

## 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

**Victoria Ormond**, Head of Capital Markets Research, Knight Frank, London, 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**

*Victoria Ormond, Jeremy Tham* (in English language)

**10:25 – 10:30**

**Property Section – Introduction**

*Jane Havergal, Verona Cocks* (in English language)

- 10:30 – 11:25      Types of ownership of land**  
*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**  
*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

<b>14:55 – 15:25</b>	<b>Restructuring Issues</b> <i>Dan Webster</i> (in English language) <ul style="list-style-type: none"> <li>➤ Lender Decision-making</li> <li>➤ Lender Options</li> </ul>
<b>15:25 – 15:45</b>	<b>Coffee break</b>
<b>15:45 – 16:45</b>	<b>Scotland – England &amp; Wales: Main differences on basics of immovable property rights</b> <i>John MacLeod</i> (in English language) <ul style="list-style-type: none"> <li>➤ Substantive rights in immovable property <ul style="list-style-type: none"> <li>○ Ownership v relativity of title</li> <li>○ Unitary system, absence of Law/Equity division</li> <li>○ Subordinate real rights</li> </ul> </li> <li>➤ Conveyancing and land registration <ul style="list-style-type: none"> <li>○ Effect of registration</li> <li>○ Protections for transactional security</li> </ul> </li> <li>➤ Dealing with default <ul style="list-style-type: none"> <li>○ Exercise of security over land</li> <li>○ Insolvency processes</li> </ul> </li> </ul>
<b>16:45 – 17:15</b>	<b>English Property – Inclusion in the Covered Pool</b> <i>Friedemann Kiethe</i> (in English language)
<b>17:15 – 17:30</b>	<b>Discussion &amp; Closing Remarks</b> <i>Ulrich Carl</i> , Verband deutscher Pfandbriefbanken (vdp) <i>Mario Thurner</i> , Center of Legal Competence (CLC)