

## Example essay questions with suggestions for a good answer

### Chapter 1 – Introduction to land law

**‘*Cuius est solum eius est usque ad coelum et ad inferos.*’ How far does this phrase reflect a landowner’s entitlements in contemporary land law?**

- Begin with an introduction explaining what the phrase means, its origins, and its place in land law generally.
- The main body of the essay will need to address, in essence, how far down and how far up a landowner’s entitlement to their land reaches – does a landowner really own everything up to the heavens?
- Note the definition of land in s205(1)(ix) of the LPA 1925 and the expansive meaning given to land.
- Examine the issue of entitlement to airspace – consider K. Gray, ‘Property in Thin Air’ (1991) 50 CLJ 252 and *Bernstein of Leigh v Skyviews & General Ltd* (1978); mention section 76 of the Civil Aviation Act 1982.
- Examine the extent of an owner’s rights over subsoil; you might mention minerals water, and treasure found on land: the Treasure Act 1996.
- Reflect on the national misconception that when we buy a house we ‘own’ it – noting that all land is ultimately the property of the Crown. What does this tell us about ‘ownership’ as a concept? Draw this back to the Latin phrase in the title.
- You may also wish to reflect on the chattel/fixture distinction and the clarity or lack thereof in the case law. Key cases here will be *Holland v Hodgson* (1872); *Botham v TSB Bank plc* (1997); *Elitestone Ltd v Morris* (1997).
- Express a conclusion building on the body of your essay – where does your analysis leave us vis-à-vis the essay title?