

from Kelly who had been jailed for similar offences in 1995 and 1997. Judge John items were missing. "This clearly caused Sir Alan and his wife some distress,

Row over fence on drive to cost mother and son £100,000

By Caroline Gammell and Murray Wardrop

A MOTHER and her lawyer son face a bill of up to £100,000 after losing a five-year legal battle with their neighbour over moving a boundary by 14 inches.

The pair claimed that a fence their neighbour planned to erect would prevent them from opening a car door in their driveway.

Joy Huntley and her son Graham, a partner at the law firm Lovells, spent at least 18 months challenging Simon Armes through the courts.

Yesterday, the Court of Appeal ruled in favour of Mr Armes and ordered the Huntleys to pay 70 per cent of their neighbour's legal costs.

Legal experts estimated that the costs of the protracted battle, which involved the county court, the court of appeal and solicitors' fees, could top £100,000.

Mrs Huntley and her son own a £450,000 semi-detached house in Claygate, Surrey, which has a paved area for parking. They share this parking area with Mr Armes, who owns a similar property, and until 2005 relations were friendly. If either strayed into each

other's part of the driveway, it was considered a "moment of transient trespass" and the neighbours tolerated each other's comings and goings.

In 2005, Mr Armes, 64, drew up a plan to erect a fence to divide up the driveway, outraging his neighbours. The Huntleys laid claim to 35cm (14in) of manoeuvring space.

Four years of letters and hostile exchanges led the neighbours to Kingston County Court in March 2009.

After a five-day trial, a judge drew a "green line" to mark the boundary and gave a 109-page ruling which did not give the Huntleys the extra space they wanted.

Undeterred, Mrs Huntley and her son took the case to the Court of Appeal. Yesterday, Lord Justice Rimer backed the county court judge's decision.

Mr Armes, 64, a retired Barclaycard sales manager, said: "I'm delighted with the result as this has been an incredibly stressful experience for going on the past five years.

"I have put the house on the market and, to be honest, the sooner I can move away from here the better; it has been very unpleasant."

Access all arias: Radio 3 asks listeners for top 10

By Neil Midgley

BBC Radio 3 is to search for the nation's favourite aria, as part of the corporation's opera season.

Listeners to Radio 3's breakfast show will be invited from Monday to suggest arias for inclusion in the list.

The most popular 10 will then be listed on the Radio 3 website, where listeners will be able to hear samples and vote for their favourite.

The winner will be announced on June 14.

Given its popularity as a World Cup theme, *Nessun*

Dorma, from Puccini's *Turandot*, is expected to make the list. But Roger Wright, Radio 3's controller, said that the station's listeners had very broad tastes.

The BBC will today announce details of its opera season. Stephen Fry will present a television documentary about Wagner, and Antonio Pappano, the music director of the Royal Opera House, will front a three-part series about Italian opera. Dame Kiri te Kanawa will present a programme discussing the qualities of great sopranos, with Rolando Villazon doing the same for tenors.

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