Lawrence McDonald

Call 1996

Clerks

Joe Mawson
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Appointments

- Recorder (Ticketed to hear Chancery cases, Civil cases and Criminal cases)

Memberships

- Chancery Bar Association
- Property Bar Association
- Northern Chancery Bar Association (Secretary)
- Northern Circuit Commercial Bar Association
- Inner Temple

Education

- The Inns of Court School of Law
- University College London
- The Manchester Grammar School

Property

Lawrence has been a property litigator for the whole of his professional career. He acts for companies, individuals, office holders and public bodies before courts and tribunals of all levels in England and Wales. Lawrence has also been authorised to appear in the courts of the Isle of Man. In addition to court work he has an extensive advisory practice and he regularly represents clients in mediation.

Lawrence has acted in disputes in all areas of real property law including development agreements, boundaries, easements, prescriptive rights, adverse possession, restrictive covenants, specific performance, rectification, trespass and rights to light.

His landlord and tenant experience includes disputes about leasehold covenants, forfeiture and relief from forfeiture, dilapidations, possession claims, termination and renewal of business tenancies, break clauses, options, telecommunications leases and the Electronic Communications Code.

He acts for many institutional landlords in claims before the First Tier Tribunal and the Upper Tribunal relating to the recovery of service charges under long residential leases and other claims before the Tribunal such as applications for enfranchisement or the Right to Manage. He also acts for tenants in such claims.

In addition to his core property practice, Lawrence has acted in relation to a wide range of other associated areas, including planning, rating, judicial review, compulsory purchase, blight claims and water law.

The Legal 500 says Lawrence is "*knowledgeable, very good with clients, in depth knowledge of all instructed matters, very good as consultant, very organised and works in a speedy manner*."

Cases

Recent work includes:

Acting in a case in which a man alleges that his brother and his ex-wife who are the registered proprietors of a property hold that property on trust for him. These proceedings are linked with proceedings in which the mortgage lender is seeking to repossess the property from the registered proprietors.

A substantial dilapidations claim in respect of industrial premises in Manchester in which a section 18 defence is the main issue.

Advising a Welsh landowner in respect of an informal family arrangement dealing with a substantial farm holding.

Advising Spanish lawyers seeking to enforce an order of the Spanish courts against a property in England.

Acting for a national chain tenant in a lease renewal where a 6-figure rent is in dispute.

Acting for the owner of a Welsh castle used as a wedding venue to defend a possession claim and a lease renewal claim on ground (g) brought by new owners.

Advising a substantial retail tenant and a local authority in respect of their rights and liabilities under the Telecommunications Code with regard to mobile phone masts on their premises.

Acting for a Leeds investor in forfeiting a lease of a city centre nightclub and in defending at trial claims of breach of covenant and relief from forfeiture.

Acting for a landowner in respect of linked partnership and property disputes where one partner died resulting in a series of disputes between the surviving partner and the former partner's estate.

Other cases include:

Urban Splash Work Ltd v Ridgway [2018] UKUT 32 (LC) – An appeal to the Upper Tribunal regarding the recoverability of service charges and the requirement of certification in leases.

Bolton Halal Poultry Limited v Fardan Limited (2018) – A 5 day trial in Manchester in which I represented a landlord who had unlawfully forfeited a tenant's lease due to failure to serve a section 146 notice before obtaining legal advice but who was able to show that there was no recoverable loss to the tenant and so the claim for damages should be dismissed.

Donnan v Brown (2018) A 3 day trial in Manchester regarding the ownership of a hedge and the cost of reinstatement of the hedge after its destruction.

Smith v Dobson (2017) – A 3 day trial in Leeds regarding the true construction of a conveyance and a claim of adverse possession relating to a flying freehold in a converted mansion house.

People in Mind Limited v Armchair Answercall Limited (2016) – Successfully represented the Claimant in an 8 day trial in London about whether the departure of a network of franchisees frustrates a contract for services with the franchisor. The Defendant's appeal to the Court of Appeal was dismissed.

Bradley v Heslin [2014] EWHC 3267 – Successfully represented the Claimant in a 3 day trial before the Vice-Chancellor regarding the acquisition of an easement by prescription, adverse possession or proprietary estoppel. The Defendant's appeal to the Court of Appeal was settled before the hearing.

Hamlington v Wrexham County Borough Council (2014) – A 5 day trial about whether drainage works by a highway authority caused damage to property.

Rainford v Rainford (2014) – Whether payments made by an ex-husband to his ex- wife were a loan or gave rise to a beneficial interest in a property.

Whalley v PF Developments Limited [2013] EWCA Civ 306 – A successful appeal to the Court of Appeal regarding the assessment of damages for trespass.

Feury v Marshman (2013) – A 5 day trial before HHJ Bird concerning easements, nuisance and harassment. Following cross examination of the witnesses, the case settled on favourable terms before judgment.

Liverpool Quays Management Limited v Moscardini [2012] UKUT 244 (LC) – A successful appeal to the Upper Tribunal regarding the recoverability of service charge expenditure.

Campbell v Banks [2011] EWCA Civ 61 – An appeal concerning the applicability of section 62 of the Law of Property Act 1925.

Re Northall (Deceased) [2010] ECHC 1448 (Ch) – A 3 day trial before David Richards J concerning the beneficial interest in money held in a bank account in joint names.

Pierse Developments Limited v Liberty Property Investment Limited [2009] EWCA Civ 1423 (as Instructing Solicitor) – A dispute regarding a development agreement for a block of flats in Liverpool that was affected by the recession.

Sugarman v Porter [2006] EWHC 331 (Ch) (as Instructing Solicitor) – Restrictive covenants.

Mean Fiddler Holdings Limited v Islington LBC [2003] 3 EGLR 61, LT; [2003] 2 P&CR 7, CA (as Instructing Solicitor) – Compulsory purchase and breach of leasehold covenants.

Recommendations

The Legal 500

“Lawrence is very robust in submissions. Judges appreciate his technical expertise and calm presence in court.”

“Lawrence is an outstanding, technical, and robust litigator. He is knowledgeable, polite, and strong with effective communication skills.”

“Lawrence is very friendly and provides an excellent service. He is also well respected and pragmatic.”

“Lawrence is a tremendously affable character and enjoyable to work with. He is commercial in his outlook and very knowledgeable on the law.”

“Lawrence is very good with clients and supports his solicitor. He knows what solicitors and clients want of him, and is great on his feet, personable and very likeable. He is good at getting his head around the larger issues.”

“Lawrence demonstrates clarity of thought in his written advice, submissions and work. He is able to communicate relatively complex legal argument into language that a lay client can readily understand.”

"He is knowledgeable, very good with clients, in depth knowledge of all instructed matters, very good as consultant, very organised and works in a speedy manner."

"An assured voice in the court room and a lateral thinker on his feet."

"His calm demeanour reassures clients."

"Recommended for a panoply of property disputes."

"He has an excellent all-round knowledge and is a great lateral thinker."

"He handles a broad spectrum of real estate cases, including landlord and tenant disputes" "A calm, collected and intelligent advocate."

Chambers & Partners

"Lawrence McDonald is very well versed in dealing with matters in the North of England. It also helps that he sits as a judge."

"Lawrence McDonald's knowledge is second to none. From a negotiation point of view he is brilliant."

"Lawrence McDonald is the safest pair of hands you could wish for in a barrister."

"Lawrence has great legal knowledge and is also very commercially astute."

"Lawrence is a very great support when it is most needed."

"Quick, efficient, good with clients and very knowledgeable."

"Lawrence McDonald is great, and very responsive."

"He is thorough, creative and excellent at cross-examination."

"Approachable and good to work with."

"A pragmatic lawyer who always has an eye on the most effective way of resolving disputes."

"He has a very sensible approach."

"He gets things done without making a meal of it."

Beyond the Bar

In the summer of 2016, Lawrence sailed from New York to London via Ireland and Holland as a crew member on the final leg of the Clipper Round the World Yacht Race. He also enjoys throwing himself down mountains on either skis or a mountain bike. Lawrence has competed nationally or internationally in areas as diverse as chess, judo and debating.

Other than that, Lawrence spends most of his time as an unpaid driver for his three daughters' various sport, music and social engagements.