



Andrew Tugwell

Consultant Solicitor

Jurisdiction: England & Wales

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Overview

Andrew is a dual-qualified senior solicitor and chartered surveyor. He is also a qualified arbitrator and an experienced mediator. He has particular expertise dealing with property management issues and disputes. His clients include major corporate occupiers/tenants with large portfolios as well as institutional investors/landlords and private owners. Andrew acts for many well-known companies such as leading estate agents and surveyors.

Andrew is an expert in his field and has always been able to offer understandable, patient and well-informed advice across a wide range of legal matters in relation to our property portfolio of leasehold shops and offices we occupy together with a wide range of litigation issues. Andrew understands property like no other lawyer we have engaged externally and he is always willing and able to help, offering informed expert advice and help.

David Newnes

Managing Director your-move 2005/10, LSL Property Services plc Executive Director 2010/2014

Expertise

Commercial property management/disputes including:

- Lease exit, tactics, notices and dilapidations claims
- Lease renewal claims, both opposed and non-opposed, and compensation issues
- Tactics, validity and service of break notices
- Tenant insolvency
- Unlawful assignment/sharing possession
- Withholding/obtaining consent
- Rent review

- Service charge disputes
- Actions for breaches of covenant
- Forfeiture claims

Residential property disputes including:

- Obtaining possession/short tenancies
- Nuisance claims
- Boundary disputes
- Statutory lease extensions
- Collective acquisition of freehold
- Tenant's rights of first refusal
- Service charge disputes
- Rights of light

Other areas:

- Planning appeals and judicial review
- Adverse possession actions
- Rights of way and other easements
- Modification of restrictive covenants
- Compulsory purchase issues

Valuers and Estate Agency:

- Estate agency matters including commission and regulatory
- Professional negligence claims against property professionals (valuation) and solicitors, consultants/other professionals

Cases

- Advised Cola Holdings, a major Hotel Group, concerning the acquisition of the 600+ bedroom Hilton Hotel in Kensington including advice relating to a major claim and appeal concerning alleged disrepair and the availability of specific performance. The matter included a High Court claim and multiple appeals requiring the tenant to carry out more than £100m improvement works.
- Acted for many of the UK's largest estate agencies and surveyors including your-move, Reeds Rains, Marsh & Parsons, Lauristons and e.surv. Regularly instructed regarding lease renewals and property management matters on a national basis. Recently acted in relation to a particularly high-value major call centre/office site, commercially important to the client in respect of nuisance caused by the demolition of the adjoining shopping centre and issues arising. Advised concerning aspects of nuisance, derogation from grant of the leases, lease renewal rights and strategy, and dilapidations and remedies including injunction, exit strategy, notices and other matters. A long track record of continuous service for this major plc client.
- Provided key advice in respect of landlord and tenant and other property issues to SAGA plc, a major UK corporate occupier with a significant group of associated companies such as matters arising from SAGA's recent acquisition

of Destinology Limited and Bennetts Insurance Services Limited and other advice, consents, notices and disputes. Recently dealt with repair/dilapidations/lease exit issues in connection with SAGA's disaster recovery premises in Kent.

- Advised GMS Estates Limited for many years, a longstanding property development and investment company with portfolios in London and nationally. Advised concerning various parts of the portfolio including Queensway involving a master plan to redesign and develop a prime new shopping area described by the Evening Standard as "a quarter of a mile strip that does a better job for international relations than any United Nations convention".
- Advised Lewisham Investment Partnership on alleged valuation negligence, rent review law and valuation techniques (*Lewisham Investment Partnership Limited v Morgan* [1997] PLSCS292).
- Represented Save and Prosper in the alleged conflict of interest and the removal of a rent review arbitrator (*Save & Prosper v Homebase Limited* [2000]).
- Acted for Blackhawk Automotive (part of Snap-on Tools) in a leading commercial property dilapidations case regarding replacement of asbestos roof sheets (*Riverside Investments v Blackhawk Automotive* [December 2005] 01 EG 94 (CS)).
- Represented Hundalani in respect of service charge dispute and alleged interference with a right of way (*Crane Road Properties LLP v Hundalani* [2006] EWHC 2066 (Ch) [2006] PLSCS 191).
- Acted for Sloane Properties on a matter concerning disputed residential service charges relating to major expenditure covering more than one service charge year dealt with by the Lands Tribunal (*Barrington v Sloane Properties* [2007] 40EG 268).
- Represented Kensington Close Hotel in an important High Court and Court of Appeal case concerning disputed rights of access between two major London Hotels (*London Tara Hotel v Kensington Close Hotel* [2011] EWCA Civ 1356).
- Represented Kingswood Warren Management Company in a judicial review challenge concerning whether a Section 106 planning condition could be varied (*R (on the application of Symphony Limited) v Reigate and Banstead Borough Council* 17 December 2015 unreported).
- Acted for a commercial developer in a judicial review challenge to actions of Basingstoke to promote hotel use (2017).
- Represented Cola Holdings (an interested party) in a major claim and appeal concerning alleged disrepair and the availability of specific performance requiring the tenant to carry out £100m improvement works and the secondary issue of challenge in respect of the appointment and powers of an administrator (*Zinc Cobham 1 Ltd v Adda Hotels* [2018] EWHC 1025 (Ch)).

Recognition

Recognised by Best Lawyers (UK) 2020 in the area of Litigation

Andrew Tugwell of Keystone Law is a dual-qualified chartered surveyor and is particularly noted for his handling of complex valuation cases and estate agent issues.

Chambers UK 2019

Recognised by the Legal 500 2018

"Well-regarded for his work on complex valuation cases and estate agent issues. Tugwell is singled out as a 'great solicitor' and has been advising estate agencies such as you-move.co.uk and parent company LSL Property Services

on matters including lease renewals, nuisance, dilapidations and injunction proceedings."

Legal 500 2018

Chambers Legal Directory Leading Lawyer 2002-2018

Legal 500 Recommended Lawyer

Fellow, Royal Institution of Chartered Surveyors

Fellow, Chartered Institute of Arbitrators

CEDR and ADR Net accredited Mediator

Member, Property Litigation Association

Professional articles - Estates Gazette etc

"Andrew Tugwell ... is 'extremely thorough and will leave no stone unturned', say sources. He is dual-qualified as a surveyor and solicitor, allowing him an exceptional perspective on all property matters. He acted for Kensington Close Hotel on its high-profile rights of access dispute with London Tara Hotel."

Chambers and Partners UK 2013

"Recognised for his expertise in complex valuation cases. He is also a qualified chartered surveyor, and this experience receives particular praise from the market. 'His advice is always sound and is based not only on his legal knowledge but also from his surveying background'".

Chambers and Partners UK 2018

"an expert in his field' specialises in valuation issues arising from leasehold enfranchisement disputes"

Legal 500 UK 2014

"Impressive talent' 'commercial and thoroughly skillful' highly regarded for his expertise in valuation cases and matters involving estate agents"

Legal 500 UK 2018

Career

2018	Keystone Law Consultant Solicitor
2002 - 2018	Payne Hicks Beach Head of Property Litigation, Partner
1999 - 2002	Osborne Clarke Head of Property Litigation London, Partner
1995 - 1999	CMS (formerly Nabarro) Property Litigation, Solicitor
1989 - 1994	TCS Surveyors Owner, Chartered Surveyor/Valuer
1982 - 1989	DTZ Plc Chartered Surveyor/Valuer

1997

Qualified as a Solicitor