

**UNIVERSITY OF CUMBRIA**  
**COURSEWORK REASSESSMENT REQUIREMENT**

**Module Code: LAWS5195**

**Module Title: Land Law**

**Tutor: Kieron Metcalf**

**Title of the item of work: Assessment CW2**

**Wordage: 2000 words**

**LAWS 5195**  
**Land Law**

**Problem Question**

Please ensure that you:

- submit an electronic copy of your work via the module site on Blackboard by August 12<sup>th</sup> 2022 at 4PM
- include your **registration number** on the first page
- put the **word count** at the end of your answer, there is a **2000 maximum word limit** excluding the footnotes and bibliography.

Further information regarding content and format can be found within the **Law Coursework Guide**.

### **Land Law Problem Question**

Alice is looking to buy a property with her partner. She has found a property she is interested in. She and her partner will be looking to purchase the freehold property. They will be intending to both own the property and have secured a loan from the bank in order to purchase the property. The house is valued at £200,000, Alice and her partner have a deposit of £20,000. Alice has contributed £15,000 and her partner has contributed £5,000 towards the deposit.

The relevant parts of the title sheets are as follows;

“(29 August 1974) The land has the benefit of the right of way, (which can be found on the below copy, shaded in green), granted by deed on 22 September 1987” (See next page)

“(18 December 2001) A conveyance of the land in this title dated 29 August 1974 and made between (1) Neil Stuart and (2) Stephen Smith contains the following:”

“The purchaser with the intent and so as to bind the property hereby conveyed and to benefit and protect the retained land of the Vendor running adjacent to the land hereby conveyed hereby covenants with the Vendor and he and his successors in title will at all times observe and perform the stipulations set out in the following:

1. Not to use the property other than a single private dwelling residence; and
2. Not to build or allow to be built any new building on the property without the permission of the original party to the covenant”

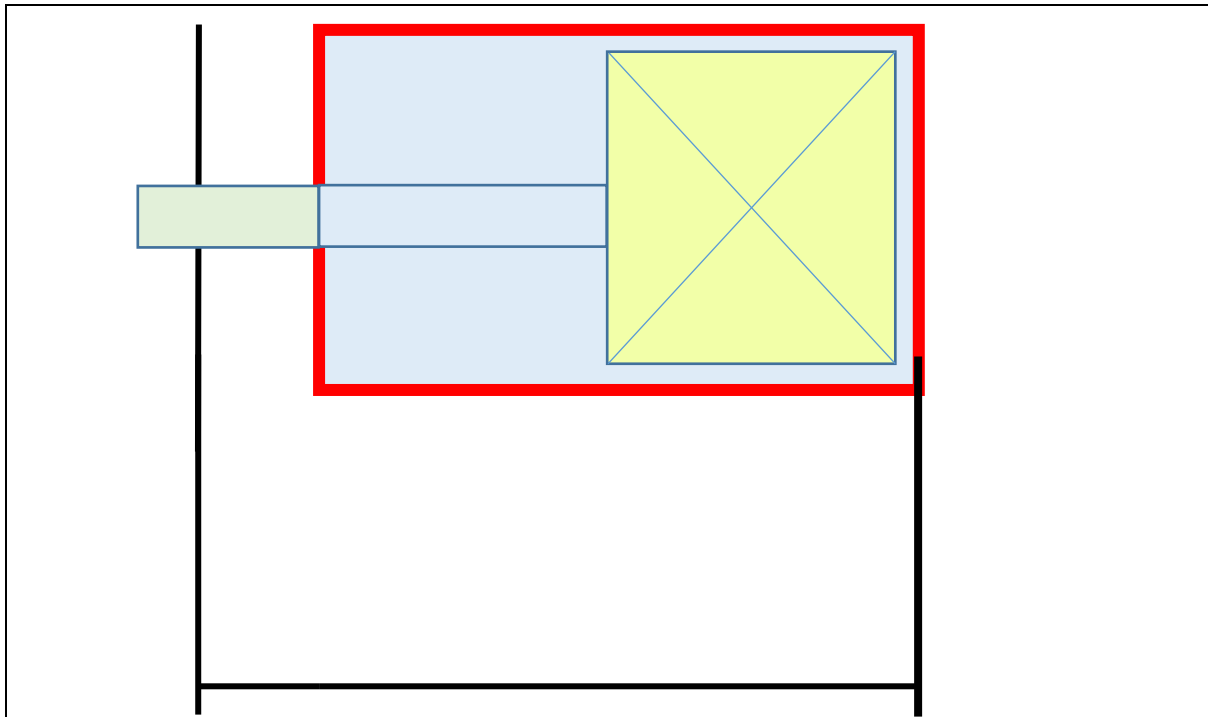
Alice has the following questions about buying the property

1. Will Alice be able to get her £15,000 back if she has to sell the property after a breakup with her partner?
2. Alice has never had a mortgage before; if she was to become unemployed, would the bank be able to take the house from her?
3. Are there any restrictions/benefits affecting the property which Alice should be made aware of? If there are restrictions on the property, would these be legally binding upon Alice?
4. What does the conveyancing process entail?

**Advise Alice in relation to her questions.**

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Plan and Boundaries



**Assessment Criteria**

The table below provides guidance on the criteria that will be applied by tutors when marking **written submissions**. There are 5 broad categories below.

Within those categories, the left hand column provides examples of the strengths that will gain a good mark and the right hand column provides examples of the weaknesses that will not.

Please note that these are indicative and are not intended as a comprehensive list of every feature that could be in a coursework submission. Please note also that the mark you are awarded reflects the tutor’s overall impression of the coursework submission, based on these criteria and the module learning outcomes (on the Blackboard module site) and university grade descriptors (see

<http://www.cumbria.ac.uk/Public/AQS/Documents/AcademicRegulations/3a.pdf>

f). In other words, while you may receive a high mark there will almost certainly still be areas of weakness. Equally, you may receive a low mark but there could still be strengths in your work. You should take note of the feedback, build on your strengths and learn from and minimise your weaknesses.

Strengths	Weaknesses
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<p><b>Knowledge</b> - thorough knowledge of relevant law; issues are clearly identified.</p>	<p><b>Knowledge</b> - little knowledge of relevant law; issues are not clearly identified.</p>
<p><b>Understanding &amp; Application</b> - relevant law is accurately applied to the facts (problem questions); relevant policy issues are accurately linked to legal issues (essay questions).</p>	<p><b>Understanding &amp; Application</b> - relevant law is not accurately applied to the facts (problem questions); relevant policy issues are not accurately linked to legal issues (essay questions).</p>
<p><b>Analysis &amp; Evaluation</b> - coherent argument supported by relevant evidence; shows clarity of thought; effective and appropriate use of legal authorities or other academic sources to support argument.</p>	<p><b>Analysis &amp; Evaluation</b> - rambling or incoherent argument unsupported by relevant evidence; lacks clarity of thought; ineffective or inappropriate use of legal authorities or other academic sources to support argument.</p>
<p><b>Research</b> - effective use of primary sources (cases, statutes, official reports); use of academic journal articles; evidence of wider reading and independent research.</p>	<p><b>Research</b> - mainly textbook material; little use of primary sources (cases, statutes, official reports); little use of academic journal articles; little evidence of wider reading or independent research.</p>
<p><b>Structure &amp; Presentation</b> - logical progression of argument; appropriate use of paragraphs and sub-headings; conclusion relates to main body of answer. Clarity of expression; good use of language, grammar, spelling; sources acknowledged, accurate and appropriate referencing; well-presented bibliography</p>	<p><b>Structure &amp; presentation</b> - lacks logical progression of argument; inappropriate use of paragraphs and sub-headings; conclusion unrelated to main body of answer. Lacks clarity of expression; poor use of language, grammar, spelling; sources unacknowledged, inaccurate or inappropriate referencing; poorly presented bibliography or no bibliography.</p>

**SUBMISSION DATE AS PER STUDENT PORTAL**

*(please tick as appropriate but must be completed)*

x

To be submitted by **4:00 PM** on **12/08/2022** in accordance with instructions given by the course team. If you are posting your course work the receipt of postage must be by date and time of submission, you may be asked to present this.

To be submitted through the Virtual Learning Environment (eg. Blackboard / Pebblepad etc.) in pdf format, or in person/by RECORDED DELIVERY to the Programme Administration at the **Fusehill Street Campus** of the University of Cumbria.