

# Property Week

propertyweek.com

NEWS	ANALYSIS	MARKETS	PROFESSIONAL
TJ Hughes landlords uprising <b>p4</b> Hannover debuts in City <b>p5</b>	Andrew Jones' retail advice <b>p31</b> Rugby World Cup preview <b>p32</b>	Thames Valley <b>p43</b> Riots aftermath <b>p56-p59</b>	Riot control strategies <b>p76</b> Property's youngest CEO <b>p80</b>

# Ryanair boss in City rights-of-light fight

■ Michael O'Leary squares up to Great Portland, Capital & Counties and City of London corporation

BY PATRICK GOWER

Outspoken Ryanair CEO Michael O'Leary is locked in a legal battle with Great Portland Estates and Capital & Counties over alleged rights-of-light infringements by the pair's development in London's Midtown.

*Property Week* understands the airline tycoon has appointed solicitors to write to the City of London and Great Portland Estates, outlining rights-of-light breaches at a £19m office block controlled by his Bradley Investments at 100 Fetter Lane.

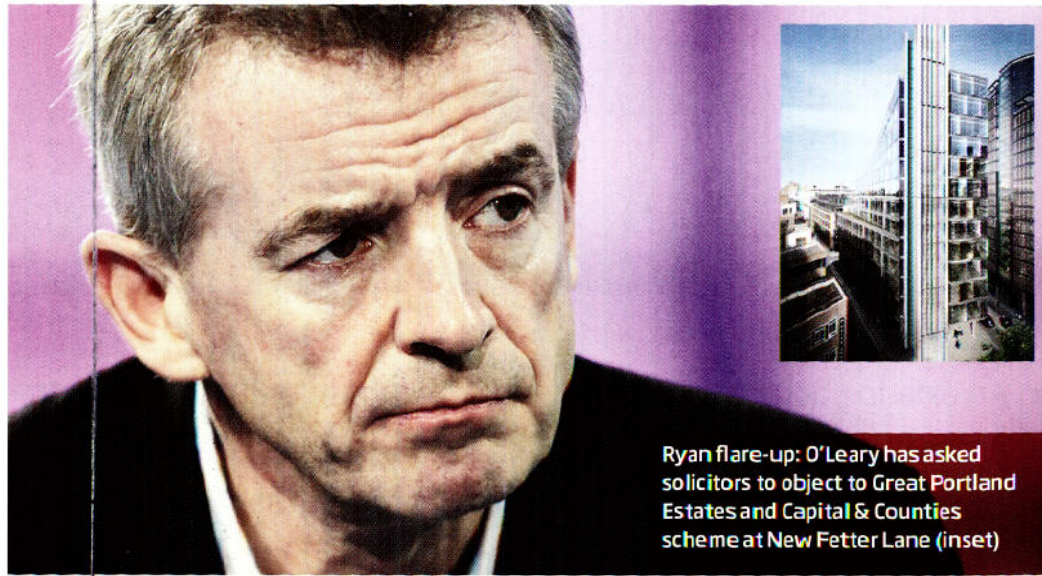
The case is the latest battle to explode after the Heaney case, which was expected to set a legal precedent for rights of light, but was settled out of court in March before reaching the Court of Appeal.

O'Leary's claim, which is understood to be one of several that affect the development, could trigger substantial compensation payments or a significant redesign of the 140,000 sq ft office scheme at 12-14 New Fetter Lane.

Great Portland Estates has appointed renowned City rights-of-lights expert Delva Patman to advise on the claims; Savills is advising O'Leary.

The Ryanair boss is private about his financial interests outside his airline, and the dispute provides a rare glimpse of his involvement in the UK property market. It is understood that O'Leary also controls a 27,000 sq ft office building at 50 Mark Lane in the City.

The City of London is now considering the case and could choose to invoke seldom-used



Ryan flare-up: O'Leary has asked solicitors to object to Great Portland Estates and Capital & Counties scheme at New Fetter Lane (inset)

powers to protect the development if it is deemed to be of substantial economic benefit to the area.

The corporation has become bullish in support of City development and has said it is willing to intervene to protect schemes until the government takes "a fresh look" at legislation to stop rights-of-lights claimants holding developers to ransom.

In May the City of London formed an agreement with Land Securities and Canary Wharf Group to acquire an interest in the so-called Walkie-Talkie Tower at 20 Fenchurch Street.

As a stakeholder, it then informed rights-of-lights

claimants that it would override disputes by using section 237 of the Town and Country Planning Act.

Stuart Fraser, policy chairman at the City of London, told *Property Week* in June: "The prospect of using section 227 and section 237 powers where appropriate will help to demonstrate to present and prospective future occupiers that the Square Mile remains open for business, and that the City of London remains committed to creating a business environment that can continue to attract the top firms from around the world for years to come."

All parties declined to comment.