

LA248-15 Property Law

23/24

Department

School of Law

Level

Undergraduate Level 2

Module leader

Maggie O'Brien

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

This module focuses on the role of law in the implementation of ideas and policies concerned with the ownership, use and development of property. Students will examine - and critique - the basic concepts of English and Welsh property law. They will study the most common property rights and interests impacting land.

Module aims

The aim of this module is to provide an introduction to the role of law in the implementation of ideas and policies concerned with the ownership, use and development of land. By the end of the module, students will understand the main property rights and interests in England and Wales, such as leases, easements and covenants.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Introduction – what is property?

- Ideas of property; the bundle of rights theory

- The distinction between property and ownership
- Dividing up the concept of property
- The definition of land

Ownership

- History of land law in terms of ownership
- The commodification of land
- Locke and private property (privatisation of land)
- Colonial critique

Title

- Estates/interests
- Formally acquired interests
- Relativity of title
- Enforceability of title
- Registering title (relationship with ownership)

Possession (i.e. informally acquired interests)

- Possession as the basis for bringing claims for property
- Adverse possession

Interests

- Introduction to interests
- Focus on easements (What is an easement? Is a right capable of being an easement?)
- Focus on covenants (What is a covenant? How is the burden passed?)
- Priority of interests (Protection through registration; overriding interests)

Learning outcomes

By the end of the module, students should be able to:

- Understand the basic concepts and structure of English land law and able to understand and use primary legal material
- Understand the social, political and economic context in which property rights exist and legal decisions are made
- Ability to apply English Law to hypothetical cases relating to property issues
- Ability to analyse, evaluate and form critical judgements on individual cases/statutory provisions, analyse form critical judgements on a series of linked materials on a discreet topic related to property law
- Understand the language of property law, be able to speak and write about property law with accurate use of specific terms
- Ability to propose potential policy and/or reform to an area of property law
- Provide comprehensive and clear written advice to a hypothetical client

Indicative reading list

To be determined.

Research element

Students will conduct research into legal cases, academic literature and other source material.

Interdisciplinary

Students will consider elements of philosophy, politics and social and economic policy within the module.

Subject specific skills

- Legal and policy research
- Legal writing
- Case analysis
- "Reading" property law
- Critiquing and proposing policy/law reform

Transferable skills

- Critical analysis
 - Written and oral presentation
 - Collaborative working
 - Understand and summarise material, including academic commentary.
 - Time management.
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Study

Study time

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	100 hours (67%)
Assessment	25 hours (17%)
Total	150 hours

Private study description

Reading and research on topics studied within the module and in preparation for the summative

assessment.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Assessment group A1

	Weighting	Study time
3,000 Word Portfolio	100%	25 hours

Students will be given a hypothetical scenario. The portfolio is then in two parts:

- Advice: providing advice on the factual scenario, similar to a problem question. The scenario will involve at least two legal issues.
- Critique: an element that engages with policy/law reform, asking students to critique the state of the law in the hypothetical scenario.

The two parts will be marked separately. Students' overall grade will be an average of the two marks.

We propose a 50/50 split of the word count: 1,500 words for the advice section, and 1,500 words for the critique section. This is so students have ample words to address the scenario properly.

Feedback on assessment

Students will receive individual feedback on both parts of the portfolio. General feedback will also be released.

In terms of formative feedback, students will have the option to submit an answer to a problem question considered in the seminars. Feedback will be written. Students will then carry out a group presentation on potential reform of a certain legal topic in one seminar. The seminar tutor will provide feedback during the seminar.

Availability

Courses

This module is Core for:

- Year 2 of ULAA-M130 Undergraduate Law
- Year 2 of ULAA-M131 Undergraduate Law (4 Year)
- Year 2 of ULAA-M132 Undergraduate Law (Year Abroad)
- Year 2 of ULAA-M135 Undergraduate Law and Sociology
- Year 2 of ULAA-M133 Undergraduate Law with French Law
- Year 2 of ULAA-M134 Undergraduate Law with German Law
- Year 2 of ULAA-M136 Undergraduate Law with Humanities (3 Year)

This module is Optional for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Unusual option for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
 - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law
 - Year 2 of V7MW Politics, Philosophy and Law