Falcon Chambers

Tamsin Cox

Called 2005



Practice Summary

Tamsin specialises in all areas of property law, including all aspects of real property and both commercial and residential landlord and tenant, as well as property-related insolvency matters. She has extensive experience of litigation in the Court of Appeal, High Court, County Courts across the country, the Lands Chamber of the Upper Tribunal and the Property Chamber of the First Tier Tribunal.

Tamsin's recent cases have related to the following areas:

- Easements, restrictive covenants, rentcharges and boundary disputes;
- Land registration;
- Commercial landlord and tenant including renewals pursuant to the Landlord and Tenant Act 1954, dilapidations, breaches of covenant, consents for alterations and underlettings, rent review, breach of covenant, nuisance and forfeiture;
- Residential landlord and tenant including possession proceedings, enfranchisement, service charges, right to manage, nuisance, forfeiture, deposit schemes and termination under the 1988 Act and the 1977 Act;
- Development issues, including options and tenants' rights of first refusal;
- Mortgages, including possession matters and fraudulent transactions;
- Insolvency, including disclaimer of leases, vesting orders and escheat.

Tamsin has appeared in a number of significant cases including UBS Global Management (UK) Ltd. V Crown Estate Commissioners (corporate insolvency, options and escheat) and Boots UK Ltd v Goldpine Estates Ltd (Landlord and Tenant Act 1954 lease renewals, agreements and interim rents).

Tamsin regularly delivers lectures on property law matters, and writes articles for periodicals including the New Law Journal. She is co-author of The Law and Practice of Charging Orders on Land and Sub-Editor of the Handbook of Rent Review.

Education

- MA (Oxon)
- New College, Oxford (BA Literae Humaniores)

- City University Diploma in Law.

Professional

- Inns of Court School of Law, Bar Vocational Course
- Called, Lincoln's Inn (2005)
- Named as one of Square Mile Magazine's 30 Under 30 in the London Talent Awards 2010.

Recent Cases

- **Annington Property Ltd v The Secretary of State for Defence** [2023] EWHC 1154 (Ch), R (Annington Property Ltd) v The Secretary of State for Defence [2023] EWHC 1154 (Admin): Part of a team acting for Annington Property Limited in combined judicial review and Chancery Division Proceedings considering the MoD's rights to enfranchise properties used as accommodation for the families of service personnel. Currently on appeal to the Court of Appeal. Led primarily by Mark Sefton KC.
- **A Grantor v A Grantee** [2023] UKUT 23 (UK): Successfully representing the grantee in a case considering novel issues relating to the Upper Tribunal's jurisdiction to award costs when acting as an arbitrator under the 1949 Act, in the context of the compulsory purchase compensation code. Led by Jonathan Karas KC.
- **Cant v Bates** (Chelmsford CC, Dec 2023): successfully represented landowner in extensive dispute relating to easements for drainage and access.
- **Apexmaster v URC Thames** (High Court, Chancery Division, 23/02/18). Successfully resisted a without notice application for an injunction to restrain an alleged trespass into airspace caused by the Defendant's building works. In rejecting the claim, the Court reaffirmed principles as to when without notice proceedings are appropriate, and refused an injunction on basis that the injury complained of was minor, and that, in London, neighbours have to be reasonable about minor inconveniences caused during building work which is being carried out considerately.
- **Linvale Investments Ltd v Walker** [2016] 2 P&CR 12: Claim to a right of way over an emergency exit from commercial premises.
- **Global Options Worldwide Express Ltd v 57A Logistics Ltd** (EWHC, QB Div, 2016): Urgent injunction proceedings relating to termination of a licence agreement in commercial premises.
- **McCormick v Ivens-Barnes** (EWHC, Ch Div, 2016): Multiple applications pursuant to the Trusts of Land and Appointment of Trustees Act 1996 on dissolution of a joint business venture.
- **Assured Energy LLP v Burgess** (EWHC, Ch Div, 2016): Urgent injunction proceedings relating to forfeiture of a commercial lease of a biofuel power station.
- **Boots UK Limited v Goldpine Estates Limited LTL** 19/06/2014, Court of Appeal: relevance of agreed lease terms in a 1954 Act unopposed renewal being "subject to contract", and whether, where the terms had been agreed on that basis, the Court had to wait and see whether a new lease would be granted on the agreed (or any other) terms, to allow it to determine whether or not the interim rent would fall under sections 24C or D.
- **Begley v Taylor** [2014] EWHC 1180 (Ch): Chancery trial in relation to rights of way and rights to park.
- **Jahangir v Ali** (Birmingham CC, February 2012): Claim in relation to disrepair of commercial premises.
- **Landmark Fiduciary Co Ltd v London Consolidated Pties Ltd** (LVT, April 2011): Complex residential service charge dispute including issues relating to major works at a valuable block adjacent to Harrods.
- **Grey v Kershaw** [2011] EWLandRA 2011/0390: Decision of the Adjudicator to HM Land Registry in

relation to a boundary dispute, involving issues of adverse possession under the Land Registration Act 2002.

- **UBS Global Asset Management (UK) Ltd v Crown Estate Commissioners** (EWHC, Ch Div, June 2011): Part 8 claim for order creating and vesting freehold interest in property on behalf of the grantee of an option pursuant to section 181 of the Law of Property Act 1925 following dissolution of the corporate grantor of the option outside the jurisdiction and escheat of its freehold interest to the Crown.
- **ADM Milling v Tewkesbury Town Council & Ors** [2011] EWHC 595 (Ch): Consideration of proper construction of undefined terms in sections 193 and 194 of the Law of Property Act 1925 relating to rights of common in the context of ancient rights of sole vesture over an island in the River Severn, and the application of the rights of the public to use the island for exercise and air conferred by section 193.
- **Bezkorowajny v Dawson** [2010] EWLandRA 2010/1203: Decision of the Adjudicator to HM Land Registry in relation to adverse possession under the Limitation Act 1980. Successfully claiming land for squatter.
- **The Law Society v Andrew Nulty** (EWHC, Ch Div, June 2010): Securing freezing injunction over property belonging to solicitor who had been struck off in order to recover costs of disciplinary proceedings against him following his removal overseas.
- **Patel v Keles** [2009] EWCA Civ 1187: Considers the requirement of 'intention' in the context of a landlord seeking to terminate a lease of business premises and relying on section 30(1)(g) of the Landlord and Tenant Act 1954.
- **Hicklane Properties Ltd v Bradbury Investments Ltd** [2008] EWCA Civ 691: The Court of Appeal held that the judge at first instance had been entitled to find that the parties to a lease had a common intention that the freehold interest to be acquired pursuant to a tenant's right of pre-emption was to be valued at open market value subject to the lease, rather than with vacant possession as stated therein. The lease was rectified in order to reflect the true agreement.
- **Archer v (1) Eden and (2) Halifax Plc** [2007] EWLandRA 2005/0797: Decision of Adjudicator to HM Land Registry in relation to alteration of the Register to restore the name of the application as joint proprietor of property based on an improperly attested signatures, and allegations that a signature had been forged.
- **Graves v Graves** [2007] EWCA Civ 660 (An assured shorthold tenancy agreement between a former husband and wife was subject to an implied condition that if housing benefit was not payable the tenancy would come to an end).
- **Khan v Edgbaston Holdings Ltd** [2007] EWHC 2444 (QB): Consideration of the meaning of ‘promptly’ in the context of the Court’s discretion to set aside or vary a default judgment pursuant to CPR r.13.3
- **Bexley LBC v Maison Maurice Ltd** [2006] EWHC 3192 (Ch) (A local authority was estopped from denying that a property owner had a permanent means of access to a highway where the owner had reasonably expected that it would receive a new, permanent and safe access in substitution for its old access without additional payment after it had complied with planning conditions imposed by the local authority).

Publications

- Sub-Editor of the Handbook of Rent Review
- Co-author of The Law and Practice of Charging Orders on Land, 2013
- Contributor to the New Law Journal.

Published Comments

"Her advocacy is exceptional. Tamsin gives you every available argument and then narrows it down to the best argument. She has a breadth of understanding of the issues, and the whys and wherefores." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Tamsin is as impressive as some silks." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Tamsin is my absolute number-one choice of counsel. She is clever, commercially astute and easy to work with, and has an excellent sense of judgement. She's one of the most effective advocates I have ever witnessed, with a real knack for succinctly explaining complex points and the ability to powerfully present why her side should win." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Tamsin's advocacy is tailored to the case that is being presented and is persuasive and indeed formidable, however delivered." *Legal 500 UK Bar Guide 2027 (Property Litigation)*

"Tamsin's ability remains exceptional, and she often formulates arguments previously overlooked, either in writing or in court." *Legal 500 UK Bar Guide 2027 (Property Litigation)*

"Tamsin has the full package. Her advocacy is strong, her knowledge is excellent and she is responsive, helpful and user-friendly." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Tamsin has an incredible ability to grasp the essence of matters quickly; she gets into the detail but also has a bird's eye view to inform incisive strategy." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"She is an excellent cross-examiner and very good with witness handling." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Tamsin Cox predominantly focuses on landlord and tenant cases in both commercial and residential settings. She has expertise in disputes relating to easements, including rights of way and rights to light." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tamsin is highly effective, smart, efficient and a pleasure to work with." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tamsin is a sound and user-friendly adviser as well as an excellent advocate." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tamsin has strong technical skills and her advocacy is great." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Tamsin is an excellent barrister: clever, commercial and pleasant to deal with. All round first class." *Legal 500 UK Bar Guide 2025*

"Tamsin is outstanding in every respect." *Chambers and Partners UK Bar Guide 2024*

‘Bright, tough and a good advocate.’ *Legal 500 UK Bar Guide 2024*

"Tamsin is a pleasure to work with. She is proactive and hard-working." *Chambers and Partners UK Guide 2023*

"She's thorough, knowledgeable and personable." *Chambers and Partners UK Guide 2023*

"Tamsin Cox's drafting, advocacy and cross-examination are first class." *Chambers and Partners UK Guide 2023*
‘No one prepares for court like Tamsin, she knows her cases inside and out. She is very approachable and

provides advice to clients in a digestible and understandable manner. ’ *Legal 500 UK Bar Guide 2023*

Tamsin Cox predominantly focuses on landlord and tenant cases in both commercial and residential settings. She has expertise in disputes relating to easements, including rights of way and rights to light. "She has very good technical knowledge, very good attention to detail, and good advocacy and written work." "She is knowledgeable, measured and good with clients." *Chambers and Partners UK Guide 2022 (Real Estate Litigation)*

"Excellent legal analysis and advice. Notwithstanding the challenges of the remote hearings and the arcane subject matter of the case, Tamsin presents calmly and persuasively." *Legal 500 UK Bar Guide 2022*

Tamsin Cox is highly esteemed for her extensive experience working on sophisticated property disputes. *Who’s Who Legal UK Bar Report 2022*

Predominantly focuses on landlord and tenant cases in both commercial and residential settings. She also acts in property-related insolvency matters. Strengths: "She is very bright, gives clear and firm advice and is good with clients." "A very effective advocate who is concise, well prepared and doesn’t pull her punches." "Tamsin is very forensic and no stone is left unturned." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

"She has a textbook knowledge on rent reviews. She is responsive, technically excellent and has a real "can do" and team-orientated approach." *Legal 500 UK Bar Guide 2021*

Predominantly focuses on landlord and tenant cases in both commercial and residential settings. She also acts in property-related insolvency matters. Strengths: "Clients like her and she has good technical expertise." "A highly effective advocate." Recent work: Acted in a First-tier Tribunal case regarding the reasonableness of service charges at a block of apartments in Nottingham. *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"Practical, measured and thorough, with spot-on tactical judgement." *Legal 500 UK Bar Guide 2020*

"Tamsin is "superb" and has "excellent knowledge of the field". Her practice covers various issues, including insolvency, forfeiture and deposit schemes." *Who's Who Legal UK Bar 2019 Guide*

"Predominantly focuses on landlord and tenant cases in both commercial and residential settings. She also acts in property-related insolvency matters. Strengths: 'Very responsive and an excellent advocate.' 'Bright and pragmatic.' Recent work: Acted for the defendants in urgent injunction proceedings relating to alleged trespass by oversailing scaffolding." *Chambers UK Guide 2019 (Real Estate Litigation)*