring claims in nuisance or trespass when its waterway is polluted by discharges of foul water maintained by a statutory water company.

[Read more >](#)



### *CASE 2: TANFIELD AND OTHERS V MEADOWBROOK MONTESSORI LTD*

#### **Classroom chaos: the costly consequences of unlawful forfeiture**

The court dismissed a winding up petition brought by a landlord against its tenant, on the basis of the tenant's "strongly arguable" cross claim for damages for unlawful forfeiture.

[Read more >](#)



### CASE 3: *A1 PROPERTIES (SUNDERLAND) LTD V TUDOR STUDIOS RTM COMPANY LTD*

**Supreme Court validates 'Right to Manage' claim despite failure to comply with statutory notice requirements.**

Failing to serve a claim notice on an intermediate landlord in accordance with the Commonhold and Leasehold Reform Act 2002 will not necessarily invalidate the exercise of a right to manage.

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### CASE 4: *CLEVELAND POTASH LTD V DRUMMOND AND OTHERS*

**Ignore the periodic table. High Court finds: salt is a metal.**

The High Court had to decide whether a mines and minerals reservation clause in a lease covered potash and rock salt.

[Read more >](#)



### NEW LAW: RENTERS' RIGHTS BILL

**First proper look at what's in store for the private rented sector under the Labour government's Renters' Rights Bill.**

The Renters' Rights Bill was published on 11 September 2024 and will extend rights for tenants further than its Conservative predecessor, the Renters (Reform) Bill.

[Read more >](#)

## **RELATED PRACTICE AREAS**

- Real Estate Disputes

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