



## 3PB Barrister Profile

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### Serena Gowling

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#### Qualifications

Microbiology Bsc (Hons) 2.1 University of Kent LL Dip, LPC College of Law  
Chester (Commendation)

Serena began her career as an agronomist for an international agrochemical manufacturer advising the farming industry on all aspects of crop protection and crop husbandry. From 1999 having attained a post graduate diploma in law Serena spent three years as a solicitor with Burges Salmon, in Bristol, before moving to the Midlands based firm MFG where she became an Associate in 2004.

Serena's background and experience in commercial industry and as a solicitor means that she has ability beyond her call. She is particularly good at relating to clients in their environment and quickly builds client confidence.

#### Agricultural and Rural Affairs

Serena specialises in Agricultural Law and agricultural issues generally and has significant experience in the Agricultural Land Tribunal, Agricultural arbitrations, Single Farm Payment issues, rural planning, agricultural commercial contract disputes and crop damage claims. She also has a keen interest in horses and knowledge of the racing industry. She regularly deals with equine issues. Her previous experience is invaluable in dealing with cases involving agricultural land and business.

#### Property

Serena also specialises in property disputes with particular experience in restrictive covenants, easement and boundary issues, trespass and adverse possession claims. She has appeared in the Court of Appeal recently trying to break new ground in a case involving proprietary estoppel, resulting and constructive trusts and beneficial ownership of land. She also regularly deals with cases involving landlord and tenant issues including forfeiture and possession actions and partnership disputes.

#### Commercial Litigation

Serena has significant experience in commercial litigation regularly dealing with commercial contract claims including breach of contract, misrepresentation, interpretation of contracts, unfair terms, professional negligence and partnership disputes in both the High Court and County Court.

#### Professional negligence

Serena specialises in property and planning issues and regularly deals with professional negligence claims arising from advice given by solicitors, land agents and other professionals both the High Court and County Court.

#### Notable Cases

- **Strachey v Ramage** [2008] EWCA Civ 384. In the Court of Appeal, a boundary dispute turning on the correct construction of a conveyance with adverse possession issues.
- **Morris v Morris** [2008] EWCA Civ 257 - Acting for the wife in an application under TOLATA 1996 to determine the appropriate beneficial shares in an agricultural and equine property involving resulting and constructive trust, proprietary estoppel and partnership issues.
- **Thompson v Bradley** LTL 15/1/2007 (unreported elsewhere) ?a determination as to whether an application for the appointment of an arbitrator had been made in time.
- A high value breach of contract claim against an international agrochemical manufacturer involving issues of limitation of liability, unfair contract terms and causation eventually settled by mediation.
- A high value professional negligence claim against an agent for failure to apply for succession to an agricultural Holdings Act 1986 tenancy.
- A reference to the Lands Tribunal on a compulsory purchase of agricultural land involving compensation, severance and hope value for development issues.
- A complicated multi party claim where 3 solicitors? firms were sued as a result of advice given in respect of a boundary dispute and adverse possession action.

## Personal

Serena is an experienced horse rider. She also enjoys sailing, walking, skiing, cycling and rugby (watching not playing!).

## Professional Bodies

Agricultural Law Association

Chancery Bar Association

Midland Chancery and Commercial Bar Association