

Edward Cousins is an Associate Member of Radcliffe Chambers, where he acts as a Legal Adviser, Mediator and Arbitrator. He was previously the Principal Judge of the Land Registration Division of the Property Chamber and a Chancery barrister in Lincoln's Inn. He is a specialist property and planning lawyer, with particular expertise in markets and fairs, including street trading; land registration; commons and town and village greens; manorial rights; and mines and minerals. He is the editor of "Cousins on Mortgages", "Gadsden on the Law of Commons and Greens" and "Pease and Chitty's Law of Markets and Fairs".

Cases and Work of Note

Edward is engaged in a number of NPIERS Neighbourhood Plan examinations together with sitting as an Inspector on a Town or Village Green Inquiries.

He is advising market authorities on the removal of markets, the preservation of market rights and the disposal of market sites. He is also advising private clients on land registration title issues, and on rights of common, and town and village green issues.

Property

Edward Cousins is an extremely experienced former barrister and Principal Judge of the Land Registration Division. He is able to provide advice on wide-ranging property issues and can also sit as a Mediator and Arbitrator but, due to his former status in the Judiciary, cannot become involved in litigious matters.

Edward has held a number of significant judicial roles since his appointment to the part-time post of Chief Commons Commissioner in 2002 which role continued until 2008 when the post was abolished following the enactment of the Commons Act 2006. In September 2003 he was appointed by the Lord Chancellor to the newly created salaried full-time judicial role of Adjudicator to HM Land Registry established under the Land Registration Act 2002. As Adjudicator he dealt with land registration applications involving disputes over title, touching on areas of land law ranging from beneficial interest and rights of way cases, boundary disputes and adverse possession claims, to more esoteric disputes involving market rights, commons and town and village greens, aspects of planning law, easements, priority of mortgages and charges, and compulsory purchase. In 2013, he was appointed the Principal Judge of the Land Registration Division of the Property Chamber, following the integration of the jurisdiction into the Property Chamber of the First-tier Tribunal.

In October 2014 he vacated his role as Principal Judge, since when he continued to sit for several years as a fee-paid judge in various part-time judicial roles. Edward has been appointed to the Panel of NPIERS as an Examiner. He is also qualified as a non-statutory Inspector and has been retained in that role on a number of town and village green inquiries. Edward is an accredited mediator and has been retained in a number of property mediations, and matters involving early neutral evaluation and other aspects of ADR.

Edwards' recent work includes:

- Advising market authorities on the removal of markets, the preservation of market rights and the disposal of market sites
- Advising local authorities on the true interpretation and effect of Charter Rights granted by the Crown and the interplay between local Acts of Parliament and franchise rights
- Advising private clients on land registration title issues, and on rights of common, and town and village green issues
- Advising private clients on boundary disputes, ransom strip issues, easements and

restrictive covenants

- Providing detailed initial advice to an insurance company as to the merits of a professional negligence case concerning a solicitors' advice on a property dispute

Mediation and Arbitration

Edward is a qualified mediator and arbitrator, and acts as an evaluator for early neutral evaluation. With extensive experience both in practice and in the judiciary, he brings a wealth of perspectives to the facilitation of dispute resolution and the determination of disputes.

His recent experience includes:

- Mediating a dispute between a farmer landowner who owned a right of way and who had blocked one of two entrances to a driveway to a house on the pretext that there was an excessive use of the right of way by the house-owner
- Mediating a dispute between the owners of a right of way who objected to a house owner opening up a new entrance to his house over the verge over which there was said to be no right of way
- Mediating a family dispute over the ownership of various parcels of land following the death of both parents which involved the interpretation of the will.

Publications and works of reference

- "Cousins on Mortgages", Fourth Edition Sweet and Maxwell (December 2017)
- "Gadsden on the Law of Commons and Greens", with Richard Honey, Second Edition Sweet and Maxwell (January 2012). Third Edition forthcoming 2019, to be entitled - Gadsden and Cousins on the Law of Commons and Greens
- "Pease and Chitty's Law of Markets and Fairs", Sixth Edition Bloomsbury Publishing (August 2012). Seventh Edition, forthcoming 2019

Edward's contribution to works of reference include the following:

- the section on Markets in Volume 71 of the Fourth Edition of Halsbury's Laws of England (published in April 2013)
- an article in the Conveyancer in 2013 on land registration and the registration of manorial and franchise rights
- one chapter to the edited collection of essays published by Hart Publishing in January 2018 entitled 'New Perspectives on Land Registration: Contemporary Problems and Solutions'. The chapter is called 'The Land Registration Jurisdiction: An Analysis of the First Twelve Years'
- The forthcoming Commentary and Precedents for the Encyclopaedia of Forms and Precedents, Markets and Fairs Vol 26(2)B, Lexis Nexis, to be published in 2019

Read Edward's [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).