Radcliffe Chambers



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Barrister

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Edward Cousins is an experienced Barrister and Mediator at Radcliffe Chambers. 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 issues relating to markets and fairs, including street trading; land registration; commons and town and village greens; manorial rights; restrictive covenants and easements. He is the editor of "Cousins on Mortgages", "Gadsden and Cousins on Commons and Greens" and "Pease, Chitty and Cousins: Law of Markets and Fairs". Until recently he was also a part-time Senior Planning Inspector specialising in the fields of commons and greens, rights of way and costal access.

REAL ESTATE

Edward is senior and experienced real estate Counsel. He is the former Principal Judge of the Land Registration Division. He is able to provide advice on wide-ranging property issues and can also act as a Mediator.

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.

In December 2019 Edward was appointed to the role of a Senior Planning Inspector specialising in fields of commons and greens, rights of way and costal access, and planning policy. He has recently vacated this role.

Edward's 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 greens.
- Advising private clients on boundary disputes, ransom strip issues, rights of way issues and restrictive covenants

ALTERNATIVE DISPUTE RESOLUTION

Edward is a qualified mediator 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.

Edward is a practising Member of the Bar of Ireland, and the Bar of Northern Ireland.

ARTICLES/PUBLICATIONS

- "Cousins on Mortgages", Fourth Edition, Sweet and Maxwell (December 2017)
- "Gadsden and Cousins on Commons and Greens", Third Edition, Sweet and Maxwell, March 2020
- "Pease, Chitty and Cousins – Law of Markets and Fairs", with Graham Wilson OBE, November 2020

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

- an article in the Conveyancer in 2013 on land registration and the registration of manorial and franchise rights
- a chapter in 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 entitled 'The Land Registration Jurisdiction: An Analysis of the First Twelve Years'
- Consultant Editor Commentary and Precedents for the Encyclopaedia of Forms and Precedents, Markets and Fairs Vol 26(2)B, Butterworths, September 2019.
- Consultant Editor, Halsbury's Laws of England, Vol 71, Markets and Fairs, Butterworths, March 2020.

ASSOCIATIONS

Chancery Bar Association
Property Bar Association

EDUCATION

BA, University of Liverpool
LLM, London School of Economics
Bar Finals, Council of Legal Education

POLICIES AND OTHER DETAILS

- Read Edward's Privacy Notice, Data Protection Policy and Disposal Policy