

Gavin McLeod

Call: 2010

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General Profile

Gavin joined Chambers in 2014 after completion of his pupillage. He is a specialist in Chancery proceedings, especially real property (including as regards TOLATA, mortgages and landlord and tenant), trusts, contentious probate and related matters. Beyond this, his practice encompasses much of the breadth of general commercial litigation, including in such fields as partnership, professional negligence and personal insolvency. Outside of that arena, Gavin also undertakes work in areas of administrative and regulatory law. Most particularly in that regard, he undertakes a significant amount of work both for and against local authorities in rating disputes (including as further detailed under the "Regulatory" section of the St. Philip's website).

Gavin appears regularly in the High Court and County Court, and has experience of other tribunals (notably the magistrates' court and divisions of the First-tier and Upper Tribunal). He also regularly represents parties in mediations and during other attempts at dispute resolution. He was junior to Avtar Khangure Q.C. in their successful appearance in the Court of Appeal in *Takhar v Gracefield Developments Ltd.* [2018] Ch. 1, on the test for the setting-aside of judgments on grounds of fraud. (Later, he undertook the preparation of the respondents' case for the Supreme Court). He has also acted as junior in complex and high-value High Court litigation, as well as on his own account in other equally contentious proceedings in that forum.

Beyond practice, he has taught Equity and Trusts to undergraduates at Nottingham University, and has authored articles on judgments appearing in his fields of work.

Gavin is leader of the Business and Property Juniors grouping in Chambers.

Notable cases:

Ardawa v Uppal (Costs) [2019] EWHC 1663 (Ch.): determination of questions of bankruptcy expenses as litigation costs.

R. (Clarke) v Birmingham City Council [2019] EWHC 1728 (Admin.): judicial review of a budgeting decision in respect of allocation of funds for sprinkler works in tower blocks. Questions concerning the test for showing that relevant considerations were omitted.

Smith v Smith (2018), unrep. H.H.J. Worster sitting as a judge of the High Court: junior in a dispute as to relief in the winding-up of a farming partnership following its dissolution.

Takhar v Gracefield Developments Ltd. [2017] EWCA Civ. 147; [2018] Ch. 1: junior in the Court of Appeal.

Bibby v Coventry City Council [2016] EWHC 2554 (Admin.); [2017] RVR 4: successful appearance in appeal by Case Stated against the imposition of a liability order by magistrates. Order upheld.

Davis v Wiggett [2016] UKUT 358 (TCC); [2016] WTLR 1563: successful Upper Tribunal appeal following a constructive trust trial in the Land Registration Division of the First-tier Tribunal, with a particular focus on new evidence and the rule in *Ladd v Marshall*.

Specialist-Areas

Gavin McLeod is a member of the following specialist practice groups where detailed CV's can be viewed by clicking on the links below:

- Banking and Financial Services
- Commercial and Chancery Litigation
- Commercial Fraud & Asset Tracing
- Company & Partnership
- Contentious Wills Trusts & Probate
- Insolvency & Restructuring
- Professional Liability
- Real Estate

Qualifications-and-Appointments

- 2011: LL.M. Hughes Hall, University of Cambridge (First Class in Public Law dissertation and the Law of Restitution)
- 2010: Bar Vocational Course (Outstanding): Lord Justice Holker scholar, Gray's Inn; Beloff Q.C. Public Law Essay Prize Winner, Gray's Inn
- 2009: LL.B. (Hons), First Class, University of Nottingham