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Landowners Take Leasehold Reform Battle to High Court in Human Rights Clash

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A group of powerful freeholders, including some of the U.K.'s wealthiest landowners and two major charities, has launched a High Court challenge to the Leasehold and Freehold Reform Act. They claim the new legislation breaches their rights under the European Convention on Human Rights (ECHR), sparking fresh concern among leaseholders desperate for long-overdue change.

The judicial review, which began on Monday and is expected to conclude by Friday, targets reforms passed in 2024 under the previous Conservative government. The Leasehold and

Freehold Reform Act (LAFRA) was fast-tracked through Parliament in the run-up to the general election, aiming to make it easier and cheaper for leaseholders to extend leases or buy their freeholds.

However, the landowners collectively hold the freeholds to thousands of properties across England and Wales argue that the legislation goes too far. They claim that the reforms, particularly the new rules on calculating lease extension costs, breach their property rights. According to court filings, they fear financial losses could reach hundreds of millions of pounds and say the Act fails to provide fair compensation for what they will lose.

Ownership Rights

Article 1 of Protocol 1 of the ECHR protects the peaceful enjoyment of possessions at the heart of the legal challenge. The claimants insist that LAFRA undermines this right by interfering with how they manage and profit from their assets. The two unnamed charities involved have also raised concerns about the impact on their funding streams, which rely heavily on income from long-held freehold estates.

Leaseholders, however, have expressed growing frustration. Many feel their voices are not being represented in court, despite being the ones most affected by the system. Campaigners argue that leaseholders have been subjected to decades of unfair treatment under an outdated model that benefits a privileged few. They fear the High Court case could stall or even overturn key aspects of reform they have long waited for.

The National Leasehold Campaign released a strongly worded statement reflecting the mood. “Whilst the lawyers fight this out in the courtroom, leaseholders are nervously awaiting the outcome. There is a real human impact that cannot be underestimated,” the group said. Calling it a “David versus Goliath battle,” they added: “Leaseholders remain in a state of limbo, trapped by this iniquitous system, with no way out.”

There are around 4.5 million leasehold homes in England and Wales, most of which are flats. By contrast, Scotland abolished leasehold in the 1980s, and Northern Ireland operates a different legal system. Critics say the leasehold structure in England and Wales has led to excessive charges, service disputes, and a lack of control for property owners over their own homes.

The case lands during the early months of a new Labour government, although ministers have so far stayed quiet on whether they plan to intervene or defend the Act in court. Meanwhile, leaseholders watch on, hoping the courts will back reforms they say are essential for fairness in modern property ownership.

Whether the High Court sides with the freeholders or upholds the reforms, the decision could shape the future of home ownership in England and Wales for generations to come.