

Leslie Blohm QC

Joint Deputy Head of Chambers /Head of Commercial & Chancery Practice Group



YEAR OF CALL: 1982

YEAR OF SILK: 2006

INN: LINCOLN'S INN

JUDICIAL OFFICE: RECORDER
2003, DEPUTY HIGH COURT
JUDGE (CHANCERY) 2008

“ Leading chancery and commercial silk with an excellent reputation for his extensive experience at the Bar. ‘He is a first-class academic lawyer and an excellent court advocate.’ ‘He’s the go-to silk in this region, if not nationally, for proprietary estoppel matters.’ ”

CHAMBERS UK, 2020
CHANCERY

Practice Overview

Leslie has been awarded ‘Chancery Silk of the Year’ at the Chambers Bar Awards 2019, a prestigious award recognising Leslie’s pre-eminence in his key practice areas. Leslie is one of the Western Circuit’s leading commercial and chancery silks, both in advisory work and in litigation in all Courts from the most local up to and including the House of Lords and the Supreme Court.

Leslie deals with commercial disputes and problems, and in particular those with a real property element including contracts for the sale of land, development and overage agreements, commercial landlord and tenant disputes and Town and Village Green applications. Leslie also acts in probate disputes, Inheritance Act claims and trust litigation. He has appeared for and against local authorities in planning disputes and in associated high-profile Judicial Reviews of administrative actions.

He is regularly instructed by Registration Authorities to sit as an inspector on Village Green inquiries.

Leslie was also shortlisted for ‘Silk of the Year’ within the Legal 500 UK Regional/Scottish Awards 2018. He has been named Barrister of the Year 2015/2016 by The Bristol Law Society. He is described by his peers as ‘a brilliant advocate and an exceptionally clever man. He is easy to get along with, supportive and practical.’ Leslie has been ranked in the ‘Chambers 100 UK Bar’, ranking the top 100 silks practising at the Bar of England and Wales. He has achieved this recognition by being ranked in Bands 1 and 2 of his specialist areas of practice in The Chambers UK Bar Guide.

Leslie is also recommended in Who’s Who UK Bar: Real Estate 2017 for his real estate expertise and has been over the past years. He is admired for his “deep understanding of contracts for the sale of land, development and overage agreements, commercial landlord and tenant disputes and town and village green applications.”

He was appointed a Recorder (2003) and a Deputy High Court Judge (Chancery) (2008), and is a Deputy Head of St John's Chambers, and a member of the Editorial Board of The Conveyancer and Property Lawyer.

Areas of Expertise

Agriculture & Rural Affairs

Leslie has been awarded 'Chancery Silk of the Year' at the Chambers Bar Awards 2019, a prestigious award recognising Leslie's pre-eminence in his key practice areas. He maintains a formidable reputation in agriculture and rural affairs on the Western Circuit with over thirty years experience advising farmers, farming partnerships and companies in respect of contracts for the sale and purchase of land; rights over and restrictive of land; tenancies (both under the Agricultural Holdings Act 1986 and Agricultural Tenancies Act 1995) and partnership and succession disputes.

He has recently argued the fencing easement case – *Haddock v Churston Golf Club* in the Court of Appeal; judgment awaited.

He has a special interest in rights of common, together with town and village green law.

Leslie has recently appeared in the Court of Appeal arguing as to the ability of farmers to create fencing easements by agreement in *Haddock v Churston Golf Club*, for which judgment is awaited.

Leslie has appeared in a number of high profile proprietary estoppel cases, including:

- ▶ *Habberfield v Habberfield* (2018) – representing the claimant at trial who was awarded £1.15 million from her parents, and recently (2019) defending the award on appeal in the Court of Appeal. [Read more here.](#)
- ▶ *Davies v Davies* (2014 and 2016) – the 'Cowshed Cinderella' case, both at trial and on appeal twice. [Read more here.](#)
- ▶ *Gee v Gee* (2018) – represented the successful claimant at trial. [Read more here.](#)

He is also a member of the Agricultural Law Association and is recommended (Band 1) in Chambers UK (2016) for Agriculture. He also sits as a Town and Village Green inspector.

Leslie has acted as a legal advisor to arbitrators appointed under the Agricultural Holdings Act 1986.

Commercial

Leslie is one of the Western Circuit's leading commercial and chancery silks, and works across a whole spectrum of commercial issues including company, partnership, insolvency and banking matters.

Leslie advises and appears in cases concerning all aspects of commercial and contractual disputes including sale of goods and franchising and distribution agreements, relationship agreements in respect of long term supply contracts. He also deals with applications for interlocutory relief in Freezing and Anton Piller form.

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Leslie advises and appears in cases concerning internal and corporate disputes, shareholder disputes, minority shareholder protection and contested about windings up. He has advised in respect of numerous partnership disputes including litigation to the existence of partnerships, the times of which partnerships trade their dissolution and taking of partnerships accounts.

He has particular expertise in respect of the agricultural partnerships.

Leslie advises and acts in all aspects of corporate and personal insolvency including applications to restrain the presentation of bankruptcy and winding up petitions and the enforcement of substantial claims in the insolvency process.

Court of Protection

Leslie has been awarded 'Chancery Silk of the Year' at the Chambers Bar Awards 2019, a prestigious award recognising Leslie's pre-eminence in his key practice areas. He is one of the Western Circuit's leading commercial and chancery silks, who also is regularly instructed in a wide variety of Court of Protection matters involving property and affairs cases. He has a particular interest in disputes over the execution of wills and succession, the misconduct of receivers, trustees and all attorneys.

Inquests & Public Inquiries

Leslie has appeared and advised in a number of high profile inquests and enquiries relating to deaths in the UK and abroad. He has been instructed to act on behalf of the parents and brother of the late Barry Pring in the long-running dispute with his widow over the administration of Barry Pring's estate.

Mediation

Leslie qualified as a mediator in January 2016. His background is predominantly commercial disputes and problems, and in particular those with a real property element including contracts for the sale of land, development and overage agreements, commercial landlord and tenant disputes and Town and Village Green applications. Leslie also acts in probate disputes, Inheritance Act claims and trust litigation, but is happy to mediate in any field.

Leslie acts as an independent party in the dispute resolution process to facilitate open discussion and reach consensus between the parties, without the need to go to court with all the added expense and aggravation.

Professional Negligence

Leslie advises and acts in a number of professional negligence claims in respect of solicitors and barristers, as well as for both claimants and insurers of the professionals, including property conveyancing solicitors (including mortgage lending). He also advises on professional negligence claims in relation to banking, company and commercial, real estate and wills and trusts matters. He is able to bring his specialist knowledge of property, probate law and litigation.

Leslie advises and acts in respect of claims for and against financial institutions including all aspects of professional negligence arising out of financial institutions in banking disputes generally.

Public & Administrative

Leslie accepts instructions in public and administrative law matters, including planning, environment, licensing and highways & rights of way. He acts for developers, local authorities and third parties in many Inquiries.

He is noted for his expertise in judicial reviews concerning property-related decisions, as well as high-profile Judicial Reviews of administrative actions. He has many years' experience of advising and appearing in disputes relating to local government administration and contracts, as well as the challenging of inspectors' decisions reached under the Wildlife and Countryside Act 1981, and the judicial review of decisions of registration authorities under the Commons Act 2006, decisions made by local planning authorities, and decisions of licensing authorities.

Leslie has appeared both for and against local authorities in planning disputes. He advises generally in respect of planning matters in strategic planning decisions, and appears at Inquiries relating to planning matters in respect of compensation for compulsory purchase.

He advises in highway disputes relating to both private and public highways, their existence and rights and obligations in respect of them. Leslie also appears at Inquiries into the existence of public highways and litigation in respect of highways, as well as lecturing on this topic.

Leslie offers a particular expertise in challenging local authorities over licensing fees, having advised and appeared (with Professor Roy Light of St John's Chambers) in the successful challenge to the setting of hackney carriage license fees in *Cummings v Cardiff City Council* where it was held that a local authority could not cross subsidise expenditure between the private hire and hackney carriage regimes, and carry forward surpluses or deficits from year to year, recovering significant sums for the applicants.

Real Estate

Leslie is a leading silk who is praised for having an exceptional real estate practice with extensive expertise in contracts for the sale of land, development and overage agreements, commercial landlord and tenant disputes and town and village green applications.

He acts for a range of clients from private individuals to local authorities to substantial corporations, and regularly acts in relation to property disputes often involving overlaps with other specialist areas of law such as partnership, insolvency and company law.

Specific areas of expertise include:

- ▶ Sale of land
- ▶ Restrictive covenants
- ▶ Mortgages
- ▶ License
- ▶ Easements
- ▶ Commons & village greens
- ▶ Torts relating to land

Landlord and Tenant

- ▶ Rent Reviews
- ▶ Dilapidations Claims
- ▶ Commercial Lease Construction

He has appeared in a number of leading and reported cases in the High Court, Court of Appeal, House of Lords and the Supreme Court, amongst others those dealing with easements (*Odey v Barber* [2008] Ch 175 (Siller J)), profits (*Bettison v Langton*), landlord's notices (*Grimes v Trustees of Essex Hunt* [2017] EWCA Civ 361) proprietary estoppel (*Hoyl v Cromer Town Council* [2015] EWCA Civ 782 and *Davies v Davies* [2014] EWCA Civ 568), positive obligations in land ownership (*Cardwell v Walker* [2003] EWHC 3117 (Neuburger J)) boundary disputes relating to registered title (*Drake v Fripp* [2011] EWCA Civ 1279; [2012] 1 P&CR 4) and illegal property transactions (*Brandwood Management Ltd. v Bakewell* [2004] 2 ALL ER 305 (HL)).

Listed as a Grade 1 QC in Chambers & Partners' directory for Real Estate for as long as they have recommended barristers from the West of England in that specialization, for the past 3 years, Leslie has also been recommended in the Who's Who UK Bar: Real Estate directory for his real estate expertise, and is recommended for Property work by the Legal 500 as a leading silk. He is also a member of the Editorial Board of *The Conveyancer and Property Lawyer*, and a contributor to that and other periodicals.

Leslie regularly advises and acts in respect of all disputes in relation to co-ownership of land and other substantial property both in a domestic context and in respect of wider co-ownership disputes.

Town and Village Greens

Leslie is an expert in town and village green law, and as well as advising, both appears before Inquiries, sits as an informal inspector advising registration authorities on applications to register land as a village green. He has also appeared on judicial review applications to challenge registrations decisions on highly contentious applications, notably in *SDR v Bristol City Council* and *Mann v Somerset County Council*.

Recent inquiries include:

- ▶ Bushfield Down (2013) as inspector for Hampshire County Council
- ▶ Bristol City Council and the Filwood Park inquiry (2011) relating to development land in South Bristol (acting as landowner) in the Castle Park inquiry (2009) relating to the proposed registration of land intended for development in central Bristol
- ▶ BANES (as inspector) in three inquiries (Newbridge, Kaynton Mead and Rudmore Park) in 2011
- ▶ Croydon Borough Council (as inspector) in Grove Gardens inquiry in 2011.
- ▶ Cardiff City Council (as Inspector) in the Rumney Recreation Fields Inquiry (2010)
- ▶ Gloucester County Council (acting as Inspector) in the Lake 104 Inquiry, Fairford (2009)
- ▶ Mudstone LLP as landowner/developer in the continuing Wishings Field Inquiry, Torquay
- ▶ York City Council as landowner and the Joseph Rowntree Foundation as developer in the Derwenthorpe village green inquiry (2008), land proposed for the largest social housing development at the time in the United Kingdom

He is regularly instructed by Registration Authorities to sit as an inspector on Village Green inquiries, and has also been instructed to appear for landowners and local authorities in their capacity as landowners in respect of such applications, acting in the following applications amongst others:

- ▶ Llantarnam Park, Torfaen
- ▶ Parc Y Werin, Swansea
- ▶ Stoke Lodge, Bristol
- ▶ Wishings Field, Bristol
- ▶ Grove Wood, Bristol
- ▶ Ashton Vale, Bristol
- ▶ Castle Park, Bristol
- ▶ Whitstable Beach, Kent
- ▶ Claverham, Bristol
- ▶ Bath Recreation Ground
- ▶ Prior's Field, Easton-in-Gordano
- ▶ Derwenthorpe, York
- ▶ Mudford, Yeovil
- ▶ Rumney Rec, Cardiff
- ▶ Withington Green, Manchester
- ▶ Lake 104, Fairford, Glos.
- ▶ Bushfield, Hants.
- ▶ Pen Mill Field, Yeovil

Tax

Leslie accepts instructions as leading counsel in tax cases. He advises as to the operation of the tax regime in relation to property development, sale and administration of trusts and estates. He has appeared in landmark decisions in the High Court and the Court of Appeal concerning the effect and imposition of Value Added Tax.

Wills & Trusts

Leslie is one of the country's foremost chancery barristers with experience of appearing in front of the highest courts in wills and trusts cases. He has over 30 years' experience of conducting contentious probate litigation, comprising:

- ▶ Disputes as to the validity of wills
- ▶ Proper administration of estates and will trusts
- ▶ Inheritance Act claims
- ▶ Claims in respect of estates arising from informal agreements and proprietary estoppel

Leslie has recently appeared in a number of high profile proprietary estoppel cases including *Davies v Davies* (2014 and 2016) (the 'Cowshed Cinderella' case, both at trial and on appeal twice); *McDonald v Rose* (2017) a £5 million claim against substantial family business; *Habberfield v Habberfield* (2018) (representing the claimant at trial who was awarded £1.15 million from her parents, and recently (2019) defending the award on appeal in the Court of Appeal) and *Gee v Gee* (2018) (where he represented the successful claimant at trial).

He has also been instructed to act on behalf of the parents and brother of the late Barry Pring in the long-running dispute with his widow over the administration of Barry Pring's estate.

He has also lectured on these topics to both regional firms and at local Law Societies.

Recent Cases

- ▶ *Toms v Ruberry* [2019] EWCA Civ 128 - considered the principles behind service of notice to forfeit a lease.
- ▶ *Gee v Gee* [2018] EWHC 1393 Ch - farming case to consider a claim by a farmer's child to the family farm.
- ▶ *Habberfield v Habberfield* [2018] EWHC 317 (Ch) - farmer's daughter recovers over a million pounds from her parents after a lifetime's promises
- ▶ *Grimes v The Trustees of the Essex Farmers & Union Hunt* [2017] EWCA Civ 361 - The Court of Appeal held that a notice to quit was not properly served and so did not determine a farm business tenancy under the Agricultural Tenancies Act 1995.
- ▶ *Hoyl Group v Cromer Town Council* [2015] EWCA Civ 782 – easement by estoppel
- ▶ *Davies v Davies* [2014] EWCA Civ. 568 and [2016] EWCA Civ. 463 – (the 'Cowshed Cinderella' case) successfully representing farmer's daughter both in the High Court and on appeal in her claim to an entitlement to or interest in the family pedigree Holstein/Friesian dairy farm resulting from years of underpaid work, by reason of proprietary estoppel.
- ▶ *Webster v Ashcroft & Others* [2013] EWHC 1316 (ch) - acting for executors and beneficiaries to successfully defend challenges to a will based on undue influence and proprietary estoppel.
- ▶ *Bradbury & Ors v Taylor & Anor* [2012] EWCA Civ. 2008 – acting for estate in appeal from Judge's decision to award deceased's godson a listed building by reason of proprietary estoppel.
- ▶ *R v Somerset County Council ex. p. Mann* (HHJ Robert Owen QC) [2012] EWHC B14 (Admin) – whether the extent to which a general implied license may be found from intermittent licensing of part only of the land.
- ▶ *R v Bristol City Council & Vence plc oao SDR* [2012] EWHC 859 (Admin) - judicial review of a decision to register part only of land as a Town or Village Green.
- ▶ *D.L.Barrett & Sons v Bristol City Council* [2011] EWCA Civ. 734 - alleged misfeasance in public office; whether inclusion of building contractor on Council's statutory list of approved contractors gave rise to an implied contractual relationship between council and contractor, and therefore imposed an obligation not to remove from the list without good cause; whether Council obliged to pay damages by reason of an act unlawful in public law.
- ▶ *Brumwell v Powys County Council* [2011] EWCA Civ. 1613 - construction of operator's agreement relating to mobile home park; whether agency agreement or lease; whether part of sham agreement.

- ▶ **Bristol City Council v SDR and ABC** [2012] EWHC 859 (Admin) - the effect of discontinuance of a Judicial Review claim where others would wish to take it over.
- ▶ **Drake v Fripp** [2012] P & CR 69 (CA) – construction of large apparently mis-stated boundary and claim for rectification of land registry plans.
- ▶ **Devine and Laverty v Welsh Ministers** (Beatson J.) [2011] EWHC 358 (Admin) - the correct approach to challenging a Highway Inspector's factual findings on a Definitive Map Modification Order.
- ▶ **Roberts v Gill** [2010] 2 WLR1227 - entitlement of party to amend capacity in which he sues so as to make a claim in a derivative capacity after the expiry of the Limitation Period (UK Supreme Court).
- ▶ **Mason v Boscawen** [2009] 1 All ER 1006 - effect of variation in level of VAT chargeable on rent payable under AHA 86 tenancy.
- ▶ **Collins v Spofforth & Others & Probus Garden Estate** (2008) SW1/1057;1058 - ALT – succession to AHA tenancy; consent to operation of Case G notice.
- ▶ **Hough v Annear** [2008] 119 Con LR 57 County Court - failure to comply with s.3 of the Party Wall Act during the construction of an extension did not constitute a separate cause of action for breach of statutory duty.
- ▶ **Odey v Barber** [2008] Ch 175 (Silber J) – whether an unrequested permission can prevent a right of way arising by prescription.
- ▶ **Warfield Park (Owners) v Warfield Park (Residents)** [2006] EWCA Civ. 283 - imposition of VAT on pitch fees.
- ▶ **Wessex Reserve Forces & Cadet Association v White** [2006] 1 EGLR 55 (CA); [2005] 3 EGLR 127 - landlord's right to obtain possession where he wishes to demolish tenant's fixtures on holding.
- ▶ **Trustees of Stokes Pension Fund v Western Power Distribution** [2005] 1 WLR 3595 - costs: effect of offer
- ▶ **Bakewell Management v Brandwood & Ors.** [2004] AC 519 (HL) - illegality and Rights of Way.
- ▶ **Cardwell v Walker** [2004] 2 P&CR 9 - transmission of Burden of Positive Obligations).
- ▶ **Besley v John** [2003] EWCA Civ. 1737 - extent of rights ancillary to grazing rights of common.
- ▶ **Freund v Charles Scott Development Ltd** [2002] 2 P&CR 31 (CA) - exercise of options.
- ▶ **Bettison v Penter** [2000] Ch 54(CA) - assignability of Rights of Common.
- ▶ **Bettison v Langton** [2002] AC 27 (HL) - assignability of grazing rights in gross where quantified by number.
- ▶ **Gloucester City Council v Brown** [1998] 1EGLR 95 - rent review (CA).
- ▶ **Ford v Morrison** [1997] CLY 4245 - whether Employee Falls within Mobile Homes Act 1983.
- ▶ **Tapsell v Cemery** [1995] 27 HLR 114 - owners motive to terminate agreement) (CA).
- ▶ **I v Group Leisure** [1993] CLY 4135 - gift of mobile home by will to charity.
- ▶ **Dame Margaret Hungerford v Beazeley** [1993] 2EGLR 143 - dilapidations) (CA).
- ▶ **Jones v Welsh Water** [1997] 37 RVR 46 - calculation of Hope Value on Acquisition.
- ▶ **Jalnarne v Ridewood** [1989] 61 P+CR 143 - excessive use of Easement.

Recommendations

"Attracts a wealth of praise from market commentators, who draw attention to his extensive experience in property law. 'A true expert in his area.' 'A fount of property knowledge. He is an astute adviser with an ability to look beyond the dispute and address wider issues which may help determine the final outcome.' 'A real presence both in and out of the courtroom.' "

CHAMBERS UK , 2020
PROPERTY

"Head of the set's chancery and commercial department 'Leslie does excellent analysis.' 'He's very good with tricky points of law.' 'He is very good in conference and in court – he's one of the best.' "

CHAMBERS UK , 2020
AGRICULTURE & RURAL AFFAIRS

"A market-leading barrister who is instructed in a broad range of commercial disputes. 'He has the ability and the experience to get to the root of a problem and address it immediately, ignoring many of the peripheral unnecessary factors of a given case.' "

CHAMBERS UK , 2020
COMMERCIAL DISPUTE RESOLUTION

"His unflappable manner reassures both solicitor and client."

LEGAL 500 , 2020
COMMERCIAL, BANKING, INSOLVENCY AND CHANCERY LAW

"A go-to barrister for thorny property matters, particularly those with a rural edge."

LEGAL 500 , 2020
PROPERTY

"A great advocate, whose cross-examination is forensic. He is approachable and clients develop a rapport with him. His style in court is respected by judges – he's clinical and effective. 'His knowledge and expertise are second to none. His gravitas in the courtroom, his presence, aura, and his cross-examination are mightily impressive.' "

CHAMBERS UK , 2019
CHANCERY

"Head of the set's chancery and commercial department, Blohm's practice is concerned with property matters and sees him acting for clients in and out of court. 'His written work is excellent and his cases are very well thought out and well argued.' 'Leslie is reassuring when it comes to agricultural matters and has an aptitude for simplifying the law so that clients can understand it.' "

CHAMBERS UK , 2019
AGRICULTURE & RURAL AFFAIRS

"A market-leading barrister who is instructed in a broad range of commercial disputes including those concerning professional negligence, real estate and agriculture. He also excels in chancery matters, and is adept at handling probate disputes, Inheritance Act claims and trust litigation. He has represented clients before the UK courts at all levels, including the House of Lords and the Supreme Court. 'He's got great analytical skills and is very good in court.' 'He's well respected and very experienced.' "

CHAMBERS UK , 2019
COMMERCIAL DISPUTE RESOLUTION

"Attracts a wealth of praise from market commentators, who draw attention to his extensive experience in property law.

'Extremely intelligent. He always gives good, clear advice.' 'Calm, methodical and perfect for dealing with complex, technical and esoteric legal issues. He brings real gravitas to the team.' "

CHAMBERS UK , 2019
REAL ESTATE LITIGATION

"A brilliant operator with a fantastic legal brain."

LEGAL 500 , 2019
COMMERCIAL, BANKING, INSOLVENCY AND CHANCERY LAW

"An outstanding silk."

LEGAL 500 , 2019
PROPERTY

Appointments

- ▶ Member of the Editorial Board of The Conveyancer and Property Lawyer

Professional memberships

- ▶ Chancery Bar Association
- ▶ PEBA
- ▶ Property Bar Association

Qualifications & awards

- ▶ MA (Oxon), Hardwicke and Jenkins Scholar of Lincolns Inn (1982)

Contact details

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