

3PB Barrister Profile



James Davies

Call 2004

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Academic Qualifications

BA (Oxon)

BCL (Oxon) (Distinction)

ACA

Property & Chancery

James Davies practices across a broad range of property and chancery work with experience of advisory work, drafting and advocacy. James has a particular interest in landlord and tenant law. He has acted in service charge disputes, both commercial and residential, possession proceedings, forfeiture and dilapidation claims. He has particular expertise in issues arising in the context of insolvency and landlord and tenant matters.

James' practice also includes litigation arising out of conveyancing both in its own right and through professional negligence claims against solicitors. He also acts in Inheritance Act and probate claims where he is able to use the analytical skills he learned as an accountant.

James is authorised to accept instructions direct from businesses, professionals and individuals under the Direct Access Scheme.

Recent work has included:

- Successfully representing a vendor in defending a claim for the return of a deposit in a conveyancing transaction where the vendor's notice to complete was defective.
Appearing for the Claimant on a successful summary judgment application for sums due under guarantees in relation to a lease where the leaseholder company had been dissolved and a new company had entered occupation involving arguments as to surrender and re-grant and the effect of dissolution.
- Representing the successful claimant in a week long trial concerning whether a sitting tenant was protected under the 1954 Act and the Standard Conditions of Sale. The claimant had purchased the property having been advised it was a residential tenant. The claim was brought against both the tenant and the vendor and succeeded against both.

- Representing a beneficiary under a will in a two day trial under the Inheritance Act which involved consideration as to the extent of ?reasonable? needs and whether parents could be said to have assumed responsibility to look after an adult child who had simply never left home.
- Representing a firm of solicitors in an action for delivery up of the client papers by a litigant in person. The firm claimed a lien. James represented both at first instance and on appeal and was successful on both occasions. The case is reported Segar v Scott-Rees & Co. [2006] CL 2759
Publications

Showing good cause - Leases and the costs of proceedings [2010] NLJ 13

Betterment - For better or worse? [2010] NLJ 1635

Professional Bodies

- Chancery Bar Association
- Professional Negligence Bar Association (PNBA)