

Tort claims affecting property - webinar series



St John's
CHAMBERS

CPD: 1 hour each

Free to attend via Zoom

This is a two-part series of webinars aimed at property solicitors.

In this series, members of St John's Real Estate team will consider various tortious causes of action that might affect owners and occupiers of land, provide guidance as to the litigation and resolution of those disputes and updates as to the current state of the law.

Webinar 1:

Tuesday, 12th September @ 1.00pm - 2.00pm

1.00pm The measured duty of care

Brittany Pearce, Barrister

Brittany will provide an introduction to the measured duty of care, explain when it is likely to prove relevant and discuss some of the issues that commonly arise in the course of litigation.

1.20pm Flooding claims

Richard Stead, Mediator & Barrister

Richard will consider the application of the measured duty of care to flooding cases.

1.40pm Mediation in property disputes

Harry Spurr, Mediator & Barrister

Harry offers tips and tactics to help secure better outcomes when mediating property disputes.

1.55pm Questions

Webinar 2:

Wednesday, 27th September @ 1.00pm - 2.00pm

1.00pm Case update on Darwall (the right to roam)

Tim Leader, Barrister

1.25pm Knotweed/infestations

John Sharples, Mediator & Barrister

1.50pm Questions



Richard Stead
Year of call: 1979



John Sharples
Year of call: 1992



Tim Leader
Year of call: 1994



Harry Spurr
Year of call: 2001



Brittany Pearce
Year of call: 2015

Visit:

stjohnschambers.co.uk

Presenters



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Richard Stead,
Barrister, Call 1979

"Richard is a respected barrister whose construction practice includes claims concerning the professional negligence of engineers, surveyors and architects, typically acting for claimants. He also offers deep knowledge of the insurance elements of property damage cases."

CHAMBERS UK, 2023
CONSTRUCTION

Richard has considerable experience in property damage cases arising from fire, flooding, tree root induced subsidence, land slip etc, and in insurance coverage matters. Throughout Richard's time at the Bar, he has undertaken civil jury trials and trials before a single judge where fraud is alleged. Fraudulent claims related particularly to fire, flooding and other forms of property damage, burglary and motor-car theft / damage.

Recent work includes:

- Acting for claimants in a case concerning insurance coverage of a claim for landslip / erosion.
- Acting for the local authority in a claim for tree root damage in TCC – two separate causes of movement found – complex expert engineering evidence – trial of liability and quantum – issues on costs due to alleged failure to engage in ADR.
- Acting for the defendant council in a claim by local residents in respect of flooding and land slip which led to the death of a local resident when a landslip demolished her house.



John Sharples,
Barrister, Call 1992

"John has a superb ability to identify and crystallise the issues and apply the law to them. He is thorough and decisive in his work and utterly reliable in this field."

LEGAL 500, 2023,
PROPERTY & CONSTRUCTION

John is very well versed in handling a variety of complex cases, and is frequently instructed on behalf of estates, developers, public authorities as well as private clients. He is ranked in Band 1 for both real estate litigation and chancery in Chambers UK and is one of Legal 500's leading individuals.

Chambers UK describe him as "... an exceptional barrister both in terms of his judgement and his people skills and as good as any senior junior in the country." He has a First Class Law degree from Oxford University and Masters of Law degrees from Cambridge University and the University of Pennsylvania. He was formerly an Attorney in New York.

John has written a book on Land Licences, (Jordans Publishing) in which Lord Neuberger of Abbotsbury writes the foreword. He is a contributor to the New Law Journal, a member of the Chancery Bar Association and Agricultural Law Association, and regularly tweets on property law, giving updates and news on cases, legislation, regulation and market developments.



Timothy Leader
Barrister, Call 1994

Tim specialises in planning, compulsory purchase, local government and commercial law. He appears regularly on behalf of local planning authorities and developers in planning appeals, Judicial Review, statutory challenges of appeal decisions, and development plans, especially those dealing with housing need, the supply of land for housing, and heritage assets. His commercial practice focuses on commercial and real estate matters and contractual disputes.

He is a member of the Royal Town Planning Institute, and was previously an Associate of GVA Grimley. He spent 10 years as a Chief Officer in local government. He was appointed Junior Counsel to the Crown in February 2000.

Tim has been involved in some of the leading cases on the FOAN / 5-year housing land supply: Bloor Homes (East Midlands) v SSCLG and Hinckley & Bosworth Borough Council; King's Lynn & West Norfolk Borough Council v SSCLG and Elm Park Holdings; Oadby & Wigston Borough Council v SSCLG and Bloor Homes. He has also helped to advance a number of post-framework local plans, including most recently plans for East Hampshire District Council, Warwick District Council, and Melton Borough Council. Tim is a member of the Attorney General's Regional B Panel.

Presenters



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Harry Spurr, Mediator & Barrister, Call 2001

"Increasingly winning instructions from high-profile clients in the UK and internationally [...] Spurr is 'personable, calming and not afraid to put forward opposing points of view in the hope it will lead to progress.'"

LEGAL 500 2023
MEDIATORS

Harry is an accomplished and directory-ranked mediator in property, commercial and other civil disputes. Described recently as "outstanding", "a breath of fresh air" and "at the top of his profession", Harry is regularly commended by parties for his mediation style, and in particular his calming influence and capacity to challenge sensitively but robustly. His consistently excellent feedback, and high settlement rate, speak for themselves.

Harry's mediation practice extends across the commercial and civil spectrum but a substantial proportion of his work is property related, reflecting his background in this sector. He has mediated disputes concerning a wide range of property law issues in relation to land used for commercial, industrial, retail, leisure, agricultural, forestry, education, public, sport, recreation and residential purposes, as well as development land.

Harry is particularly interested in the psychology behind the origins and patterns of conflict, and its effect on negotiation dynamics, and regularly

Brittany Pearce Barrister, Call 2015

"Brittany is pragmatic and solution-focused. She provides excellent, incisive advice, and is extremely effective with clients and in court."

LEGAL 500, 2022
PROPERTY

Brittany is ranked as a 'rising star' in tier 1 for The Legal 500 guide in her specialist areas, and is described as an "effective advocate, and excellent in dealing with clients". Brittany specialises in real property disputes and probate & trust cases. She is comfortable dealing with a variety of procedural matters and has appeared in the county courts, tribunals and the High Court.

Brittany is often involved in all stages of property disputes, ranging from initial advice through interlocutory matters, settlement efforts, trial and enforcement. Her primary focus is to provide the client with realistic advice at an early stage so that the optimum outcome can be achieved at proportionate cost.

"The premier set for contentious property matters on the Western Circuit and remains a go-to for solicitors in the South West and further afield. The set boasts a deep roster of barristers with specialist real estate litigation expertise who appear at all levels of the court system, including the Court of Appeal and Supreme Court."

CHAMBERS UK, 2023
REAL ESTATE LITIGATION