



Lands Tribunal procedure flowchart

For applications to discharge or modify restrictive covenants

The procedure flowchart on the following pages is designed to assist both applicants and objectors by giving an overview of the process that the Tribunal follows in respect of applications made to it to discharge or modify restrictions affecting land. It is not a substitute for consulting either the legislation relating to your case, the rules and the practice directions, 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 it may direct that certain steps be omitted.

For your guidance

The Tribunal's staff cannot give you legal advice and are not allowed to 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 endeavour to 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 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 to allow negotiations to continue.

The simplified procedure is not considered to be appropriate for these cases.

If you cannot comply with a step or direction within the timescale set, you may apply to the Registrar of 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 £40. They must also set out fully the reasons for the application and you must confirm to the Tribunal that a copy of it has been sent to the other party/parties.

Unless otherwise directed (either by the rules or by a specific direction) a party filing a document with the Tribunal should send one copy only.

'File' means send a copy of the document to the Tribunal. 'Serve' means send a copy to the other party/parties. 'Exchange' means simultaneously to exchange a document for a similar document with the other party/parties.

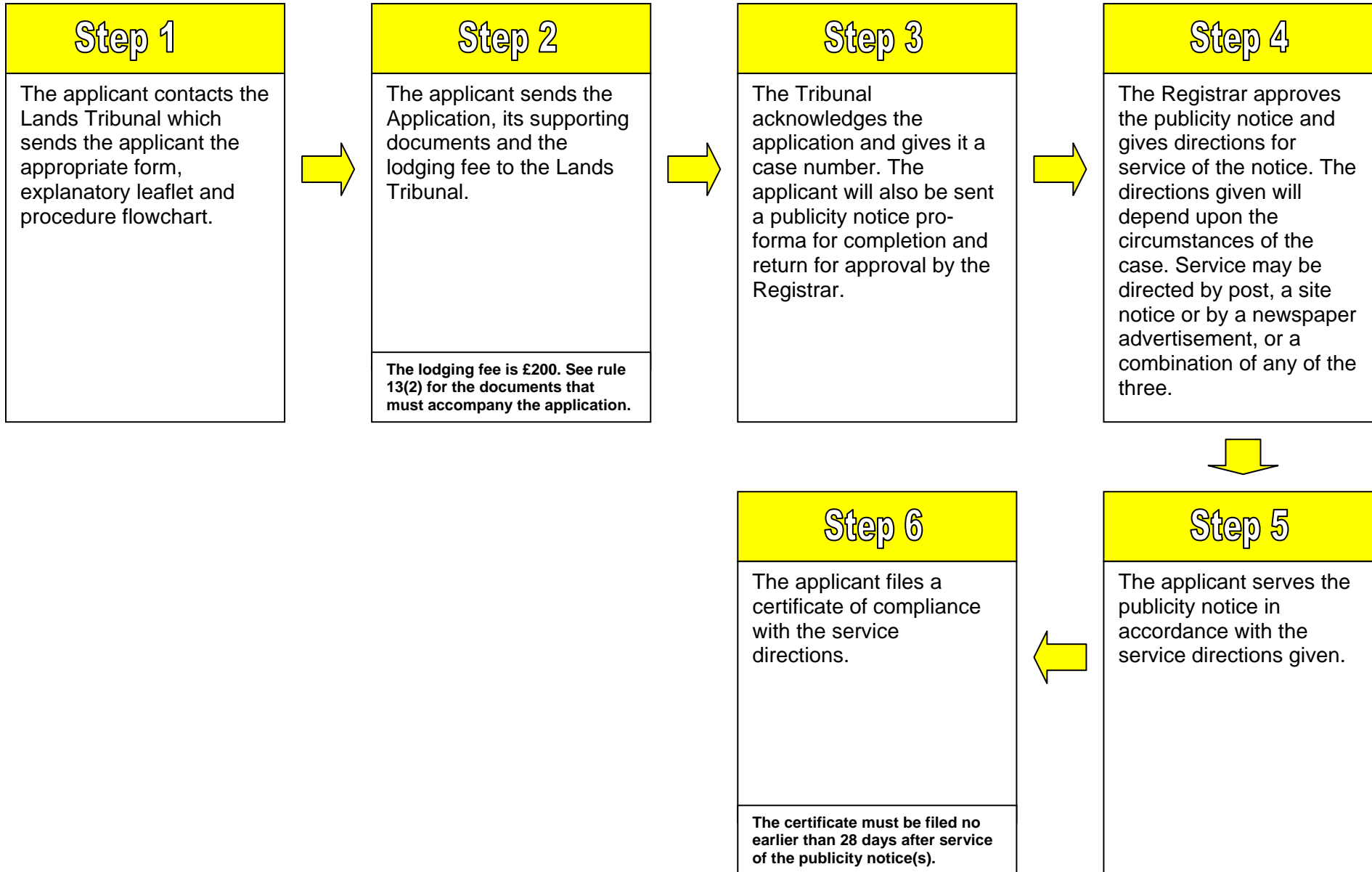
The Lands Tribunal rules, practice directions, forms and its recent decisions are available on the Tribunal's website, www.landstribunal.gov.uk

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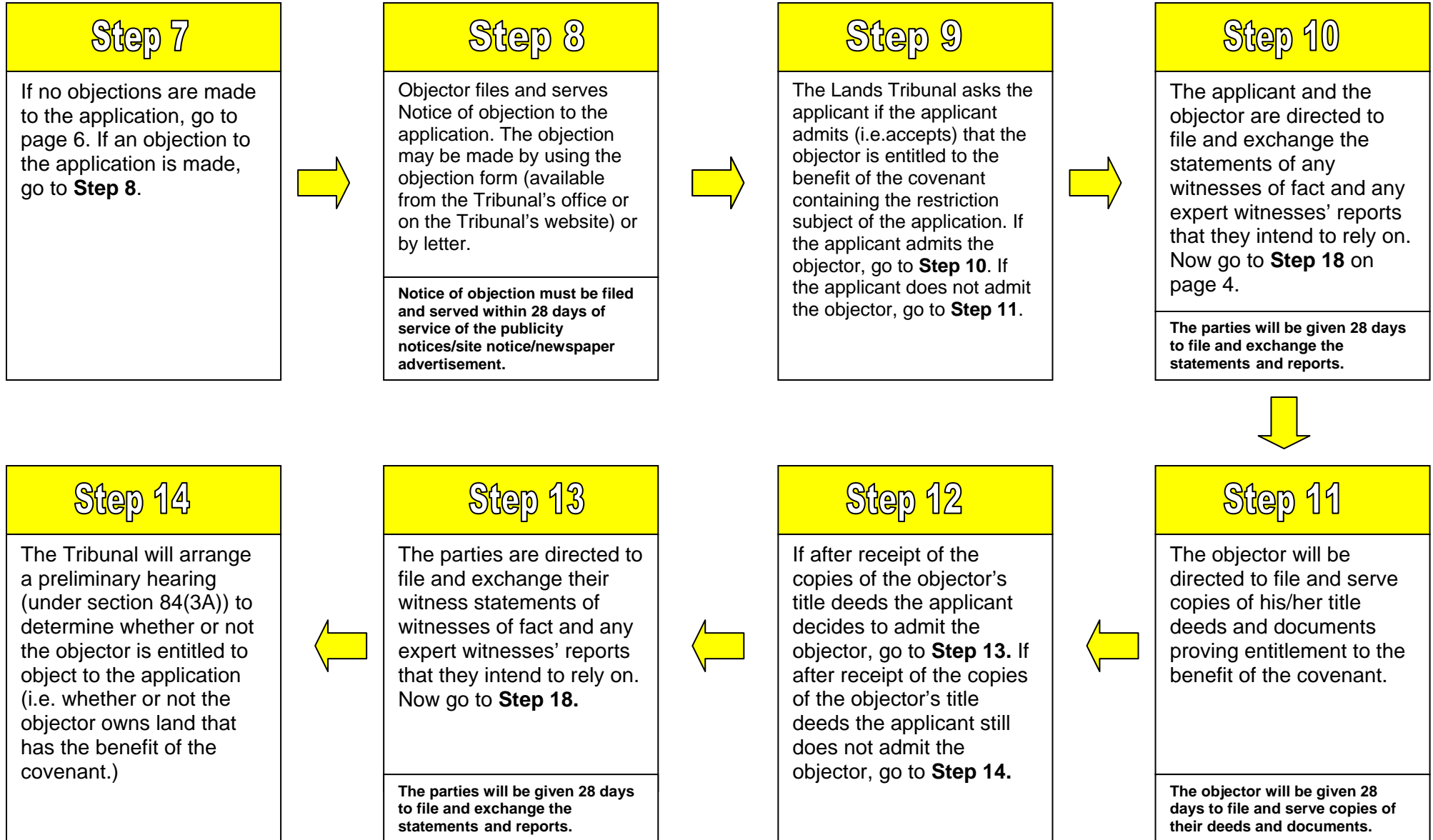
Getting the case started





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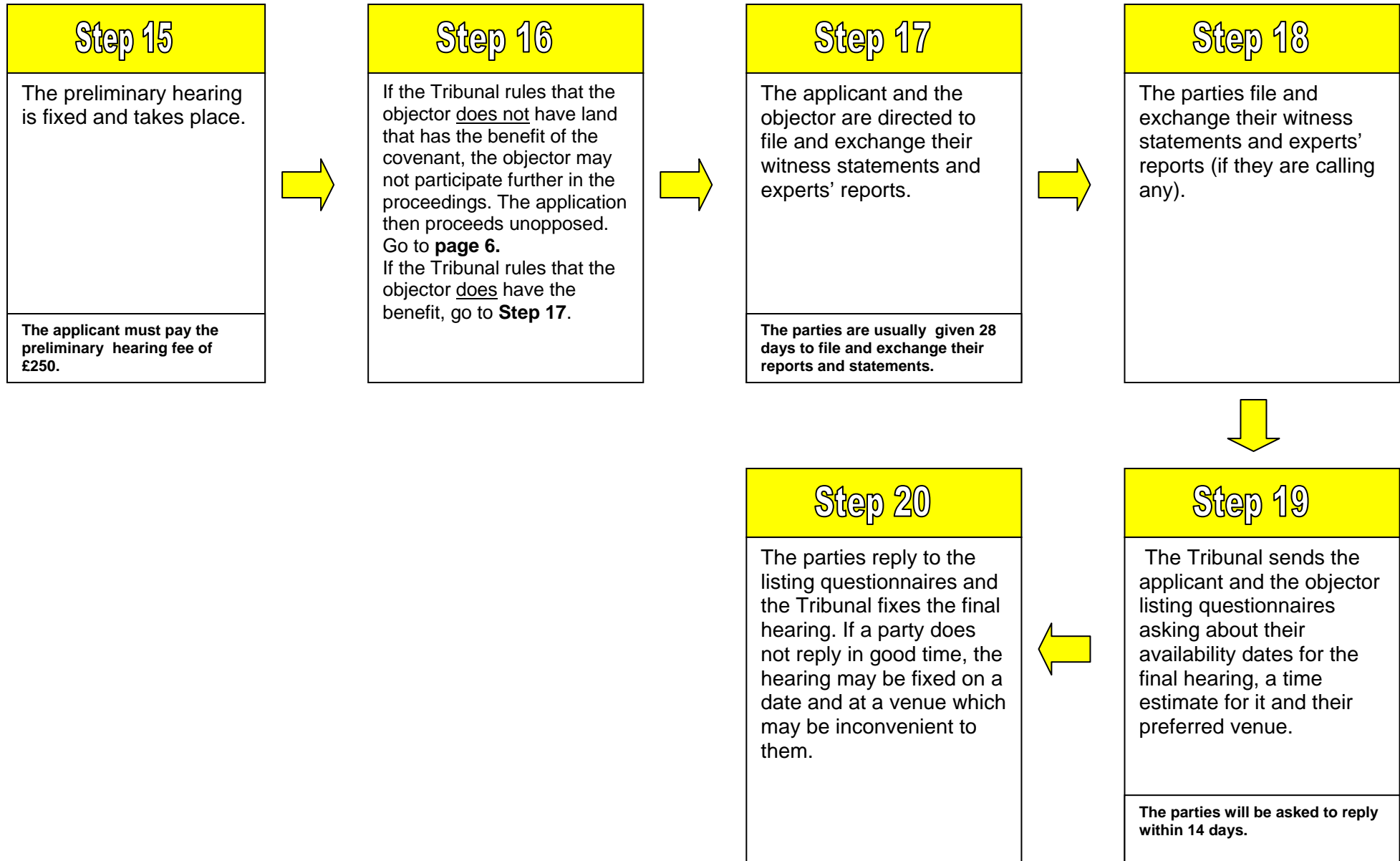
where objections are made





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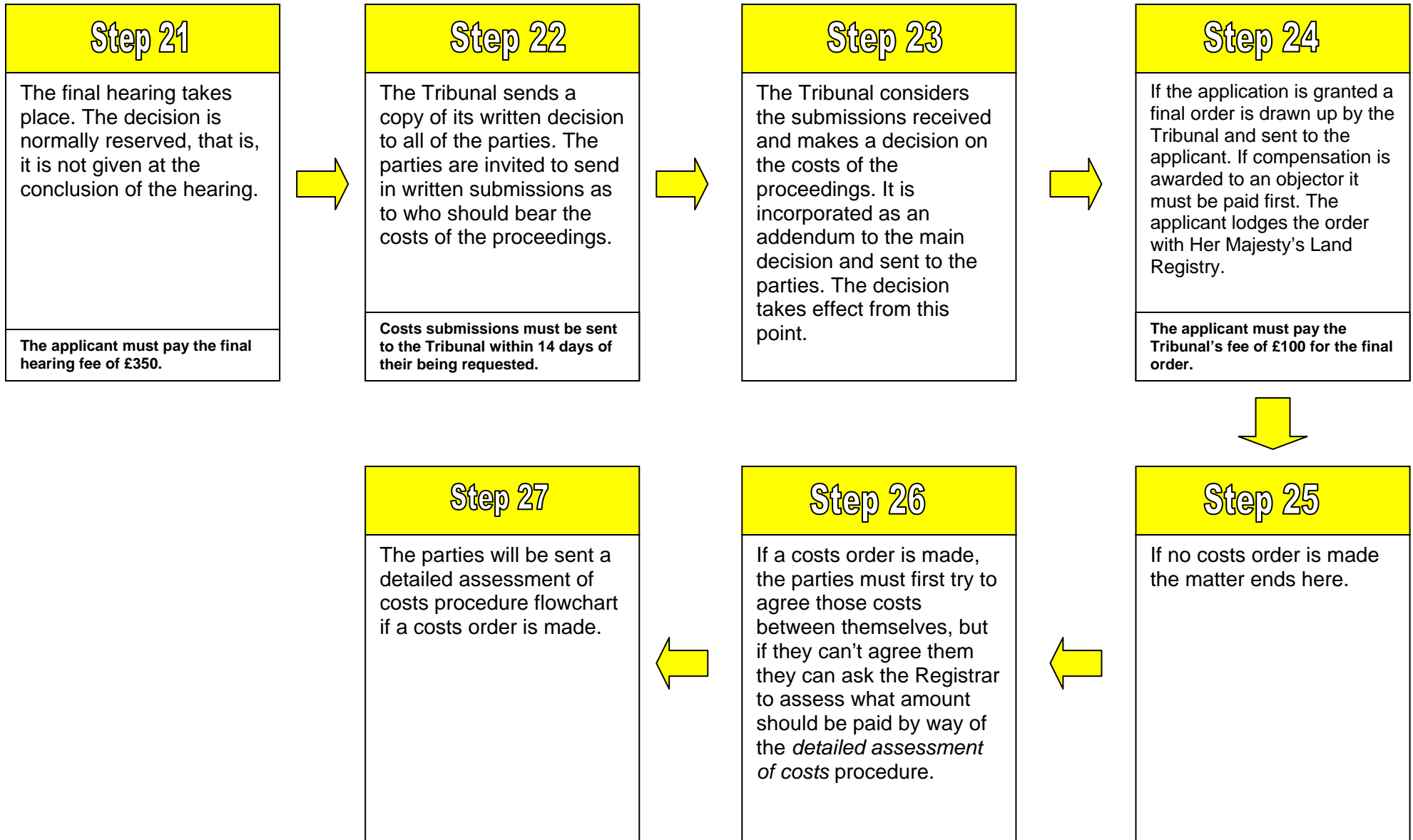
where objections are made





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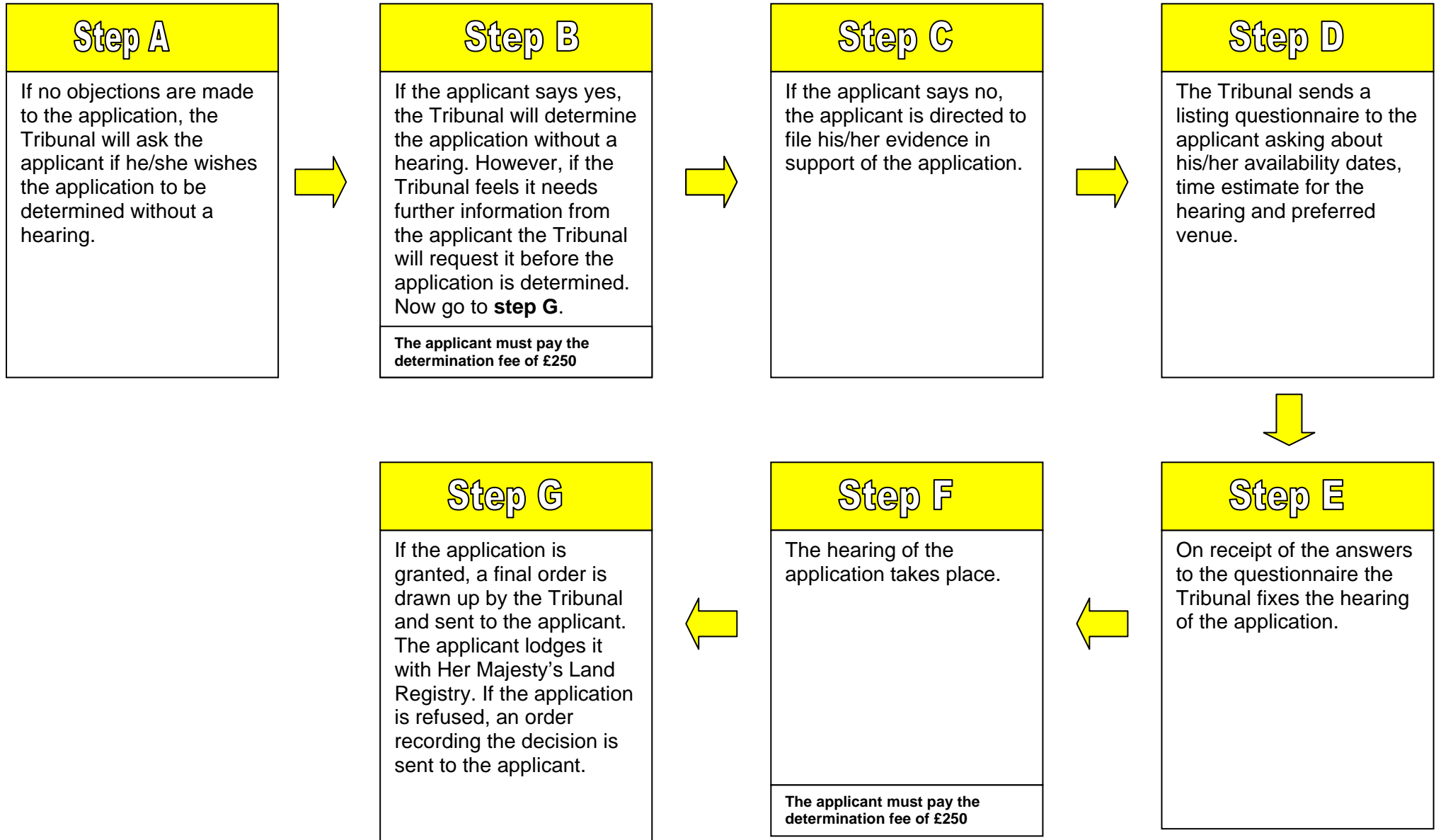
The final hearing





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No objectors and determination without a hearing



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