

vdpPfandbriefAkademie-Seminar

Foreign Country Seminar – Real Estate in England and Wales

Berlin, 14 May 2025, 09:30 – 17:30 hrs

Venue: H4 Hotel Berlin Alexanderplatz

Karl-Liebknecht-Str. 32
10178 Berlin

Speakers

A. E. Verona Cocks, Managing Partner & Head of Commercial Dispute Resolution & Insolvency, Paddle & Cooks LLP, Truro and London, UK

Dr. Jane Havergal, Consultant Solicitor in Commercial Property, Paddle & Cooks LLP, London, UK

Dr. Friedemann Kiethe, LL.M., Rechtsanwalt und Attorney at Law (New York), Rechtsanwälte und Notar – Peter Unrath und Achim Reitz GbR, Birkenau, Germany

Dr. John MacLeod, Senior Lecturer in Private Law, University of Edinburgh, Scotland, UK

Jeremy Tham, Partner, Valuation & Advisory Head of Real Estate Finance Valuations, Knight Frank, London, UK

Dan Webster, Partner Banking & Finance Team, Blake Morgan LLP, London, UK

09:00 – 09:30

Registration

09:30 – 09:40

Welcome and Introduction

Ulrich Carl, Verband deutscher Pfandbriefbanken (vdp)

Mario Thurner, Center of Legal Competence (CLC)

09:40 – 10:25

UK Commercial Real Estate Market

Jeremy Tham, (in English language)

10:25 – 10:30

Property Section – Introduction

Dr. Jane Havergal, Verona Cocks (in English language)

10:30 – 11:25

Types of ownership of land

Dr. Jane Havergal (in English language)

- Freehold Leasehold and Commonhold
- Long lease and profit rent lease
- Registered and unregistered land
- Procedure for acquisition and/or charging of land
- Title and restrictive covenant insurances

11:25 – 11:45

Coffee break

11:45 – 12:05

Types of charge over land

Dr. Jane Havergal (in English language)

- Mortgages and other charges/assignments
- Matters affecting nature of security
- Insurance issues re leasehold property
- Obligations of mortgagee to mortgagor on realisation

12:05 – 12:35

Enforcement and Insolvency

Verona Cocks (in English language)

- Remedies on default
- Methods of enforcing security
- Overview of English corporate insolvency procedures and their effect: administration, receivership, and liquidation
- Reviewable transactions

12:35 – 13:35

Lunch break

13:35 – 13:40

Banking Section – Typical investment structure

Dan Webster (in English language)

- Overview of a typical investment structure

13:40 – 14:35

Basics of the LMA Facility Agreement

Dan Webster (in English language)

- Introduction to the LMA facility agreement
- Key components and structure of the LMA agreement facility agreement
 - Prepayment Provisions
 - Cash Management
 - Covenants
 - Events of Default
 - Conditions Precedent
- Syndication mechanics

14:35 – 14:55

Typical Security Package for Real Estate Assets in England and Wales

Dan Webster (in English language)

- Common types of security (e.g., mortgages, charges)
- Legal requirements and documentation

14:55 – 15:25

Restructuring Issues

Dan Webster (in English language)

- Lender Decision-making
- Lender Options

15:25 – 15:45

Coffee break

15:45 – 16:45

Scotland – England & Wales: Main differences on basics of immovable property rights

Dr. John MacLeod (in English language)

- Substantive rights in immovable property
 - Ownership v relativity of title
 - Unitary system, absence of Law/Equity division
 - Subordinate real rights
- Conveyancing and land registration
 - Effect of registration
 - Protections for transactional security
- Dealing with default
 - Exercise of security over land
 - Insolvency processes

16:45 – 17:15

English Property – Inclusion in the Covered Pool

Dr. Friedemann Kiethe (in English language)

17:15 – 17:30

Discussion & Closing Remarks

Ulrich Carl, Verband deutscher Pfandbriefbanken (vdp)

Mario Thurner, Center of Legal Competence (CLC)