

Ashfords lease advisory seminar: Key takeaways

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Introduction

On Wednesday 6 May, the Ashfords property disputes team hosted a lease advisory seminar in Bristol, bringing together property professionals for an afternoon of legal updates and practical insights on key landlord and tenant issues.

The seminar was hosted by partner Warren Reid, alongside Senior Associate Vanessa Kibble, who shared practical guidance on managing unauthorised alterations under commercial leases and the risks that can arise when the correct processes are not followed.

We were also pleased to be joined by John de Waal KC of Gatehouse Chambers, who delivered an insightful session on mediating landlord and tenant disputes, drawing on his experience as both a barrister and mediator.

This document summarises the key takeaways from the seminar, setting out the practical points and lessons for landlords, tenants and property professionals.

Key takeaways

- **Not all alterations are equal:** Structural works are tightly controlled, while some non-structural changes may be permitted – knowing the difference is crucial before starting works.
- **Unauthorised alterations create serious legal risk:** Carrying out works without proper consent can lead to injunctions, demands for reinstatement, damages, and even forfeiture of the lease.
- **A Licence for Alterations is your best protection:** A properly documented licence is the safest way to manage works and avoid costly disputes later.
- **Process matters as much as permission:** Even where consent could have been granted, failing to follow the correct process can still result in a breach of lease.
- **Clear communication prevents disputes:** Early engagement, full technical detail and accurate records significantly reduce the risk of landlord and tenant conflict.

Key takeaways

- **Mediation is now a key part of dispute resolution strategy:** Courts increasingly expect parties to engage meaningfully with mediation before proceeding to litigation.
- **Preparation is critical to successful mediation:** The strongest mediations are those where parties understand their objectives, risks and alternatives in advance.
- **Courts take a holistic view of tenant behaviour:** When opposing lease renewals, courts look at a tenant's conduct over time – not just isolated breaches.
- **Evidence must stand up to scrutiny:** Unclear intentions, weak expert evidence or last-minute strategy changes can seriously undermine a landlord's case.
- **Strategic advice early can save time and cost later:** Whether planning works, renewing leases or managing disputes, early advice helps avoid unnecessary litigation and commercial disruption.

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