



Upper Tribunal Lands Chamber procedure flowchart

For applications to discharge or modify restrictive covenants affecting land

The procedure flowchart on the following pages is designed to assist both applicants and objectors by giving an overview of the process the Tribunal follows in respect of applications made to it to discharge or modify restrictions affecting land. It is not a substitute for consulting the legislation relating to your case, the Rules, Practice Directions and Practice Statement, or from taking professional advice from a solicitor.

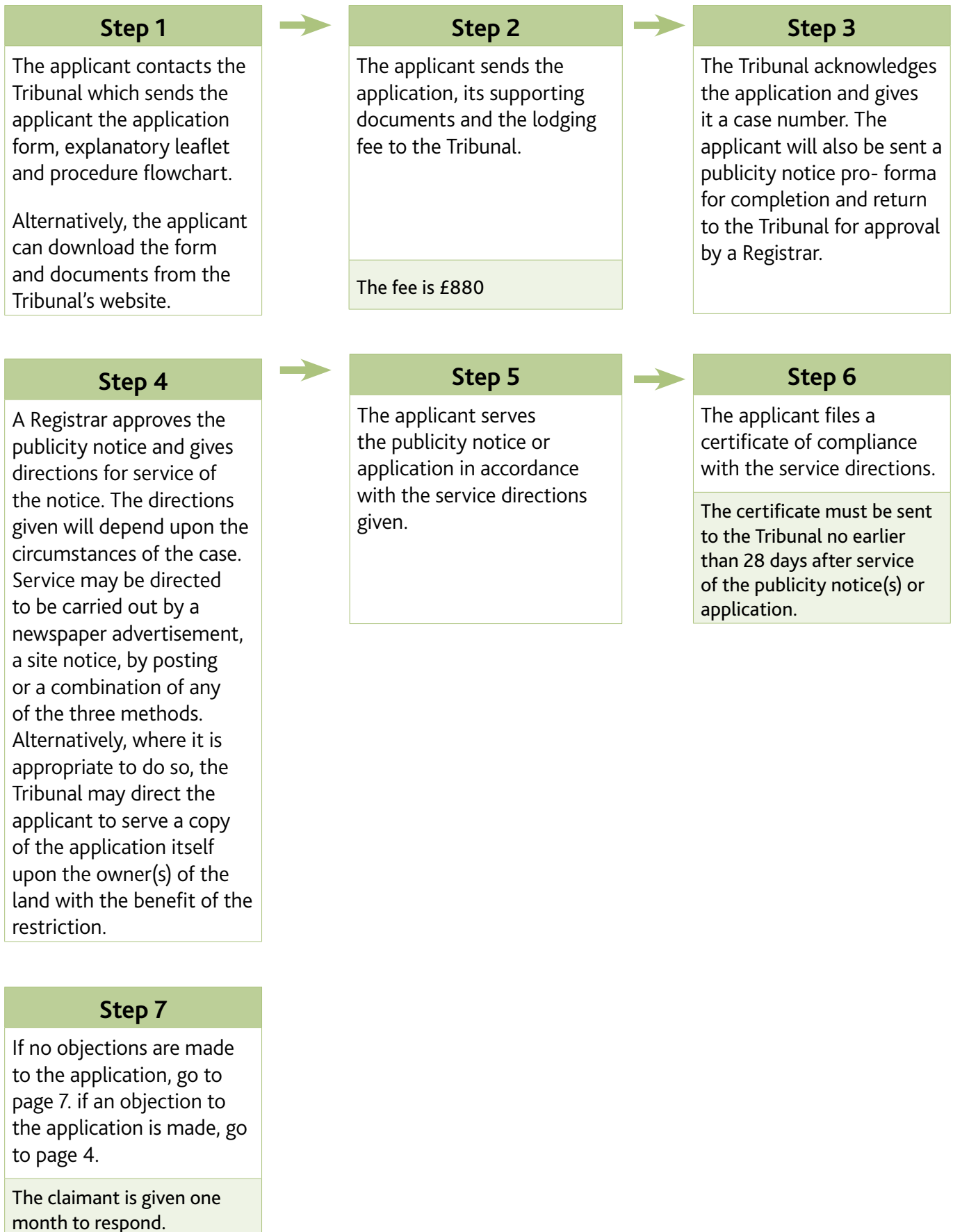
Depending upon the exact nature of the case the Tribunal may either direct that additional steps be taken or that certain steps be omitted.

For your guidance

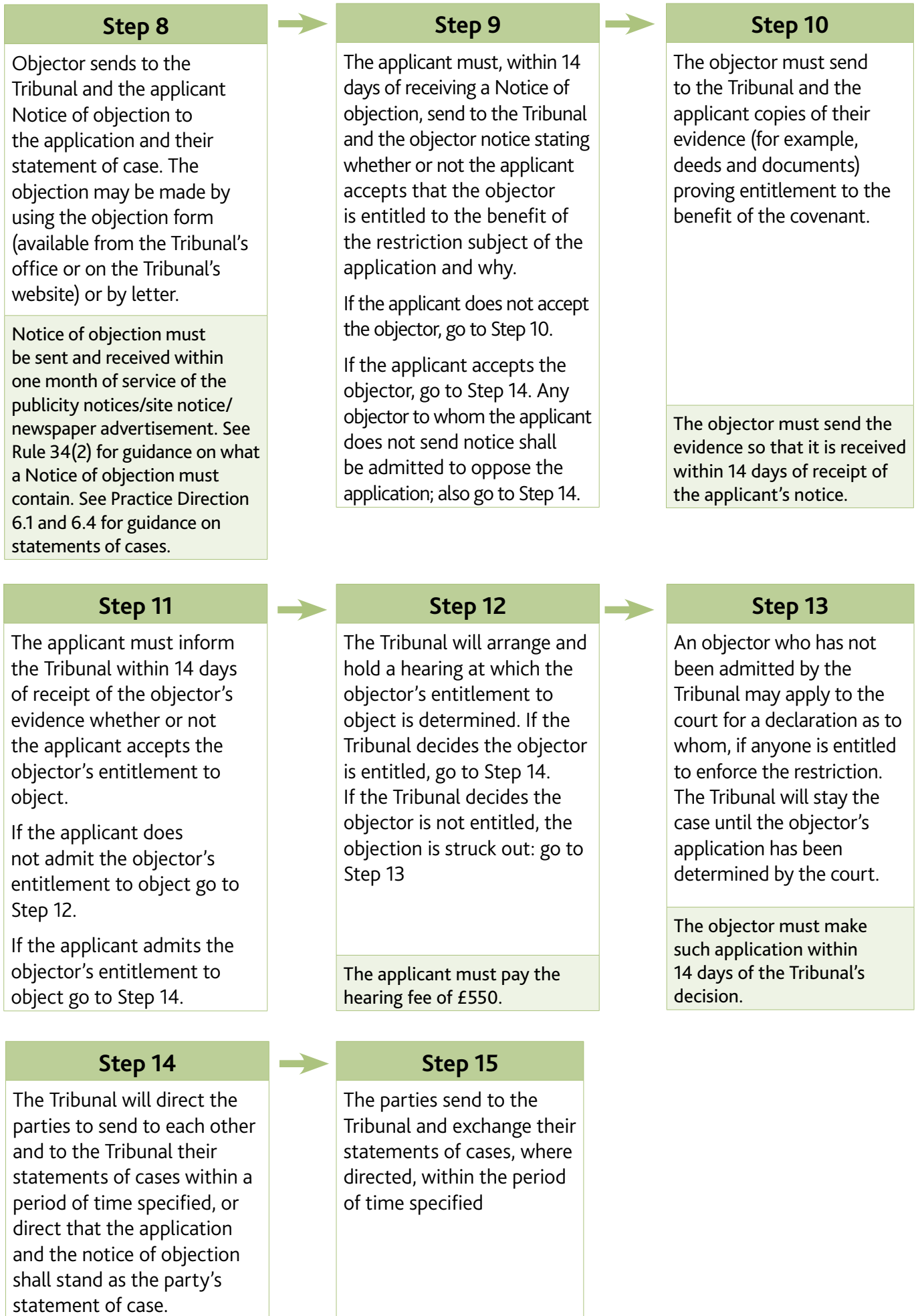
- The Tribunal's Rules, Practice Directions, Practice Statement, forms, information about the fees it charges and its recent decisions are available on the Tribunal's website, www.gov.uk/appeal-upper-tribunal-lands
- The Tribunal's staff can answer questions about the Tribunal's processes but they cannot give you legal advice nor can they advise you on what is best for your case. If you are in doubt you should seek independent legal advice.
- Once commenced, proceedings must be disposed of with all reasonable speed. The Tribunal will hear the case as soon as it can, but the parties must also do what is required of them within the timescales set. The Tribunal will allow a short stay of proceedings where the parties agree to seek Alternative Dispute Resolution, such as mediation, but it will not normally delay the progress of a case simply to allow negotiations to continue.

- If you cannot comply with a step or direction within the timescale set you may apply to the Tribunal for an extension of time. Extensions will be granted only where the applicant shows good reason. All applications during the course of the case, including applications for extensions of time, must be accompanied by the Tribunal's fee of £110 made payable to 'HM Courts and Tribunals Service'. They must also set out fully the reasons for the application and you must confirm that a copy of it has been sent to the other party.
- Unless otherwise directed (either by the rules or by a specific direction) a party sending a document to the Tribunal should send one copy only.

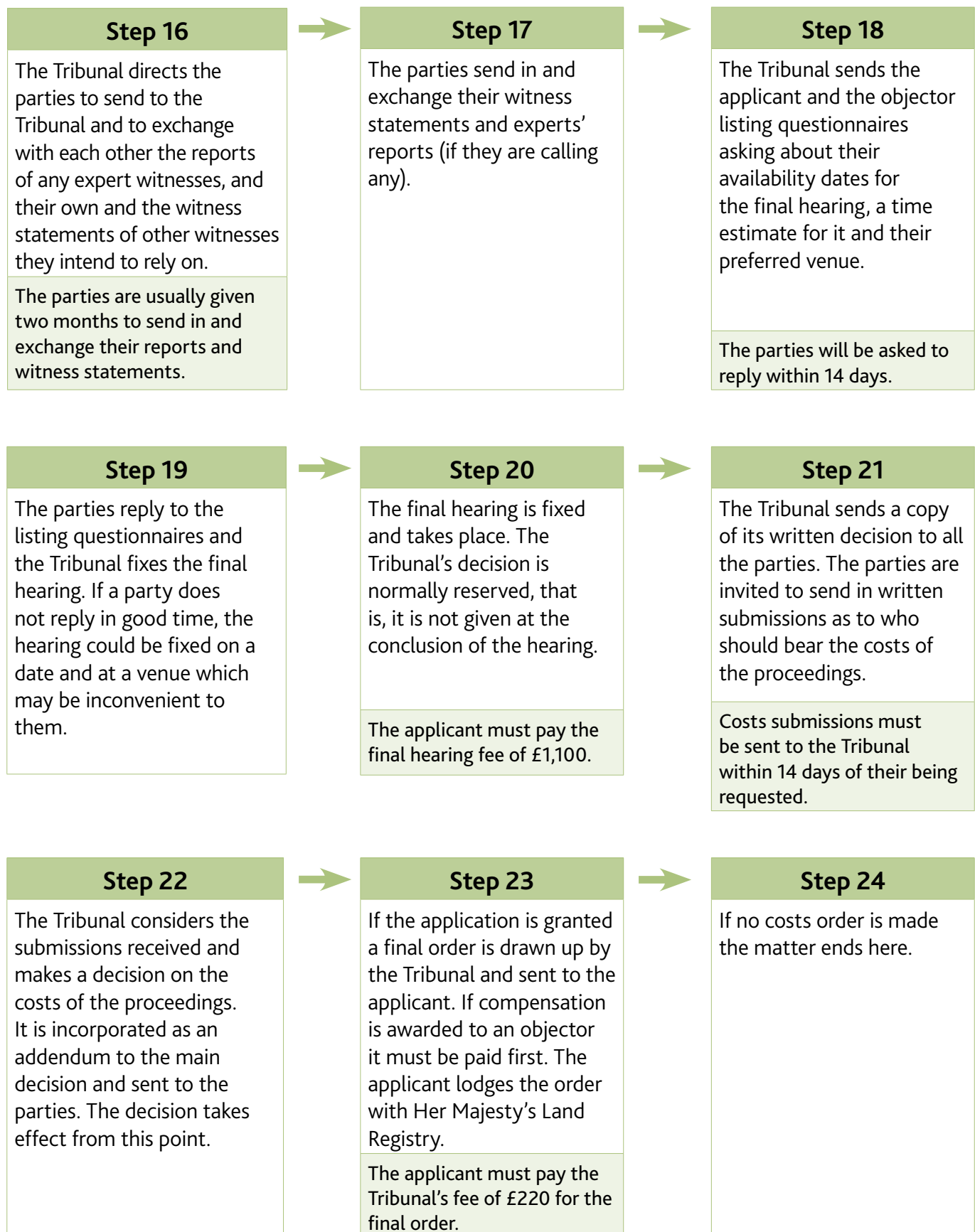
Getting the case started



where objections are made



where objections are made



where objections are made

Step 25

If a costs order is made, the parties must first try to agree those costs between themselves, but if they can't agree them they can ask the Registrar to assess what amount should be paid by way of the Detailed Assessment of costs procedure.



Step 26

The parties will be sent a detailed assessment of costs procedure flowchart if a costs order is made, or a copy of it may be downloaded from the Tribunal's website.

No objections and determination without a hearing

