

Thomas Walsh

Year of Call: 2018

Practice Summary

Thomas practices across all of Chambers' main areas of expertise, with a particular emphasis on housing, property, public, regulatory and commercial disputes.

Before coming to the Bar, Thomas trained and qualified as a solicitor advocate. He spent a number of years practising in the Real Estate Litigation Team of an international law firm. In this role he acquired extensive experience of commercial and residential property matters in both an advisory and contentious capacity. He has experience of litigation in the Tribunals, County Court, High Court and the Court of Appeal, as well as arbitration proceedings, mediation and other forms of ADR.

Thomas also spent three years working in-house at a local authority. In this role he experienced local government at the coal face across many legal issues, including: social housing, anti-social behaviour, licensing, planning and highways.

His prior experience working as a solicitor and in-house gives him a useful insight into those instructing him. This informs his approach and enables him to deliver the best representation possible. He is conscientious, positive and commercially focused; a versatile and dedicated team player. He adopts a pragmatic and strategic approach to his cases, which focuses on achieving optimal outcomes for his clients.

Outside of Chambers Thomas enjoys spending time with his young family.

Thomas has acted for local authorities, housing associations, house builders, developers, pension funds and charities on a wide range of property and housing matters, including:

- Acting for commercial landlords and tenants across most areas, such as: break options, dilapidations, forfeiture, lease renewals (non-hostile and hostile), breach of covenant claims, service charge and rent review issues.

Acting for local authorities, housing associations and private landlords in housing matters, including: possession and trespass, demotion of secured tenancies, committal application for breach of an injunction.

Acting as part of a team advising on tenant's rights of first refusal under the Landlord & Tenant Act 1987 regarding a multi-site freehold disposal.

Advising a data centre operator in relation to nuisance and breach of quiet enjoyment claims relating to disturbance caused by redevelopment works.

Advising house builders and promoters in relation to development agreements and contractual disputes, in particular disputes arising from price calculations, extensions and overage.

Thomas has experience of both contentious and non-contentious regulatory and disciplinary matters, including Telecommunications and property-based professional negligence, for example:

Acting for a fund in a professional negligence claim arising out of a negligent land valuation by a property consultancy (matter settled at mediation for a multi-million-pound sum).

Acting for telecoms operators in relation to claims under the Electronic Communications Code, particularly in relation to securing interim rights under Para. 26 of the Code.

Acting as part of a team advising a fibre-optic internet access services provider on the powers under the Electronic Communications Code and wayleave agreements in relation to a £75 million investment to connect 300,000 homes and businesses.

Thomas has advised and acted on a broad range of local government and public law matters, including:

Prosecutions and enforcement actions relating to: breaches of planning control, housing benefit fraud, breaches of health and safety, offences under the Environmental Protection Act 1990.

Acting for a local authority in securing an anti-social behaviour injunction that imposed prohibitions on a local person to abate long-standing anti-social behaviour.

Acting for a local authority to obtain a closure order in relation to noise nuisance and public order offences.

Advising in relation to planning appeals, judicial reviews and public inquires.

Advising council committees on procedural and constitutional issues.

Thomas has experience of both contentious and non-contentious matters in the areas of commercial and chancery, in particular matters with a property law cross-over, such as

Acting for funds and private landlords in relation to insolvency matters, including bankruptcy and winding up petitions, applications to set-aside.

Advising funds and property owners on the property aspects of corporate restructuring, for example tenant Administrations and Company Voluntary Arrangements.

Acting for housebuilders and developers in construction disputes in particular those arising under standard form contracts (e.g. JCT, NEC) and claims relating to payment, defects, and dilapidations.

Education

- BA (Hons), Classical Literature and Civilisation, University of Birmingham
- GDL, University of Law
- MSc LPC University of Law

Areas of Expertise

- Administrative Public Law
- Commercial
- Housing
- Local Government
- Professional Discipline And Regulatory
- Property