

# TANFIELD

PROPERTY & REAL ESTATE BARRISTERS



## Robert Bowker

Year of call  
1995

Robert Bowker has over 20 years' experience in property-related work.

Robert was called to the Bar in 1995 and completed pupillage in Chambers in 1997. From 1997 to 2007, he practised in Chambers exclusively in property litigation. Between 2007 and 2012, he practised as a solicitor and barrister in Australia primarily in construction litigation (he qualified in England/Wales and Australia). In 2012 he returned to Chambers and resumed his practice exclusively in property litigation.

A significant aspect of Robert's practice is dilapidations and major works (residential and commercial). He has worked with a wide range of expert witnesses including surveyors, structural engineers and M&E and fire safety experts. He works mainly for developers, investors and private and local authority landlords, but also for individuals including leaseholders.

His experience in recent years has included a substantial amount of work in relation to fire safety including liability for and the cost of replacing ACM and other forms of cladding. He is currently advising in relation to a significant number of buildings that have fire safety and cladding issues. A large amount of his current workload involves the Building Safety Act 2022 – leaseholder protections, landlord's and leaseholder deeds of certificates, remediation contribution orders, and the effect of PAS 9980 and EWS1. etc. He acts for developers, landlords and leaseholders. He has been instructed in over 70 fire safety related cases, many since the Building Safety Act 2022 came into force.

He regularly speaks at conferences, more recently on issues relating to fire safety and replacement cladding.

## Real Property

Robert's practice combines commercial property, residential property, including service charges and enfranchisement, and real property.

A significant proportion of Robert's work involves dilapidations, major contracts and the recovery of costs through service charge. He has worked with a wide range of experts including surveyors, structural engineers, M&E consultants and valuers.

## Notable Cases

Space Apartments LON/00AP/HYI/2022/0017

Fire safety – cladding remediation – remediation order.

Priory Heights CAM/00KC/HIN/2022/0006

Fire safety – cladding remediation – appeal against improvement notices.

Leigham Court Road LON/00AY/HYI/2022/0005 & 0016

Fire safety – cladding remediation – remediation order.

Westen Beach Apartments (Britannia Village) LON/00BB/LVL/2021/0008

Fire safety– cladding remediation – variation of leases . The tribunal decision can be viewed [here](#) and the [order](#) here.

St John Street LON/00AU/LSC/2021/0255

Fire safety – cladding remediation – cost recovery.

Brunswick Court BIR/41UE/LDC/2022/0031

Fire safety – major works – dispensation and conditions of dispensation.

Tower Court/Trinity Court/Windsor Court BIR/41UE/LVM/2020/0003

Fire safety – cladding – order on application for top up funding (insurance and waking watch)

Metro Central Heights LON/00BE/LDC/2021/0109

Fire safety – major works – Regulatory Reform (Fire Safety) Order 2005 – dispensation and terms of order.

Premier House, Edgware - LON/00AC/LDC/2021/0024

Fire safety – cladding – State Aid – application for dispensation – appropriate conditions

Tower Court/Trinity Court/Windsor Court BIR/41UE/LVM/2020/0003

Fire safety – cladding – application to discharge 1987 Act manager

Royal Borough of Kensington and Chelsea LON/00AW/LSC/2018/0465

Fire safety – cladding – increased insurance premiums – reasonableness.

15 Westgate Terrace [2020] UKUT 0192 (LC)

Forfeiture – section 168 determinations – sufficiency of findings.

The Metis Apartments, Sheffield MAN/00CG/LVM/2019/0004

Fire safety – cladding – appointment of manager under LTA 1987.

Carlshalton Beeches Bowling Club Ltd v Seaton House School

Business lease renewal grounds (g) and (f) – intention – landlord's undertaking – proprietary estoppel.

St Mildreds Court, Westgate-on Sea CHI/29UN/LVT/2018/0005

Variation of leases – sections 35 and 37.

32-54 Arundel Street, Portsmouth CHI/00MR/LSC/2018/0070

Fire safety – major works – dispensation from consultation.

FirstPort v Lessees of Citiscape, Croydon LON/00AH/LSC/2017/0435

Liability for the cost of replacement ACM cladding and fire watch.

Pineport Ltd v Grangeglen Ltd [2016] EWHC 2170 (Ch)

Relief against forfeiture – liability for costs.

Pineport Ltd v Grange Glen Ltd [2016] EWHC 1318 (Ch)

Relief against forfeiture – principles relevant to delay.

Preedy v Dunne [2015] EWHC 2713 (Ch)

Proprietary estoppel – trustees' powers and duties.

McLeod v Gold Harp Properties Ltd [2015] 1 WLR 1249

Rectification of land register.

Gold Harp Properties Ltd v McLeod [2014] EWCA Civ 532

Conditional permission to appeal.

Pry v Cutter [2014] UKUT 0215 (LC)

Enfranchisement – terms of acquisition.

Shine v English Churches Housing [2005] L&T.R. 7

Disrepair – calculation of damages – mitigation of loss.

R (on the Application of Periasamy Mathialagan) v Southwark LBC [2004] EWCA Civ 1689

Liability for business rates.

Shine v English Churches Housing [2002] EWHC 612 (Ch)

Striking out – interim applications.

Deadman v Southwark (2001) 33 H.L.R. 75 1

Statutory duty to secure premises – loss and damage.

## Publications

- Service Charges & Management, Tanfield Chambers, 3rd edition (2013)

## Qualifications

- Solicitor & Barrister – High Court of Australia (2009)
- Solicitor & Barrister – Supreme Court of Western Australia (2008)
- Barrister – England & Wales (1995)

## Memberships

- Property Bar Association