



HÄGEN WOLF
PROPERTY LITIGATION SPECIALISTS

Rural, Estates & Agriculture
Our capabilities



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Introduction

The purpose of this document is to introduce Hägen Wolf's expertise, and explore potential areas of collaboration between our firms.

Why Hägen Wolf?

Hägen Wolf is a leader in property litigation, it's all we do.

Geographically we act for estates, landowners, and agricultural clients across the whole of Yorkshire, and countrywide in England and Wales. Our existing clients include Mexborough, Harewood and Halifax Estates.

We place significant focus on understanding the needs of our clients, and tailoring the service we provide accordingly.

We have extensive experience in managing and resolving a wide range of property disputes in the rural sector:

- We provide strategic legal advice and solutions to clients to help avoid the court room (where possible).
- We have a proven track record in successfully managing complex property disputes.
- We provide robust litigation advocacy and support in property disputes in the County Courts, the High Court, Appellate Courts, and the Property & Lands Tribunals (both Chambers).
- We can also arrange and take part in alternate dispute resolution (ADR), for example mediations and settlement meetings.

Areas of potential collaboration

Real estate, rural & agriculture

- Boundary disputes
- Public/private rights of way
- Access issues
- Rights of light
- Restrictive covenants
- Interference and nuisance
- Possession, removal of squatters, trespassers and travellers
- Sporting rights
- Agricultural tenancies, AHA 1986, and rural concerns

General property

- Trusts, estates and partnership disputes
- Issues concerning property ownership
- Contractual disputes
- Professional Negligence
- Option agreements and overage

Utilities & telecommunications

- Placement and removal of plant and telecommunications apparatus

Landlord & tenant

- Dilapidations
- Breach of covenants, for example underletting, change of use/user
- Lease renewals
- Property management and service charge disputes
- Lease termination: forfeiture, surrender, break options, notice to quit
- Rent reviews and Recovery of rent arrears
- Insolvent tenant issues

Alternative dispute resolution (ADR)

- Experience in handling client mediations, both in person and remotely
- Negotiation of settlements
- Offers

Training

We can provide training to staff on current topics affecting the sector, as well as case law, and legislation.

Case studies

How we defended a prestigious landed estate from an adverse possession claim

The issue

This prestigious estate contacted us when an owner of property on the estate boundary attempted to claim an area of land belonging to the estate, which the defendant asserted belonged to them. The defendant argued they had occupied this garden and storage land without anyone's permission, for a number of years.

The area of land in dispute had previously been unregistered. The defendant sought to capitalise on what it thought was unowned land, and to argue that it effectively belonged to no one.

The issue came to light when the estate registered the land at HM Land Registry, and served notice on the defendant. Despite the notice, the defendant refused to leave and attempted to claim ownership of the land by adverse possession.

How we helped

We issued proceedings in trespass against the defendant, and were able to undermine the defendant's claims that they had sufficient standing to obtain the land by virtue of adverse possession.

Ultimately, we were able to secure possession of the land, costs, and a sum in mesne profits.

We negotiated this settlement out of court, saving significant time and energy for our client, and avoiding a potentially costly trial.

The dispute was resolved, and our client's rights of property preserved.



Case studies

How we established rights of drainage, and avoided a £100,000 claim, for a large rural estate

This large rural estate contacted us with an issue concerning the installation of a new private drainage pipe.

The issue

The pipe would run from our client's estate across a route that went over several fields belonging to a neighbouring landowner. The installation was necessary due to the degradation and alleged leaking of the estate's old pipe.

The neighbouring landowner claimed damages and compensation of circa £100,000, in claims of nuisance, costs of own works, and loss of profit.

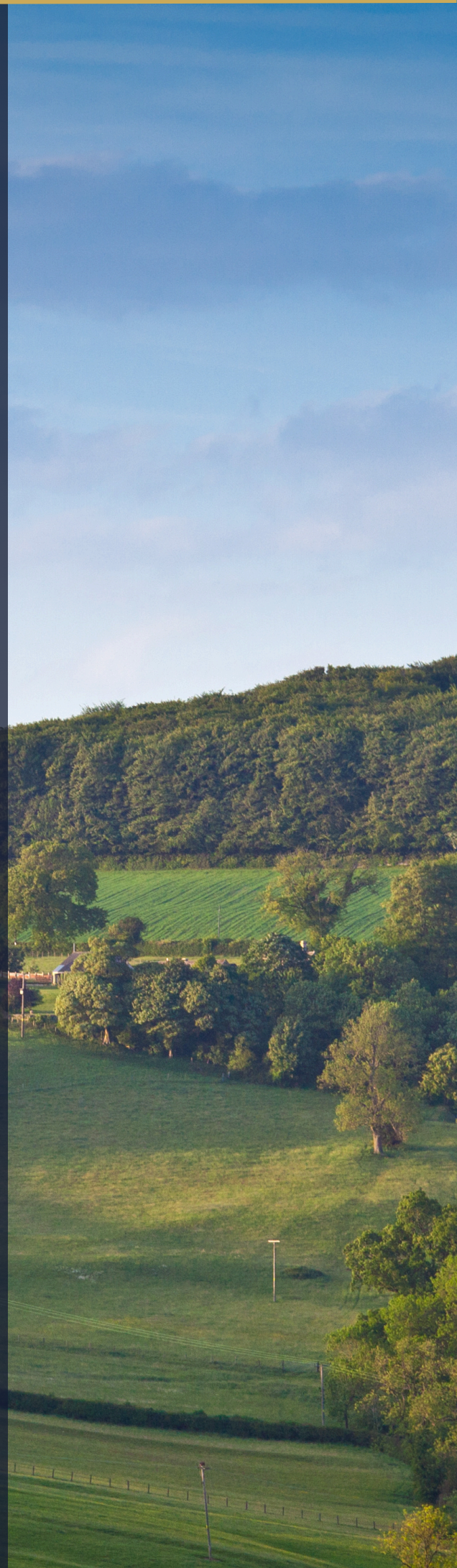
The landowner also demanded a significant five figure sum to give consent to a new easement, that he said was necessary to record the installation of the new drainage pipe across his land.

How we helped

We were able to conduct a comprehensive review of the historical documents and deeds of the affected areas of land, and advise and establish that sufficient paths of drainage already existed in favour of our client.

This, together with robust, legal rebuttals of the claims being made by the neighbouring landowner, meant that we were ultimately successful in negotiating a full and final settlement for our client which established the required access rights, for a fraction of the sum originally demanded by the neighbouring landowner.

The dispute was resolved, and our client's rights of drainage established and preserved.



Our rural, estates & agriculture team

The firm is led by partners Matt Pugh, and Richard Robinson. Legal director Estella Prince heads our rural, estates and agriculture work.



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Let's talk further

We would be delighted to talk to you further, about how we can support your clients with their property litigation requirements.

If you have any questions, or require more information, please contact our rural, estates and agriculture team.

Contact details

Rural, estates & agriculture team



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