# Eleanor d'Arcy

## Call 2008

## Clerks

Ian Spencer
0113 203 1971

Nicole Luna
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Max Cotterill
0113 203 1973

## Memberships

- Property Bar Association
- Chancery Bar Association
- British Irish Commercial Bar Association
- Northern Business Property Bar Association

## Education

- MA Classics, St. John's College Oxford [2002-2006]
- CPE BPP Law School Leeds [2006-2007]
- BVC BPP Law School Leeds [2007-2008]
- Scholarships: Lord Haldane, Lincoln's Inn [2006-2007]
- Lord Denning, Lincoln's Inn [2007-2008]
- Wolfson, Lincoln's Inn [2008-2009]

## Property

Eleanor practises in all aspects of property law, including both commercial and residential landlord and tenant law and real property. Eleanor relishes difficult legal problems and is frequently instructed in cases which involve a cross-over between insolvency and property law.

She has a first-rate reputation for her advisory work and her Court-based advocacy in respect of Landlord and Tenant Act 1954 lease renewals including difficult opposed lease renewals; in complicated forfeiture claims; in cases concerning proprietary estoppel and TOLATA claims in family and bankruptcy contexts and in respect of mortgage law, undue influence and secured creditor enforcement (including the application of The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020).

Eleanor is ranked by the directories as a leading junior in property work, having been ranked in respect of Chancery and Real Estate Litigation in Chambers UK for many years across both the Northern and North Eastern Circuits.

Her testimonials for 2026 included the following statements: "Eleanor is my go-to person in the North West. Eleanor is excellent with clients and excellent in Court" and "Eleanor is a joy to work with. She is incredibly personable and a formidable advocate" (Chambers UK 2026).

Eleanor's recently reported cases include:

- HX v WX [2025] EWFC 338 – where Eleanor acted for the successful intervener in Family proceedings, in a case founded upon the doctrine of proprietary estoppel; and
- Together Commercial Finance Limited v Fay of London Limited [2025] EWHC (12) – led by Jonathan Gaunt K.C of Falcon Chambers, this was a decision of the High Court refusing

permission to amend and bring a Counterclaim and ordering possession of a property in Belgravia, London. The underlying facts were complex, involving an off-shore trust and a commercial loan secured over a property in London. Eleanor acted for the successful lender.

Eleanor regularly appears in the High Court and County Court in respect of cases involving:

- Landlord and tenant, both commercial and residential;
- Forfeiture, unlawful forfeiture and relief from forfeiture in valuable commercial property;
- Mortgages (including, and in particular, Claims which involve arguments surrounding undue influence and misrepresentation);
- Secured creditor lending and enforcement, including the application of The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020;
- Easements and boundaries;
- Proprietary estoppel;
- TOLATA claims in family and bankruptcy contexts;
- Partnership disputes, particularly those concerning farming partnerships and/or trusts of land;
- Nuisance and negligence causing damage to property;
- Professional negligence arising within those areas.

## Cases

- Acted for the successful Claimant mortgagee in possession proceedings before the High Court, in which arguments as to proprietary estoppel and common intention constructive trusts were attempted to be run and rejected by the Court
- Represented the lender at the High Court in London, where the Claimants were seeking to set aside the lender's mortgage on grounds of alleged undue influence. The Claimants discontinued their Claim against the lender on the cusp of the Hearing of the lender's strike-out Application in respect of the Claim.
- Eleanor represented one of two Defendants at a 3 day Trial concerning a Claim brought against her client in the tort of conspiracy. The Claim related to the purchase of a property in 2002 which was said to have been procured by an unlawful means conspiracy; alternatively, by a lawful means conspiracy. The Claim was dismissed in its entirety. Additionally, the judge observed that any Claim would also have been statute-barred under the Limitation Act 1980.
- Eleanor represented the Defendant in a multi-day Trial concerning a dispute between father and daughter. The Claimant was seeking to set aside a lifetime gift of property made by him to his daughter on the basis that he alleged that his daughter had

unduly influenced him to enter into the transaction. The Claim to set aside the gift failed entirely and was dismissed with costs.
- Eleanor represented the Claimant mortgagee during the course of a multi-day Trial, where the Defendant was seeking to set aside the Claimant's all-monies legal charge on the grounds of alleged undue influence and/or misrepresentation. The Claimant was successful, obtained a 28 day Possession Order and a Money Judgment for in excess of £4 million.
- Eleanor represented the Defendants in a multi-day Trial concerning the statutory interpretation of section 168 of the Commonhold and Leasehold Reform Act 2002 and the circumstances in which forfeiture of a long leasehold dwelling may be effected.
- Acting and advising a Claimant in the BPC in Birmingham concerning water ingress into his property, pursuing Claims against 3 Defendants. The Claim was settled on Day 1 of a 5 Day Trial.

Significant Reported Cases:

- HX v WX [2025] EWFC 338 – Eleanor acted for the successful intervener in Family proceedings, in a case founded upon the doctrine of proprietary estoppel.
- Together Commercial Finance Limited v Fay of London Limited [2025] EWHC 12 (Ch) – Decision of the High Court refusing permission to amend and bring a Counterclaim and ordering possession of a property in Belgravia
- Grange v Quinn [2013] EWCA Civ 24 – Court of Appeal decision concerning the proper measure of damages to which a tenant should be entitled following unlawful eviction.
- Crossfield v Jackson [2014] EWCA Civ 1548 – Court of Appeal decision concerning undue influence.
- Windermere Marina Village Ltd v Wild and another [2014] UKUT 163 (LC) – Decision of the Upper Tribunal concerning apportionment of service charges.
- Martin v Cooper [2024] EWHC 3296 (KB) – an Appeal in the High Court concerning laches and limitation in the context of the law of private nuisance.

## Recommendations

**The Legal 500, 2026**
"Eleanor is wonderful. She is always receptive, keen to assist, and brings interesting angles to any discussion."

**Chambers and Partners 2026**
"She is my go-to person in the North-West. Eleanor is excellent with clients and excellent in court."

"Eleanor is a joy to work with. She is incredibly personable and a formidable advocate."

"Eleanor d'Arcy is excellent with clients and in court."

"Eleanor is a really good team player. She has a diverse insolvency practice and a very loyal following. She's not fazed by anything, she's quick-thinking and she has very direct advocacy skills."

**The Legal 500, 2025**
"Eleanor is a very straight-talking and focused barrister who is not fazed by anything. She is very approachable and good with clients, and her advocacy skills and ability to think fast are second-to-none."

"A direct and focused barrister. She is unflappable, and her advocacy skills and ability to think quickly are second-to-none."

**Chambers UK 2025**
"Eleanor d'Arcy is a top-notch junior. She is very thorough, technically excellent and a good communicator."
"Eleanor d'Arcy goes the extra mile to satisfy clients' expectations. She has wide experience and is excellent in court."
"Eleanor's cross-examination is meticulous and she's always really well prepared. Her written work is excellent. She's very good on the law and gives sensible, proactive advice."
"She offers good value for money for clients and is never afraid to be direct with them."
"Eleanor is a very good advocate. She is very considered in her advice, strong when needed and very commercial. Eleanor is very good at looking at the bigger picture."

**The Legal 500, 2024**
"Eleanor is an incredibly talented individual. She is very approachable, unfazed by anything or anyone, and a very sensible and safe pair of hands."

**Chambers UK 2022**
"She provides very straightforward advice and is really practical. Her rapport with clients is really good – in conferences she is friendly, and her advice is always practical and useful for the clients."
"She is very good on her feet and produces extremely good written work. She has a knack of getting on the good side of the judge and is assertive without being overly aggressive."

**Legal 500, 2022**
"Her commercial understanding is first-rate, and her ability to cut through and see the end game is excellent."

**Chambers UK 2021**
"She is very detailed and methodical." "In court she is fantastic with the judge, putting across her arguments very eloquently and forcefully."
"You would be concerned if you were against her!"
"She is very knowledgeable but also approachable." "She is not afraid to put forward a robust argument, is great on her feet and provides very commercial advice."

**Legal 500, 2021**
"She is excellent in court, on paper, and in conference."

**Legal 500, 2020**
"Hard-working, enthusiastic and pragmatic."

**Chambers UK 2020**
"Her practical knowledge is peerless." "She is excellent both on her feet and on paper."
"She is good with clients, direct, hands-on and gets to grips with things quickly."

**Chambers UK 2018**
"She's helpful, incisive, considered and very knowledgeable." "She is someone I would trust with a difficult case – top-notch."
"To the point, eloquent and succinct, she is always able to put the point across in a professional manner." "She knows her stuff and is tenacious."

**Chambers UK 2017**
"She is thorough, well organised and very competent."
"She is tremendously hard-working and always gives her all for clients. A safe pair of hands."

**Chambers UK 2016**
"A very able young lawyer and certainly an up-and-coming junior."