

**Overview**

Commercial Disputes

Professional Liability

Property

Trusts

Wills and Estates

Mediation and

Arbitration

## Profile: Overview

Marie-Claire is a commercial Chancery practitioner specialising in property, trusts and estates law. She has a reputation as a tenacious advocate and is known for her collaborative approach to working with her clients.

## Experience and Expertise

Marie-Claire has a broad commercial Chancery practice with an emphasis on property litigation. She is praised by clients both for the effort and commitment she puts into all her cases and for the importance she attaches to communicating well with clients at every stage of the case.

She excels in the cut and thrust of advocacy in court, particularly witness actions where her skill at cross-examining witnesses and her mastery of the legal arguments and the trial bundles ensure that her clients feel that she has done everything possible to fight their corner. In her advisory work she relishes complex legal questions, but ensures that her advice is practical, sensible, focused on the client's commercial objectives and easy to understand.

Clients commend her user-friendly approach and the fact that she is a good team-player, always prepared to help out with all aspects of the preparation of the case when time or resources are tight.

## Cases and Work of Note

- *Brent LBC v Shulem B Association Ltd* [2011] 1 WLR 3014: the leading case on s20B of the Landlord and Tenant Act 1987 in which Morgan J decided that a demand for payment of estimated costs was not a valid demand under the lease, and that a notice served under section 20B(2) of the Landlord and Tenant Act 1987 had to state that costs had been incurred and give a figure for the costs;
- *Fineland Investments Ltd v Pritchard* [2011] EWHC 3901 (Ch), 1424 (Ch), 113 (Ch): a long running dispute with a number of hearings before A Foster QC, Morgan J and Norris J in the Chancery Division of the High Court in which the Court upheld a contract for the sub-sale of a Council house purchased under the right to buy legislation, and provided relief including interim injunctive relief to prevent the Defendant from interfering with the exercise by the Claimant of its right to possession;
- *Pritchard v Teitelbaum* [2011] 2 P&CR DG18: permission to issue a writ of possession was not required, because the claim was a possession claim against a trespasser even though additional relief had been sought and obtained;
- *Odey v Barber* [2008] Ch 175: use of a track for more than 20 years did not result in a right of way under the doctrine of lost modern grant as a previous owner had given the user unsolicited permission to use the track;
- *Manu v Euroview* [2008] 1 EGLR 165: decision under the Party Walls etc Act 1996 considering the requirements of a section 6 notice, the duty of party wall surveyors to act promptly, and the right of the surveyors to act ex parte where one of them has refused to act effectively;
- *Beanby Estates Limited v Egg Stores (Stamford Hill) Limited* [2003] 1 WLR 2064: re a claim for a lease renewal under Landlord and Tenant Act 1954, service of a s25 notice by recorded delivery is irrebuttably deemed to have been effected on the date of posting;
- *Church in Wales v Newton & Ors* [2005] EWHC 631 (QB), [2005] 16 EG 145 (CS): the sale of a dry-cleaning business carried on in a leasehold premises involved the disposition of an interest in land to which s2 of the Law of Property (Miscellaneous Provisions) Act 1989 applied, the oral contract was therefore void and the misrepresentation claim and breach of contract claim failed;
- *Matthews-Donaldson v Whibley & Ors*; Brighton County Court: a 10 day constructive

trust/proprietary estoppel dispute in respect of the beneficial interests in a farm purchased by the Defendant on the basis that it would be farmed in partnership with the Claimant;

- *Trotman v Higgins Sheppard Stewart Ltd, Ozel v Trotman*; Guildford County Court: a 4 day right of way dispute over a service road behind a parade of shops caused by the road owner's plan to build 3 houses in part on the road and on adjacent land;
- *Daejan Investments Ltd v Rahman*; Leasehold Valuation tribunal: a 4 day service charge dispute on the reasonableness of service charges and the adequacy of consultation in respect of major works;
- Advice on the exercise by the trustees of a large family trust on the exercise of powers of appointment and advancement;
- Acting for a widow in defending a claim made by the minor child of a first marriage for provision out of the deceased's estate under the Inheritance (Provision for Family and Dependents) Act 1975;
- Acting for a minor in an application to Court by the trustees for directions on whether or not the proposed use of trust funds would be for his benefit;
- Advising on whether a proposed settlement and variation of a trust was in the interests of the minor and unborn contingent beneficiaries;
- Advising whether the benefit of a restrictive covenant was lost by the absence of the express assignment of the benefit with an assignment of the land; and
- Advice on the on the consequences of HMRCs challenge to a IHT planning scheme and on how the trusts could be wound up.

## Recommendations

- "Recommended for landlord and tenant work." (Property litigation, The Legal 500, 2016)
- A very good advocate who is willing to go the extra mile for the client.
- Able, efficient and someone who speaks honestly.
- She gives exceptionally clear and user-friendly advice.
- Marie-Claire Bleasdale always displays superb energy and commitment and relates excellently to clients, say observers.
- Marie-Claire Bleasdale impresses the market with her expertise in Party Wall Act appeals, easements and adverse possession matters.
- A safe pair of hands and an excellent team player.

## Qualifications

MA Cantab (Queens)

CPE University of Westminster

Shelford Scholar Lincoln's Inn

Recorder of the Crown Court (South-Eastern Circuit) since 2009

## Memberships

Chancery Bar Association; Professional Negligence Bar Association; Property Bar Association; Lincoln's Inn Denning Society.

## Other Details

VAT Registration Number: 588838267

Bar Membership Number: 30559

## For More Information

Please click on the links to the left or contact a member of the clerking team.