

Ben Doyle



Since joining Chambers in May 2018, Ben has developed a busy practice across a broad range of civil and commercial work, with a particular focus on property and commercial law.

Ben accepts instructions for advice, drafting and advocacy at all stages of the litigation process. Ben has extensive courtroom experience and has attended over three thousand hearings across a wide range of civil litigation.

Before embarking on his legal career, Ben co-founded an award-winning start-up company in Switzerland. He believes that his experiences in the business world help him to approach cases in a commercial way and to give practical advice.

Ben is friendly and approachable and can explain complex legal matters in simple terms. He is happy to have a chat about a case before accepting formal instructions.

Ben is authorised to accept instructions directly from lay clients, under the Bar Council's direct public access scheme.



Year of Call: 2013

Contact Practice Manager

Joe

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Further information

Qualifications

- University of Cambridge: MA (Hons)
- University of Sussex: Graduate Diploma in Law (Distinction)
- BPP Law School: Bar Professional Training Course (Very Competent, 84%)
- McMahon Studentship, St John's College (Cambridge)

Memberships

- Property Bar Association
- COMBAR

Testimonials

- Brilliant result, many thanks for your assistance.
- This is a brilliant outcome, thank you very much for your assistance here!
- Fantastic! Thanks Ben.
- Many thanks, great outcome.
- Great result Ben, thank you!



- Great outcome. Thank you Ben!
- Brilliant. Thank you for stepping into the breach at the last moment.
- Brilliant result and well done! Thank you so much for your assistance in this matter.
- That's great news – thank you for attending.
- Hi Ben, the advice was great. Thanks.

Interests

Ben's main interests are good food and drink, sport (especially football, cricket and tennis), travel and walking his dog in the country. He is an enthusiastic cook and enjoys baking sourdough bread and pizzas.



Property

Ben regularly acts for landlords in residential and commercial landlord and tenant cases including assured, secured, non-secured, regulated and non-regulated tenancies, involving issues such as validity and service of notices, compliance with prescribed requirements, deposit protection, disrepair and dilapidations and leasehold disputes (including in the First-Tier Tribunal) involving reasonableness of service charges, breach and extension of lease and forfeiture and waiver. Ben is also experienced in mortgage possession cases and urgent trespass cases (including in the High Court).

In addition Ben regularly acts in neighbour disputes in the county court and First-Tier Tribunal involving trespass, nuisance, disputed boundaries, adverse possession, covenants and easements and land registration.

Ben also advises and acts on appeals under the Party Wall etc. Act 1996 and is regularly instructed to recover surveyors' fees in the Magistrates' Court and the County Court. Ben also has experience in dealing with TOLATA matters.

Ben is a member of the Property Bar Association (PBA).

Examples of recent work

- Ben successfully acted for the applicant in a boundary dispute in the Property Chamber of the First-Tier Tribunal via the direct access scheme and then successfully represented the same client on appeal in the Upper Tribunal.



- Ben acted for executors of an estate in TOLATA proceedings and successfully obtained an order for sale.
- Ben drafted pleadings in a high value mortgage possession claim.
- Ben advised on a neighbour dispute involving breach of covenant, easements, trespass and nuisance via the public access scheme.
- Ben drafted pleadings on a neighbour dispute involving trespass, nuisance, return of deposit, unjust enrichment and proprietary estoppel/constructive trust.
- Ben successfully represented the claimant and obtained declaratory relief in a fractious neighbour dispute via the public access scheme.
- Ben advised on a disrepair claim and drafted pleadings.
- Ben obtained judgment and costs in a long-running service charge dispute.
- Ben acted for the landlord in a case involving a service charge dispute and appointment of a manager.
- Ben advised on a hoarding dispute and represented the landlord in a mediation.
- Ben acted in a complex party wall appeal in the TCC division.
- Ben obtained possession for a commercial landlord in contested forfeiture proceedings.

Commercial

Ben is a member of COMBAR and regularly acts for companies and individuals on commercial disputes involving breach of contract, sale and supply of goods and services, and actions under the Consumer Credit Act 1974. Ben has particular experience in acting for finance companies. Ben also has considerable experience in debt recovery litigation and enforcement and costs litigation.

Examples of recent work

- B v E – Ben acted for the finance division of a multinational bank in a high-value multiple party case involving complex issues including forged signatures, fraud and misrepresentation. Ben represented the claimant at pre-trial review, mediation and a 4 day multi-track trial.
- Various – Ben has successfully represented finance companies in numerous trials relating to motor finance agreements involving rescission pursuant to fully or half-secret commission amounting to a civil bribe and/or breach of fiduciary duty, damages pursuant to s.138D FSMA 2000 and unfair relationships under the Consumer Credit Act 1974.
- Ben successfully represented a construction



company at trial in a contractual dispute involving allegedly unpaid fees.

- Ben successfully represented a firm of solicitors in recovering unpaid fees under its retainer and defending a counterclaim for professional negligence.
- Ben advised on and drafted pleadings in a multi-track dispute involving a contract for sale of a luxury boat.
- Ben successfully acted for a business leasing company in multiple cases involving breach of contract.

Insolvency

Ben accepts instructions in individual and corporate insolvency and has attended hundreds of petitions in the County Court and High Court, as well as a variety of insolvency applications involving issues such as annulment, restraint of statutory demand, rectification/extension of time for registration of a charge, validation orders and orders for possession and sale.

Personal Injury

Ben has considerable experience in personal injury litigation and has attended hundreds of fast track trials arising out of road traffic accidents for both claimants and defendants. He regularly defends and advances allegations of fundamental dishonesty and accepts instructions to advise on liability and quantum.

Contentious Trusts and Probate

Ben is increasingly busy with cases involving contentious trusts and probate. He acts on various types of claim including TOLATA claims and probate claims including claims under the Inheritance (Provision for Dependents) Act 1975.

Examples of recent work

- V v L – Ben represented the Claimant administrator in a probate case involving removal/replacement of an administrator, an order for sale against a joint administrator and beneficiary, and an order for occupational rent.
- M v S – Ben represented the administrator of a deceased's estate in a claim under the 1975 Act. Ben appeared in court twice and at mediation shortly before the multi-track trial. The matter was successfully settled at mediation.
- B v B – Ben represented the Claimant in a probate case involving resulting trusts
- P v P – Ben represented the Claimant in a complex 'house swap' case involving a resulting or common



intention constructive trust. The matter was successfully settled at mediation.

- C v A – Ben represented the Defendant in a TOLATA claim for order for sale and equitable accounting.
- B v S – Ben represented the Defendant in a probate case involving disputed paternity and proprietary estoppel.

