

Charlie Newington-Bridges

Deputy Head of Commercial team



YEAR OF CALL: 2011

INN: MIDDLE TEMPLE

“ Charlie is robust in his approach but deals with clients very well. He is very methodical and gets to grips with cases quickly.”

CHAMBERS UK, 2022
CHANCERY

Practice Overview

Charlie undertakes a wide range of commercial and chancery work in litigation, arbitration and mediation. He has experience of substantial, complex and high-value litigation in the High Court and the Court of Appeal. He also has wide experience in the county courts and in injunction applications. His work is often court-based where he is recognised in the directories as 'brilliant, the hardest-working counsel I have seen'. He regularly advises companies, partnerships, charities, trusts and individuals. He worked in the investment banking industry for 15 years before coming to the bar and so has a particular interest and strength in company, investment, valuation and general financial services related matters.

Areas of Expertise

Commercial

Charlie is a well-regarded barrister for his commercial and financial services expertise, which is supported by 15 years' prior experience as an investment banker. He is also regularly instructed in cases concerning partnership law and insolvency.

Charlie has been involved in a range of commercial matters in the Court of Appeal, the High Court and the County Courts, with a particular emphasis on company disputes and commercial contract disputes. He recently successfully defended an unfair prejudice petition in a High Court trial, involving breach of shareholders' agreement and reflective loss.

Recent work includes:

- ▶ **Richmond v Selecta Systems Ltd** [2018] EWHC 1446 (Ch): Charlie was instructed as sole counsel in a week long High Court trial involving novel questions of duties of directors to their employees in relation to

personal data and malicious interference with personal data as well as the circumstances in which a contract comes into existence.

- ▶ **Wizix v Twin Technologies** [2018]: Charlie appeared for the successful claimant in a trial involving a former consultant to a technology start-up venture. The claim involved issues of construction, variation and breach of contract, as well as particularly complex questions relating to damages.
- ▶ **Arbitration** [2017]: Charlie advised and represented the director of a company in a dispute with the estate of a former director/shareholder represented by Mark Anderson QC. The arbitration brought under the Arbitration Act 1996 lasted a week, examined issues of variation and breach of a shareholders agreement, construction and rectification and breaches of the duty of good faith.
- ▶ **Housemaker Services Ltd and Another v Cole and Another** [2017] EWHC 924 (Ch): This was a complex application, in which Charlie acted for the successful Respondent. The case involved an application for a non-party costs order under s51 of the Senior Courts Act 1981 against the sole director of the claimant company where the claimant had brought a claim under Part 8 for a limitation direction under s 1028 of the Companies Act 2006.
- ▶ **Monnow Development v Morgan** [2016] EWCA Civ 1437: Charlie successfully represented the respondent in the Court of Appeal and at first instance in the High Court in a case involving construction and rectification of an option agreement.
- ▶ **H&S Developments Limited v Chant** [2016] EWCA Civ 848. Charlie successfully represented the claimant at first instance and at the Court of Appeal in case involving the meaning of planning permission and the difference between outline and detailed planning permission in the context of a major housing development.
- ▶ Charlie advised the CFO of a group of companies with a combined turnover of over £70 million in relation to a personal guarantee. The advice related to misrepresentation as well as equitable defences such as indulgence or forgiveness.
- ▶ Successfully represented the CEO and Chairman of a nationwide property developer in a 3 day trial in the High Court relating to the construction of an option agreement.
- ▶ Successfully represented a director and majority shareholder in a 2 day High Court trial in front of HHJ Seys Llewellyn QC in a breach of contract/quantum meruit dispute.
- ▶ Acted for a company director who had sold his business in a misrepresentation/breach of warranty claim worth c. £1 million.

Company / Partnership

Recent work includes:

- ▶ Charlie was instructed to act for a major defence contractor in a dispute with former shareholder/directors worth in excess of £15m. The unfair prejudice petition and counterclaim were legally and factually complex and involved offshore companies, as well as major MOD contracts. Charlie advised, drafted pleadings and acted for the Respondent Company at preliminary hearings and at mediation. The matter was settled at mediation.
- ▶ Charlie acted as sole counsel for the respondent director in a week long unfair prejudice petition/breach of shareholders' agreement trial in the High Court (Companies Court). The case has been appealed to the Court of Appeal. *Cusack v Holdsworth and another* [2016] EWHC 3084 (Ch).
- ▶ Successful in a week long trial in the High Court in which unfair prejudice, breach of a shareholder's agreement and breach of contract were alleged.
- ▶ Advised a multi-million pound South Wales based partnership on the dissolution of the partnership and the repurchase of the assets of the partnerships by the founding partner.
- ▶ Represented a start-up technology venture in the Companies Court in an application to amend/remove documents from the register that had been filed in error.
- ▶ Represented a company in an application in the Companies Court relating to the registration of a charge.

Financial Services

Charlie is a well regarded barrister for his commercial and financial services expertise, which is supported by 15 years' prior experience as an investment banker.

Recent work includes:

- ▶ Advised a Singapore based hedge fund in relation to the contract of one its star fund managers.
- ▶ Numerous interest rate swaps advices, including advice on questions of breach of statutory duty under FSMA 2000, negligence, misrepresentation and breach of fiduciary duty.
- ▶ Represented an international wholesale bank in a professional negligence claim against a surveyor. Advised on numerous issues as well as drafted pleadings.
- ▶ Acted for an IFA in a professional negligence claim. Successful in application for summary judgment/strike out on grounds of limitation and failure of novation.
- ▶ Acted against a high-street bank in relation to the mis-selling of a loan and alleged negligence.

Partnership

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Professional Negligence

Charlie acts in professional negligence claims involving architects, builders and surveyors.

Recent work includes:

- ▶ Acting in multi-million pound professional negligence claim against a national tax advisory business in relation to the re-patriation and re-basing of offshore assets by a significant shareholder in a business acquired by a multi-national. The case also involves questions relation to Entrepreneurs Relief.
- ▶ Advised the CEO of one of South West's leading healthcare companies on a professional negligence claim against his company's accountants. The claim was issued, after Charlie had drafted detailed pleadings, but settled after mediation and a series of negotiations post the mediation.
- ▶ Advised, drafting pleadings and acted for the claimant in a mediation in a claim against architect made by a property developer.
- ▶ Advised and drafted pleadings in a claim made against an IFA in relation to the sale of investment products in 2008/2009. Strike out proceedings were initiated and the claim was favourably settled prior to the hearing of the strike out application.

Mediation

Charlie qualified as a mediator in January 2019. His background is predominantly in commercial litigation, company and shareholder disputes, contract disputes, financial services/banking disputes, contentious probate applications and Inheritance Act claims but Charlie is happy to mediate in any field.

Charlie 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.

Charlie is noted for his excellent people skills, his ability to empathise and sympathise as well as rational thinking and practical application of legal principles, which he brings to the mediation table.

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- ▶ Advised, drafting pleadings and acted for the claimant in a mediation in a claim against architect made by a property developer.
- ▶ Advised and drafted pleadings in a claim made against an IFA in relation to the sale of investment products in 2008/2009. Strike out proceedings were initiated and the claim was favourably settled prior to the hearing of the strike out application.

Real Estate

Charlie specialises in all areas of real property matters and can advise clients in the following matters:

- ▶ Conveyancing and registration
- ▶ Restrictive covenants and easements
- ▶ Customary rights
- ▶ Adverse possession
- ▶ Boundary disputes
- ▶ Co-ownership
- ▶ Estoppel
- ▶ Mortgages and charges
- ▶ Commercial landlord and tenant matters including renewals, rent reviews, surrender, forfeiture and dilapidations
- ▶ Residential landlord and tenant matters
- ▶ Leasehold valuation tribunal proceedings
- ▶ Professional negligence

Charlie also advises and appears on behalf of claimants and defendants across a spectrum of property insurance matters. As well as disputes, Charlie can also advise on policy coverage matters.

Recent work includes:

- ▶ **Smith v Yarnold** [2017]: Charlie was instructed in a team with Leslie Blohm QC in a case which went to trial in the Bristol District Registry of the High Court relating to an order enforcing a 'put option' for sale of a family farmhouse. The case threw up issues of interpretation, the strictness of time limits in options, waiver, rectification, specific performance and 'clean hands' in equitable remedies.
- ▶ **H&S Developments Limited v Chant** [2016] EWCA Civ 848. Charlie successfully represented the claimant at first instance and at the Court of Appeal in case involving the meaning of planning permission and the difference between outline and detailed planning permission in the context of a major housing development.
- ▶ Charlie successfully represented the CEO and Chairman of a nationwide property developer in a 3 day trial in the High Court relating to the construction of an option agreement.

- ▶ Charlie advised an estate owner on the effect and nature of an overage agreement. The advice included strategy as to negotiating with the parties to buy out their interests.

Wills & Trusts

Charlie is a traditional chancery barrister with a specialism in Inheritance Act 1975 claims and experience with high-value estates and complex wills.

Recent work includes:

- ▶ Representing the defendant in a two day trial concerning the proceeds from two joint bank accounts held by the defendant and her father. On the death of the father, questions arose as to the presumption of advancement and whether a trust had arisen in relation to the monies in the accounts.
- ▶ Instructed in a number of high value, complex proprietary estoppel claims. The claims have all involved landowner/farmers and disputes between siblings and parents relating to assurances or promises made some time ago relating to land and/or ownership of farm partnership assets.
- ▶ Acted for the defendant in a three day London County Court Trial relating to an Inheritance (Provision for Family and dependents) Act 1975 claim. The claim was successfully defended.
- ▶ Acted for the defendant in a two day trial in the High Court in a claim made by an adult child against the estate of her late father. The trial raised interesting questions relating to the effect of promises in Inheritance Act claims and the court's role in determining what is and is not assets owned or controlled by the applicant for the purposes of the s3 assessment.
- ▶ Numerous successful mediations in relation to Inheritance Act claims.

Recommendations

"Very methodical and calm under pressure. Clients and judges both really like his straightforward approach."

LEGAL 500, 2022
CHANCERY, PROBATE, AND TAX

"He is very responsive, with excellent client-handling skills."

LEGAL 500, 2022
COMPANY AND INSOLVENCY

"He is very responsive, and demonstrates excellent client rapport."

LEGAL 500, 2022
COMMERCIAL LITIGATION

"Charlie is strong in his analysis of legal points."

CHAMBERS UK, 2022
COMMERCIAL DISPUTE RESOLUTION

"Commercially astute. Hard working. Very responsive and easy to work with."

LEGAL 500, 2021
COMPANY & INSOLVENCY

"He is excellent in court and provides concise, commercially astute advice."

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

"Traditional chancery practitioner with a specialism in Inheritance Act 1975 claims and experience with high-value estates and complex wills. 'He rolls up his sleeves and gets his hands dirty, but still keeps in mind the client's interests all the way through.' "

CHAMBERS UK , 2020
CHANCERY

Professional memberships:

- ▶ Commercial Bar Association
- ▶ Chancery Bar Association

Qualifications & awards:

- ▶ MA Oxford University (St Peter's College)
- ▶ GDL and BPTC (College of Law)
- ▶ Diplock Scholar

Additional information:

Charlie enjoys running and recently ran the length of the River Wye (150 miles) raising over £32,000 for charity in the process. He has completed over 20 marathons as well as the Marathon des Sables, a race across the Sahara. He also skied 500 miles in a race to the Magnetic North Pole. He enjoys cricket, fishing and horses. He is a trustee of an environmental charity and an education endowment charity. Charlie grew up in Gloucestershire and was at school in Bristol.

Contact Charlie:

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