

Your Legal Questions

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Q Is there a way I can protect the game birds that nest in my pear tree if I decide to sell off part of my garden?

A When land is sold, unless separate provision is made at the time the right to the game on the land passes with the land. These are known as Sporting Rights. When selling land, the Sporting Rights can actually be retained preventing the new owner having the right to the game. You could then protect the partridge in your pear tree as well as the two turtle doves, the three French hens and the four calling birds. Larger birds and their eggs such as six geese a laying could also be protected in this way. Seven swans a swimming are a protected species unless you decide to sell your land to the Royal Family in which case you would have ten lords a leaping as your neighbours.

Another way to protect the wildlife would be to impose restrictions on future use. So restricting loud music, farming and public gatherings would prevent eleven pipers piping, twelve drummers drumming, nine ladies dancing and eight maids a milking. I would suggest that before you sell your land you telephone your solicitor, as those five gold rings could prove to be invaluable.

Wishing you a very Merry Christmas and a Happy New Year from all of us at Powells with Chawner Grey Solicitors.

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