



Kerry Bretherton KC

Year of call: 1992 | Silk: 2016

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“an accomplished silk with a wealth of expertise in real estate litigation” Chambers and Partners 2022

Kerry Bretherton KC is recognised as an outstanding silk in property work. She has acted in the Supreme Court and Court of Appeal in a number of the leading property cases and was nominated for property litigation silk of the year by Legal 500 in 2022. Kerry litigates and advises in all aspects of property, and property development. She also acts in commercial disputes often arising out of development or property transactions and associated professional negligence. Typically, her work involves high value and complex disputes.

Kerry is *“ferociously tenacious”* and *“excellent on her feet”*. She is also *“Fantastic to work with nothing is too much trouble and her response times are amazing”*.

Kerry is experienced in the full range of property disputes including options and overage, freehold covenants, restrictive covenants, easements, commercial and residential landlord and tenant, conveyancing disputes, mortgages, nuisance, public rights of way, trusts, and she has a particular interest in building safety work. Her commercial and professional negligence work involves disputes arising out of development/property matters.

Kerry is co-author of *“The Electronic Communications Code: A Practical Guide”* the 2nd edition is due for publication in May 2023 and a contributor to *“Service Charges and Management 5th Edition”*.

Areas of expertise

Property and Real Estate Litigation

Landlord and Tenant

Commercial Disputes

Highways, Footpaths and Rights of Way

Town or Village Greens, Commons and Public Rights of Way

Alternative Dispute Resolution

Professional Negligence

Alternative Dispute Resolution

"She is realistic in managing the client's expectations and instils confidence." Legal 500 2022

Kerry is experienced in all aspects of alternative dispute resolution including arbitration and mediation.

Cases of Note

- ***In the matter of an appeal against an arbitration award concerning a rent review*** - Kerry acted for the tenant of a large building in London in a rent review. Arguments concerned the construction of the lease and the extent to which time was of the essence and whether notices served by the landlord were valid.
- ***Star Pubs and Bars v McGrath [2020] EWHC 1640 (Ch)***. - Kerry acted in an appeal against an arbitration award for the successful tenant in a dispute under the Pubs' Code.
- ***In the matter of a mediation*** - Kerry acted for a group of proposed claimants in an action against their former solicitors for negligence arising out of conveyancing transactions.

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