



# Property

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*Henderson Chambers 'satisfies the property needs of clients and solicitors in every dispute forum in the UK.'*

**Chambers UK**

*Henderson Chambers provides a considerable body of real estate expertise.*

**Chambers UK**

*Henderson Chambers possesses 'exceptional depth and quality at both silk and junior level' and attracts praise for its 'helpful and extremely proficient barristers.'*

**Chambers UK**

*Henderson Chambers has a notable presence in the property market.*

**Chambers UK**

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Richard Mawrey QC is a 'consistently solid performer.'  
Chambers UK

Peter Susman QC – 'a really heavyweight silk with great experience.'  
Legal 500

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Henderson Chambers has a dynamic and innovative property litigation and advisory team with particular strengths in commercial property and development, commercial and residential landlord and tenant, social housing and the international, business, insolvency, public law and professional negligence aspects of property law.

As part of a leading commercial and common law set the Property Group can offer specialism combined with a knowledge and experience of the wider legal issues which arise frequently in property disputes. Henderson Chambers has been recognised for its outstanding client service and the Property Group provides a thorough and responsive approach to client care for all its clients. The Property Group covers four key practice areas:

- real estate litigation
- commercial property
- social housing and residential property
- specialist and associated property matters

We are proud to be recognised in both Chambers UK and the Legal 500 as one of the leading sets in these areas of law, with Chambers UK noting that we “take a more focused approach to property litigation.” We are noted by Legal 500 as being a set which “possesses fine advocates” and which is “meticulous in preparation.”

Our work covers both contentious and non-contentious property law, providing commercially-focused expert advice, drafting and advocacy services, with members of the Group appearing before the Supreme Court, the Court of Appeal, all divisions of the High Court and County Courts, as well as before the Lands Tribunal and the Leasehold Valuation Tribunal.

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Jonathan Steinert is 'a professional of substance and a reliable choice of counsel.'

'Equally as good on paper as he is on his feet.'

'Knows how to sabotage the opposition's line of attack and then dissolve it effectively.'

Chambers UK

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Andrew Davies is 'level-headed and realistic... not just clever but human with it too.'

'particularly responsive and helpful.'

'attracts praise for his work' from clients.

'well liked by commentators.'

Chambers UK

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### General Real Estate Litigation

Members of the Property Group offer expertise in all aspects of general property law including options, rights of pre-emption, easements, restrictive covenants, nuisance, boundary disputes, adverse possession, trespass, mortgages, land registration and conveyancing, Notices, co-ownership and trusts of land, party wall disputes, equity release and sale and rent back.

Important recent cases in which members of the group have been involved include [Clarkson v Credit Agricole](#) as to the enforcement in England of foreign mortgages; [Anderson Antiques \(UK\) Limited v Anderson Wharf \(Hull\) Ltd & Philip Robert Akrill](#) substantially widening the range of persons to be found liable for the statutory tort under Section 77 of the Land Registration Act 2002 and granting novel relief at an interim stage in the proceedings; [Carnegie v Elswood & Giessen & Ors](#) establishing the jurisdiction to make and enforce a charging order denominated in foreign currency over real property in England, establishing principles of wide ranging importance in the context of economic globalisation; [Delaware Mansions v City of Westminster](#) redefining the extent of liabilities in nuisance and the well-known case of [Royal Bank of Scotland Plc v Etridge](#) as to undue influence.

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Malcolm Sheehan 'Solicitors highly recommend the services of Malcolm Sheehan a junior with expertise in landlord and tenant.'

'Development-led litigation and Landlord and Tenant Act 1954 issues are the strengths of the very bright and good on his feet' Malcolm Sheehan.

'Doesn't miss a trick.'

'Able to understand difficult situations comfortably whilst understanding the client's needs.'

'especially good for those cases where you need to put your thinking cap on.'

Chambers UK

Malcolm sits as Part Time Deputy Adjudicator to HM Land Registry.

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### Commercial Property

The Property Group has great experience of all aspects of this area, including commercial leasehold renewals, rent reviews, commonhold, agricultural holdings, landlord and tenant insolvency, dilapidations, service charge disputes, options and rights of pre-emption, landlord's consents and possession proceedings.

Chambers has particular experience of acting for major builders and property developers in assisting with all aspects of property development projects from contractual disputes relating to options and overage agreements, to dealing with encumbrances on title and registration matters.

Important recent cases in which members of the group have been involved include [Wellington Pub Co v Hancock](#) as to the establishment of important jurisdictional principles applicable to the Judgments Regulation and the enforcement in UK Courts of surety covenants given by those resident elsewhere within the EU; [Sunlife Assurance v Thales Tracs Ltd](#) as to the substantive validity of Notices under the Part II of the Landlord and Tenant Act 1954; [Rouf v Tragus & Café Rouge](#) as to the rights of leasehold co-owners between each other, insolvency and disclaimer.



### Social Housing and Residential Property

The Property Group has a long history of acting for many of the country's leading social landlords and local authorities. Litigious matters include all aspects of public and private law social housing disputes including allocations, homelessness, nuisance, non-occupation and under-occupation, arrears, succession and dilapidations. Chambers also has extensive advisory experience in relation to housing stock transfers, PFI projects and housing association governance and administration. Residential landlord and tenant disputes arising under the Rent Acts, Housing Acts and Landlord and Tenant Acts are all frequently dealt with by chambers.

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Noel Dilworth plays his hand extremely well, even when it isn't the strongest.  
Legal 500

Very capable junior, James Purnell delivers 'very practical and insightful advice.'  
Legal 500

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Prominent cases in which chambers has acted in this area include [Aylesbond Estates Ltd v Macmillan & Garg](#) as to the jurisdiction of the LVT; [Bruton v London & Quadrant Housing Trust](#), the leading case on the grant and nature of tenancies by estoppel; [Newlon Housing Trust v Alsulaimen](#) on the effect of notices to quit in joint tenancies.



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Andrew Davies is 'a friendly and solid opponent,' and Malcolm Sheehan is 'great on his feet,' while Jonathan Steinert 'marries commercial acumen with a canny legal brain and an engaging manner.'  
Legal 500

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The Property Group has extensive experience of a wide range of ancillary matters, including environmental, commercial, competition, joint-venture, partnership, development, insolvency and construction issues, public and private nuisance, housing law, compulsory purchase, capital allowances legislation, and registered homes, together with associated professional negligence claims against property professionals, including surveyors, valuers and solicitors.

Chambers has wide expertise in the conduct of group actions in relation to property-related disputes, be it estate-wide dilapidations claims or industrial nuisance issues.

Important recent cases in which members of the group have been involved include [Lambe v Saunders](#) professional negligence action against a planning consultant, in which helpful guidance as to the obligations and business practices of such professionals was given; [Harmon CFEM Facades \(UK\) Ltd v The Corporate Officer of the House of Commons](#) the leading case on public procurement in this area.

Members of the property group are experienced mediators, and all members of the group consider the use of ADR to help deliver commercial, cost-effective resolution of disputes.

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Keeping watch over it all, turbo-charged, entrepreneurial head clerk John White.  
Chambers Student Guide

A 'tone and culture' of service that is a cut above other sets.  
Chambers UK

Henderson Chambers' barristers are 'brilliant with clients and get the work out exceptionally quickly.'  
Legal 500

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At Henderson Chambers, we are committed to achieving the right outcome for our clients. We are proud to offer “a quick response; good value for money, in proportion to the problem at hand” (Legal 500).

We are unusual in that our practice is highly experienced in both the civil and criminal law arenas, and at all levels, from QC to newly qualified juniors.

The foundations of our excellence in client service are our pedigree, our intellectual ability and our knowledge of our specialist areas of practice. We consider ourselves approachable, friendly and enthusiastic. At the heart of our client-friendly ethos is our open-door policy and our commitment to dealing with every client on a personal, individual basis.

We take on a wide range of cases, and no matter what the issues, we take pride in understanding our clients and their differing needs, including the commercial realities they face and the markets they operate in. The Legal 500 states we offer “common sense and good business thinking”, adding that we show “a high level of skill” and “work directly and promptly.”

We invest considerable effort and resources in ensuring that our clerking function delivers the quality and consistency of service that we believe our clients deserve. Legal 500 highlights our “impressive, efficient clerking,” while Chambers UK refers to “a client service mentality that is streets ahead of most.”

Our website was the first to offer direct access to the public. We believe direct access – which is used by smaller business, commercial and insurance clients – is an important element of the service we offer and which our clients need.



Henderson Chambers is home to 42 barristers, including nine QCs – “large enough to offer a versatile and wide ranging service, but not so large as to be impersonal” (Chambers UK).

We are recognised in both Legal 500 and Chambers UK as having expertise in all of the main areas in which we practice and we are a winner of a Chambers Bar Award 2010.

We aim to provide a flexible and commercial service tailored to the needs of our clients. In addition to receiving instructions from solicitors, we accept instructions under the Licensed and Public Access schemes from a wide range of organisations.

Members of Chambers regularly deliver seminars, in-house training and lectures to ensure our clients are both informed and able to benefit from our specialist expertise and advice.

In addition to our own European law expertise, we have close links with barristers practising in Brussels, and we are able to advise and provide representation regarding all European law matters, including competition, trade, anti-dumping, public procurement and state aid, as well as appearing before the European Court of Human Rights in Strasbourg.

**Contact us**

For any property law enquiries, or for questions regarding any other practice group areas, please contact John White, Chief Clerk:

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Email: [clerks@hendersonchambers.co.uk](mailto:clerks@hendersonchambers.co.uk)





We also have the following brochures available for our other practice areas:

- Health, Safety & Environment
- Commercial, Insurance & Arbitration
- Product Liability & Group Actions
- Employment
- Technology & Construction
- Finance & Consumer Credit
- Public Sector

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*Friendly and approachable barristers.*  
**Chambers UK**

*Always helpful and eager to work in a team.*  
**Chambers UK**

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