

# Notice of objection to an application to discharge or modify a restrictive covenant

Case number LC/ /

I/we object to the application to discharge or modify a restrictive covenant:

- made by (applicant)
- concerning (land)


## Objector(s) (attach a list if necessary)

Name

--

Address (including  
postcode)

--

Telephone (if not  
represented)

--

Email

--

## Objector's representative

(If you are represented all communications will be with your representative).

Name

--

Address (including  
postcode)

--

Telephone

--

Email

--

Capacity in which the representative acts: (lay representative, solicitor, surveyor or other professional. A representative who is not a solicitor must enclose an authority to act signed by the objector(s))

**Legal entitlement to the benefit of the restrictive covenant**

You may only object to an application to discharge or modify a restrictive covenant if you have a legal entitlement to the benefit of the covenant. You may need to provide evidence of your entitlement. If you are unsure about your entitlement you should seek legal advice.

Basis of claim to be legally entitled to the benefit of the restriction (tick one only)

- The objector is the original covenantee
- The covenant(s) were created to benefit land owned by the objector and are enforceable by the objector

**Grounds of objection**

Do you object to the discharge of the restrictive covenant(s)? Yes  No

If yes, give a brief statement of the objector's reasons for objecting to the application including a response to the grounds of the application for discharge (attach an extra sheet if needed)

Do you object to the modification of the restrictive covenant(s)? Yes  No

If Yes, give a brief statement of the objector's reasons for objecting to the application including a response to the grounds of the application for modification (attach an extra sheet if needed)

Any other reasons why the objector opposes the application

### Claim for compensation

Do you wish to claim compensation if the application is successful? Yes  No

Approximate amount of compensation claimed: £

(This figure is provisional and should be an estimate of any loss or disadvantage you will suffer if the application is granted; making a claim for compensation does not prevent you from objecting to the application)

### Important notes

An objector whose entitlement to the benefit of the covenant(s) is not accepted will need to provide evidence that they own land that has the benefit of the covenant(s) so that they are legally entitled to enforce the covenant(s) and should be admitted to oppose the application.

An objector whose entitlement is accepted or proven will not be ordered to pay the applicant's costs in relation to the application to discharge or modify the covenant(s) unless they behave unreasonably in the course of the proceedings. Successful objectors may normally expect to have their reasonable legal costs paid by the unsuccessful applicant.

The applicant may rely on a lack of objections in support of the application.

If you have any questions about these issues you should seek legal advice.

### Signature and date

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_

I am:

the objector(s)       the solicitor for the objector(s)       the agent of the objector(s)   
(enclose authority to act signed by the objector(s))

**What to do next**

Once completed, keep a copy of your objection form for your records and send a copy both to the applicant(s) (or to any known solicitor or representative of the applicant(s)) and to the Tribunal, ideally in electronic form.

**You can submit documents and track your case digitally online with the E-Filing service**

[www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals](http://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals)

**If a party has appointed a professional representative**, all forms and documents must be submitted to the tribunal using the E-filing service.

If you are not a professional representative you can send your documents to

The Registrar  
Upper Tribunal (Lands Chamber)  
5th Floor, Rolls Building  
7 Rolls Building  
Fetter Lane  
London  
EC4A 1NL

DX: 160042 Strand 4

Tel: 020 7612 9710

Email: [lands@justice.gov.uk](mailto:lands@justice.gov.uk)

There is no fee for filing an objection.

It should be sent or delivered within one month of the date of the publicity notice or receipt of a copy of the application otherwise it is necessary to apply for an extension of time. If you have internet access please visit our website at [www.gov.uk/courts-tribunals/upper-tribunal-lands-chamber](http://www.gov.uk/courts-tribunals/upper-tribunal-lands-chamber) for further information about proceedings in the Tribunal and the rules that apply, otherwise contact the Tribunal office.