

Tower Hamlets LBC v Bromley LBC [2015]

The case involves the transfer of land and the conversion of property held in estates.

Evidence

London County Council purchased the statue of Henry Moore in 1962. Shortly after, the organization ceased to exist, and the Greater London Council (GLC) that replaced it became the new owner of the sculpture. After a while, the housing for the statue was transferred to the plaintiff company, Tower Hamlets LBC. The Greater London Council was abolished, and the rest of its property was transferred to B, the company of the accused. When C decided to sell the statue to cover the budget shortage, the issue of who the owner of the sculpture was arisen. The accused wanted to keep the piece of art for public display.

Problematics

The task of the court was to decide whether the statue was legally transferred to the ownership of C or B. If the decision was made in favor of B, it was important to determine whether C deployed the statue lawfully according to s.3(1) of the Limitation Act 1980.

Resolution

The court found in favor of C, even though the ownership of the sculpture did not actually pass to C under the given circumstances. Because C lent the statue out and conducted some restoration, it infringed on the conversion with its actions. Then B's title was voided because B had not brought action due to the violation of the s.3(2) of the Limitation Act 1980.

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