

TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



Annie Higgo

Year of call

2022

Annie commenced practice at Tanfield in September 2023 following successful completion of her pupillage.

Annie has experience across Chambers' practice areas, including agricultural law, real property, trusts of land and private client, including contention and non-contentious probate. Annie is interested in work across property and traditional chancery, with a niche interest in agricultural and equine law, including consumer rights and veterinary negligence.

Annie read History at Christ Church, University of Oxford, where she was an academic scholar, before undertaking the GDL and Bar Course at City, University of London.

When not in chambers or court, Annie can normally be found on a horse, and she spends most weekends competing in eventing, show jumping and dressage.

Real Property

Annie's property practice focuses on real property issues, and she is frequently instructed in cases concerning trusts of land, nuisance, issues of land registration, the priority of interests, and mortgages (including issues of undue influence). She has acted as sole counsel in multitrack trials concerning trusts of land and recently appeared led in the Court of Appeal in *Prescott Place v Batin and Donovan*, which primarily focused on interests in land and priority. She is confident dealing with property issues involving the administration of estates and appointment of representatives, alongside dealing with issues arising out of insolvency in relation to property.

Private Client

Annie regularly acts in contentious and non-contentious probate matters, including applications under the Inheritance (Provision for Family and Dependents) Act 1975. She is confident in dealing with issues concerning estates, executors and administrators, having pleaded claims in the High Court relating to the distribution of estates, claims for a constructive trust under TLATA 1996 and for reasonable provision under the Inheritance Act.

Agricultural Law

Annie has experience in advising on matters of agricultural tenancies and agricultural possession matters in complex mixed use scenarios. Annie has advised on farm business tenancies under the Agricultural Tenancies Act 1995, protected agricultural occupiers under the Housing Act 1988 and the resolution of disputes in relation to these tenancies. She is also happy to deal with matters relating to covenants and proprietary estoppel concerning agricultural land.

Equine Law

Annie has developed a niche practise advising and bringing proceedings in respect of the purchase and ownership of horses, including issues under the Consumer Rights Act 2015, the Sale of Goods Act 1979, misrepresentation and veterinary negligence. Annie is particularly interested and knowledgeable on issues surrounding performance horses across the equestrian disciplines, given her particular knowledge of the sport and issues surrounding it.

Annie is also experienced in dealing with equine property law related matters such as those related to livery yards and equestrian tenancies.

Residential Landlord & Tenant

Annie is confident dealing with all aspects of residential landlord and tenant matters and has appeared numerous times for both landlords and tenants across possession, trespass and breach of covenant (nuisance, quiet enjoyment etc) proceedings among others. She is also able to advise on all areas of landlord and tenant disputes, particularly relating to obtaining possession in complex ownership scenarios.

She also has experience in issues dealing with the right of first refusal under the Landlord and Tenant Act 1987 having appeared led by Michael Walsh in *Prescott Place Freeholders Limited & Others v Batin & Donovan* [2024] EWCA Civ 298, and issues concerning Right to Manage companies having been led as a junior for Amanda Gourlay in *Eastpoint Block A RTM Company Limited v Otubaga* [2023] EWCA Civ 879.

Commercial Property

Annie deals with matters of forfeiture, the renewal of commercial tenancies under the Landlord and Tenant Act 1954 and development and construction issues. She has also advised and acted in cases involving construction disputes and developer issues concerning nuisance.

Civil Procedure

Annie regularly appears in procedural hearings across the spectrum of civil procedure. In particular she has been instructed in cases dealing with strike out on the grounds of abuse of process, default judgment, relief from sanctions, case management and costs issues.

Notable Cases

Prescott Place v Batin and Donovan [2024] EWCA Civ 298

Instructed in the Court of Appeal (led by Michael Walsh) to represent the respondent in a case concerning the operation of orders under section 19 of the Landlord and Tenant Act 1987. The case primarily concerned issues of interests in land, priority and injunctions, alongside consideration of the *Henderson v Henderson* doctrine.

Eastpoint RTM Company v Otubaga [2023] EWCA Civ 879

Appeared led by Amanda Gourlay for the successful appellant in the Court of Appeal. The case concerned the ability of RTM companies to obtain a s.168 Law of Property Act determination in the First Tier Tribunal.

Awards

- Readers' Scholar, Middle Temple (2021-2022)
- LJ Sachs Entrance Exhibitioner, Middle Temple (2021-2022)

- Academic Scholar, Christ Church, University of Oxford (2018-2020)

Qualifications

- Bar Vocational Studies (Outstanding), City, University of London (2022)
- GDL (Commendation), City, University of London (2021)
- BA, History, Christ Church, University of Oxford (2020)

Memberships

- Agricultural Law Association
- Property Bar Association