

## Neil Vickery

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Neil specialises in real property, chancery and business work. He has very extensive experience, gained from many years in practice, of all aspects of land law and regularly advises and provides representation in cases involving land and rights in, or over, it. He frequently appears in the courts and tribunals and is often instructed to attend mediations and settlement meetings. He undertakes the full range of advisory work and the drafting of pleadings and other documents. He accepts appropriate work on a direct access basis.

Neil previously had an extensive employment law practice and now undertakes disciplinary, grievance and similar investigations for businesses and other organisations which require independent, external assistance.

## Business Law

Neil advises in a wide-range of business and commercial case involving breaches of contract, misrepresentation, negligent misstatement, fraud and breaches of duty. He also deals with guarantees, shareholder disputes, issues of corporate governance and breaches of directors' duties

### Recent Cases

- Acting for multiple clients, the subject of nationally-publicised fraudulent banking practices, advising and assisting in the negotiation of settlements;
- Advising upon claims and remedies arising out of the purchase of defective items at auction;
- Advising and representing a client induced to invest in fraudulent investment schemes
- Advising on claim for breach of contract/negligence in supplying software development services

## Property Law and Chancery

Neil deals with all types of property dispute including: commercial and residential landlord and tenant problems of all kinds (e.g. lease renewals, possession claims, forfeiture, dilapidation claims, rent reviews, service charge issues); TOLATA co-ownership cases; proprietary estoppel and constructive/resulting trust claims; alteration and rectification of the register; LPA receivers; advising on the acquisition of easements and claims for interference with easements; mortgage claims including mortgage fraud cases; and disputes between neighbouring owners over boundaries, adverse possession or duties of care. His experience also extends to Chancery matters where these intersect with property issues, for example in relation to contested wills, Inheritance Act claims, trust issues and claims for specific performance.

## Recent Cases

- Advising on claims for breach of duties of care and interference with the easement of support where lack of repair to a neighbouring property caused damage to the client's home.
- Advising on whether very significant repairs and maintenance to a block of flats fell within the service charge provisions of the leases, and related issues.
- Obtaining possession of premises for a charity involving allegations of breaches of charitable purposes.
- Advising on a case concerning the alleged gift of a house to a grandson, and issues of forgery.
- Advising on and appearing at trial in a matter concerning the scope of a right of way, duties of care, boundaries and allegations of nuisance.
- Advising on claims of noise nuisance and breach of covenant.
- Advising and representing clients claiming an interest in a property registered in the names of others.
- Advising on a claim to cancel a unilateral notice turning on the disputed right to forfeit a deposit of £700,000.
- Advising on rights of drainage over agricultural land.
- Advising on whether there are public rights of way over an unadopted road, and upon prescriptive rights.
- Advising on the subsistence of unregistered rights of way over farmland.
- Advising on an application to discharge a restrictive covenant under s84 LPA 1925.
- Advising on settlement and insurance positions in a negligence claim involving a restrictive covenant prohibiting the construction of a second residence.
- Advising on breach of user covenants in a commercial lease and sub-lease.
- Advising on the enforceability and effect of a commission agreement to pay a fee in the event of a planning outcome, and overage provisions.
- Advising on injunctions for trespass in a commercial context and availability of an order for access to neighbouring land in novel circumstances.
- Advising on claims by a tenant for damage caused by ineffective external drainage and/or surcharging of a public sewer.
- Advising on whether an express grant of a right of way extended to permitting access to land adjoining the dominant tenement.
- Advising on issues arising from property "guardians" refusing to vacate premises they were safe-guarding.

## Employment Law

Neil previously had an extensive employment law practice over many years, acting in particular for various major educational establishments, and appearing regularly in the ET, and on occasions in the EAT and Court of Appeal.

Nowadays his employment practice consists principally and increasingly of conducting disciplinary, grievance and similar investigations for clients. Neil is able to provide an independent, robust, fair, efficient and cost-effective investigation wherever it is considered appropriate to engage an external investigator.

### Recent investigations include:

- Investigating disciplinary allegations against senior staff member.
- Investigating grievance by senior staff member into pay and other issues.
- Investigating grievances concerning alleged bullying conduct of CEO.
- Investigating allegations of bullying against senior staff member.

## Direct Access

Neil is authorised to, and does, accept instructions direct from members of the public, without the involvement of a solicitor.

In suitable cases, Neil can provide advice in conference (remotely if more convenient) or in writing, as well as representation at court. He will provide clear, understandable advice, and will discuss a client's case with them, answer their questions and tell them what they can expect.