

Charles Irvine

Year of Call: 2010
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Overview

Charles Irvine is regularly instructed in the Court of Appeal, High Court, County Court and the Tribunals on a range of civil matters covering property, trusts, commercial & insolvency proceedings. He is able to accept instructions on a direct public access basis.

Recommendations

"His knowledge of the relevant applicable law is extensive and well researched. He has superb client relations skills, putting clients at ease and fostering their confidence in him."
"Charles Irvine was a pleasure to instruct. He is engaging and a strategic thinker. His drafting skills were phenomenal, and I hope to work with him again soon."
"Charles is very approachable and commercial, and it is always a pleasure to work with him. He has excellent attention to detail and expertise in insolvency. His advocacy is clear and straightforward, enabling the judge to navigate complex background and issues with clarity."
Chambers UK 2027/Commercial Dispute Resolution/South Eastern Bar

"Charles is super quick and gets down to the details."
"Charles provides a first-rate, tailor-made service for property disputes. He is also a highly tactical litigator who always looks three steps ahead."
Chambers UK 2027/Real Estate Litigation/South Eastern Bar

'He is a personality who is comforting to clients, but tactical in the courtroom. Very academic in his arguments and well-spoken, which often keeps the judge onside. Clients have commented positively on his advocacy previously.'
Legal 500 2027/Company and Insolvency/South Eastern - Ranked Tier 1
Legal 500 2027/Commercial Litigation/South Eastern - Ranked Tier 1

'Excellent turnaround time, showing an ability to absorb the facts quickly and to produce a solid pleading under pressure.'
Legal 500 2027/Property and Construction/South Eastern - Ranked Tier 1

Charles Irvine of 3PB Barristers is a barrister with expertise in commercial litigation, with an emphasis on insolvencies and boardroom disputes. He also has experience in contractual and professional negligence cases.
"He is a formidable advocate who is able to grasp complex issues promptly and make powerful and persuasive submissions."
Chambers UK 2026/Commercial Dispute Resolution/South Eastern Bar

Charles Irvine is an accomplished junior with a growing practice which covers an array of property disputes. He demonstrates impressive expertise in residential and commercial landlord and tenant work, and also acts in cases with elements of trusts law.

"Charles is well liked by clients in the most difficult proceedings and handles client relationships with ease."
"Charles Irvine has a surgical wit in court and is really good at building up a rapport with judges."
Chambers UK 2026/Real Estate Litigation/South Eastern Bar

`Charles is a persuasive advocate. He is aptly described as a subtle assassin, making his points in a subtle but effective and strategic manner.'
Legal 500 2026/Commercial Litigation/South Eastern - Ranked Tier 1

Charles Irvine is ranked in the **Legal 500 2026** for Property and Construction/South Eastern - Tier 1

Charles Irvine is ranked in the **Legal 500 2026** for Company and Insolvency/South Eastern - Tier 1

"Charles Irvine is calm and collected. His advocacy skills have unquestionably been the deciding factor in winning some complex cases with difficult opponents."
"Charles is a formidable technical presence in both written work and in court. He is considered and thorough and has a calm confidence."
"Charles has a surgical-like approach to matters, quickly dissecting the most complex of matters and attacking it with a laser focus, while putting the client at ease and explaining matters clearly."
Chambers UK 2025/Real Estate Litigation/South Eastern Bar

'Charles is always on point, ahead of opponents and ready to assist. He is more than just an expert at his practice. He maximises outcomes, inspires confidence and is impressive in court.'

Charles Irvine is described as `a formidable presence in court' and successfully acted for the defendant in a claim related to the right of way granted by an express deed, proprietary estoppel, and a right to light.
Legal 500 2025/Property and Construction/South Eastern - Ranked Tier 1

Strengths: "Charles' main strengths lie in his ability to grasp complex issues promptly and offer practical solutions."
Chambers UK 2025/Commercial Dispute Resolution/South Eastern Bar

'Charles is incredibly experienced. His calm and collected disposition veils his powerful advocacy and formidable intellect.'
Legal 500 2025/Commercial Litigation/South Eastern - Ranked Tier 1

'Charles is incredibly personable, which puts both solicitor and client at ease. His advice is commercial and considers the wider picture rather than just the minutia of the law. He is a methodical advocate with a calm, clear, and concise approach.'
Legal 500 2025/Company and Insolvency/South Eastern - Ranked Tier 1

Strengths: "Charles is an advocate who inspires confidence in and provides reassurance to instructing solicitors and clients alike."
Chambers UK 2024/Real Estate Litigation/South Eastern Bar

`Charles's firm commandment of a court room in pursuit of a faultless strategy is a sight to behold, much to the elation of clients. He is affable with clients, reassuring with solicitors and most importantly, an outstanding representative for the party he fights for.'
Legal 500 2024/Property and Construction/ South Eastern Bar/ Leading Junior - Tier 1

Strengths: "He is a highly skilled tactician, he grasps issues quickly and always ensures the client's interests are protected."
"I find that he matches the enthusiasm of the junior counsel but has the methodical approach of a senior."
"Clients like how he approaches the advice and the way in which he keeps them calm and grounded, making sure they understand his thinking and strategy."
Chambers UK 2024/Commercial Dispute Resolution/South Eastern Bar

`Charles' drafting of pleadings and attention to detail are strong points. He also provides decisive, commercial views and turns work around quickly.'
Legal 500 2024/Company and Insolvency/South Eastern - Ranked Tier 1

Charles Irvine is a barrister with expertise in commercial litigation with an emphasis on insolvencies and boardroom disputes.

He also has experience in contractual and professional negligence cases.
Strengths: "Charles has a great client manner and is excellent in his written work; he is thorough and firm in his advice, and his legal knowledge is exceptional."
"Charles is very responsive and personable. His drafting is very good and he is technically strong."
Chambers UK 2023/Real Estate Litigation/South Eastern Bar

Charles Irvine is a 'top-notch tactician' and successfully defended a complex claim, including allegations of fraud, brought by one sister against another in a claim concerning the rectification of deeds upon the division of a large estate.

'Charles' knowledge and experience in construction law are second to none. His drafting of pleadings demonstrates that he can grasp the issues succinctly and effectively articulate them.'
Legal 500 2023/Property and Construction/Leading Juniors/South Eastern Circuit - Ranked Tier 1

Charles Irvine is a barrister with expertise in commercial litigation and an emphasis on insolvencies and boardroom disputes. He also has experience in contractual and professional negligence cases.
Strengths: "Charles is really bright. His written work is spot on."
"Charles is extremely responsive and quick to pick up nuances. He is a brilliant advocate - technically skilled and knowledgeable."
Chambers UK 2023/Commercial Dispute Resolution /South Eastern Bar

'Charles' strengths are his attention to detail, ability to develop and execute effective strategies. He is able to put forward his client's position in an effective and most persuasive way.'
Legal 500 2023/Company and Insolvency/South Eastern - Ranked Tier 1

An accomplished junior with a growing practice which covers an array of property disputes. Irvine demonstrates impressive expertise in residential and commercial landlord and tenant work and also acts in cases with elements of trusts law.
Strengths: "Charles is exceptionally commercially minded, both in helping clients focus on their true objectives and, upon reaching those goals, providing total client care in pre-empting further developments following on from his instruction." "He is personable, meticulous and tenacious."
Recent work: Charles successfully defended a school in a claim brought by a local bowling club under the Landlord and Tenant Act 1954 for the club to continue operating within the school's premises.
Chambers UK 2022/Real Estate Litigation/South Eastern Bar

'Charles is thorough and conscientious, and provides excellent advice. He is a calm and considered advocate.'
Legal 500 2022/Property and Construction/Leading Juniors/South Eastern Circuit

Strengths: "Charles is a barrister who thinks outside of the box and can develop arguments and raise key points that haven't been considered before." "He is thorough and provides clever, commercial advice."
Recent work: Successfully obtained summary judgment on a deed of personal guarantee given by a director of a company, despite allegations of undue influence
Chambers UK 2022/Commercial Dispute Resolution /South Eastern Bar

Charles is ranked in the **Legal 500 2022**/Company and Insolvency/Leading Juniors/South Eastern Circuit edition

'His grasp of the issues and his knowledge of the law are second-to-none.'
Legal 500 2021/Property and Construction/South Eastern

'Turns matters round quickly, is very good value for money and is at the end of the phone to discuss technical queries when the need arises.'

"Charles Irvine at 3PB is adept at handling insolvency matters, particularly with respect to individual bankruptcies and corporate liquidations, including ones involving disputes between company directors."
Legal 500 2021/Company and Insolvency/South Eastern

Academic qualifications

· 2009 - 2010: Bar Vocational Course, City Law School, Graded "Outstanding" (ranking well within the top 20 students that year).
· 2008 - 2009: Graduate Diploma in Law (CPE), City University.
· 2005 - 2008: BA (Hons), University of London (Royal Holloway).

Scholarships

- 2009: Gray's Inn Scholarship to study for the Bar Vocational Course.
- 2008: Society Crest Award for outstanding contribution to the University of London.
- 2005: Bedford Entrance Scholarship to read English at University of London (Royal Holloway).
- Awarded a scholarship to read English at the University of London.

Expertise

Property and Estates

Charles enjoys a busy property practice and his experience includes:

- Real property, with a focus on trusts of land, proprietary estoppel and the interpretation of deeds.
- Landlord and Tenant: Commercial and residential landlord and tenant law, including possession, advising on secured and assured tenancies, 1954 Act renewals and forfeiture and surrender

Recent and reported cases:

Hambling & anor v Wakerly & anor [2023] EWHC 343 (Ch); [2023] All ER (D) 77 (Feb)
Charles was successful at both first instance and at appeal in a claim brought against his clients for: (i) interference with a right of way, which was dependant on the interpretation of a transfer; (ii) interference with a right to light; and (iii) proprietary estoppel. Charles won on all issues at first instance. On appeal, the issue centred on whether the interpretation of a right of way and whether there was any "ancillary" use arguments which would benefit a right of way. Again, Charles was successful in opposing the appeal.

The case attracted a significant amount of national press interest:

- https://www.3pb.co.uk/charles-irvine-successful-in-high-profile-neighbours-boundary-dispute/
- https://www.dailymail.co.uk/news/article-11788527/Couple-face-160-000-bill-losing-legal-battle-against-monstrous-millionaire-neighbours.html
- https://www.lexisnexis.co.uk/legal/news/effect-of-practical-geographical-realities-when-construing-express-easement-hambling-v-wakerly]

Gillbac Ltd v (1) Clinkett & (2) Persons Unknown [2023]
Charles successfully represented the Claimant in complex commercial possession proceedings involving the removal of a former business tenant from premises to be sold to developers as part of a £2.8million development. The former tenant took forceable repossession of the site to operate from and refused to leave on the basis that the local council had failed to find alternative premises for him to operate from. The matter attracted a national press interest.

- https://www.youtube.com/watch?v=fficlWeoP5M
- https://www.mylondon.news/news/south-london-news/bailiffs-trying-evict-london-barber-24735294
- https://southwarknews.co.uk/featured/rotherhithe-evicted-small-business-owner-gets-keys-back-and-is-free-to-start-trading-again/

Uddin & Begum v Hussain & Islam [2023]
Charles successfully obtained a High Court injunction on behalf of the Claimants to prevent the Defendants (their son and daughter-in-law) from selling a home in which they all lived in. In the substantive claim, the Claimants seek to set aside/void a fraudulent transfer deed which transferred the property into the Claimants' son's sole name. The Claimants assert that their son forged for his parents' signature on the transfer deed. Alternatively, the First Defendant made his parents sign the transfer deed on the basis of a fraudulent misrepresentation and/or as a result of applying undue influence and/or by mistake.

Carshalton Beeches Bowling Club Limited v Seaton House School [2020]
Charles successfully represented the Defendant, Seaton House School, named Independent Preparatory School of the Year 2018, at a 3 day trial in the County Court at Central London. The claim concerned a business lease renewal under the Landlord and Tenant Act 1954 and a claim for a new lease under the principles of proprietary estoppel. The case has attracted news coverage including in The Telegraph, The Times, the Evening Standard and the Daily Mail.

Shah & Shah v Greening & Greening [2015]
A 2 day trial in the High Court concerning the specific performance of a contract for sale which raised issues of illegality and exceptional hardship.

Pressland v Sonigara [2015]
A 2 day trial at the County Court at Central London concerning the surrender of a lease by operation of law.

Hayatt v Cherwell District Council [2014]
First Tier Tribunal Property Chamber (Residential Property) appeal against the refusal to revoke an Interim Management Order.

Commercial

Charles is a specialist commercial barrister with an established reputation for handling complex, high-value disputes involving company law, insolvency, and commercial litigation. He is regularly instructed in matters requiring urgent intervention, including interim injunctions, freezing relief, strike out applications, and other emergency remedies—particularly in the context of shareholder disputes, boardroom deadlock, insolvency proceedings, and business-critical commercial disputes.

Charles is especially recognised for his expertise in contentious insolvency and company disputes, acting for insolvency practitioners, creditors, directors, shareholders, partnerships, and high-net-worth individuals. His practice spans individual bankruptcy matters through to multi-million-pound corporate insolvencies, unfair prejudice petitions, misfeasance claims, partnership breakdowns, and asset protection disputes.

He is frequently instructed in disputes involving distressed businesses, allegations of fiduciary misconduct, unlawful diversion of corporate opportunities, misuse of company assets, and disputes requiring urgent preservation of trading operations or corporate control.

Recent cases include:

C& anor v O Ltd & ors (2025–ongoing)

High Court unfair prejudice petition acting for minority shareholders in a multi-million-pound unfair prejudice petition arising from the breakdown of a restaurant venture established by former business partners from a two Michelin-starred business. The claim concerns exclusion from management, unauthorised related-party transactions, diversion of several million pounds to associated companies, and the transfer of valuable intellectual property.

Re PLL Ltd (A Company) [2026]

Charles successfully obtained a just and equitable winding up order in the High Court arising from a deadlocked company, where one of the Company's directors had removed the other director unlawfully.

Re D Ltd (A Company) [2026]

Charles successfully opposed a just and equitable winding up petition in the High Court. The main issue was whether the substratum of the Company had been exhausted and whether there was any tangible benefit in the winding up. Charles successfully argued that the although the substratum may have been lost, there would be no tangible benefit in the winding up and the Petitioner had alternative remedies (such as an unfair prejudice petition) such that just and equitable relief should be refused.

Re G Property Holdings v W & ors (2025)

Charles successfully obtained urgent High Court injunctive relief for a founding director of a property holding and management company with assets worth several million pounds, reversing an unlawful attempt by co-directors to remove his client from office, restoring his position as director, and obtaining declaratory relief concerning the invalidity of the

purported corporate resolutions.

Re SSS v P (2025)

Charles successfully struck out an urgent winding up petition presented against a national retailer with profits exceeding £3 million and approximately 200 stores nationwide. The petition arose from disputed commercial lease liabilities following vacation of premises. Charles successfully established that the petition was an abuse of process and that the underlying debt was genuinely disputed, raising significant insolvency and property law issues.

Re In the matter of PL Estatea LLP, in administration (2025)

Charles successfully obtained an administration order on behalf of creditors in relation to a family LLP holding assets worth approximately £3 million, principally real estate. Faced with irreconcilable deadlock between partners and attempts to withdraw partnership assets, Charles devised and implemented a strategic administration process that protected secured creditors and facilitated a solvent exit.

W v L (2025)

Charles acted for a shareholder and former director in an unfair prejudice petition concerning a quasi-partnership property holding company. The claim raised novel issues as to whether a refusal to maximise land development opportunities constituted unfairly prejudicial conduct. Charles secured a substantial settlement at mediation.

Restraint of Trade Injunction (2025)

Charles successfully obtained an emergency interim injunction restraining a former employee from competing with his client's business following the theft of confidential client and patient information. The matter involved complex issues concerning the enforceability of restrictive covenants and protection of goodwill.

Cross-Border Freight Services Injunction (2025)

Charles acted in urgent High Court proceedings concerning threatened suspension of critical data synchronisation services used in over 200,000 daily freight shipments, representing approximately 40% of the US LTL freight market. Charles successfully secured undertakings preserving business continuity while alternative operational arrangements were implemented. The dispute involved complex contractual interpretation and jurisdictional issues.

In the matter of M (2023)

Charles successfully defended a debtor facing bankruptcy proceedings in respect of liabilities of approximately £500,000, together with related High Court proceedings concerning a disputed debt of £375,000 arising from the alleged assumption of company liabilities by a director.

S v H (2022)

Charles successfully negotiated a substantial settlement in an unfair prejudice petition arising from a quasi-partnership dispute involving allegations of misappropriation of company assets, breaches of fiduciary duty, and undisclosed dividend and remuneration payments.

G P Ltd v C (2021)

Charles successfully represented a former employee (C) in getting a High Court claim brought by her former employer (G) dismissed and opposing an interim injunction being entered against her for a purported breach of confidentiality. It was alleged that C obtained G's commercially sensitive information and passed it onto her new employer. The context was that the G's former founding director had left G to set up a rival company and C had left G to join him. These proceedings were part of an attempt to obtain information to sustain G's claim against the former director.

In the matter of Sinton European Logistics Ltd (2019) [2019] 2 WLUK 327

Charles successfully represented the liquidator of Sinton European Logistics in a claim brought against the former director of

the company that had gone into creditors' voluntary liquidation. The director was liable to pay £20,360 to the liquidator in respect of various payments made, before the company had gone into liquidation, in breach of his fiduciary duty as director. (LTL 22/2/2019 EXTEMPORE: [2019] 2 WLUK 327)

Greatbatch v Sirius Marine Service Ltd (Re Rhapsody) [2018] EWHC 4062 (Admlty)

Charles successfully brought proceedings in the Admiralty Court in respect of defective workmanship carried out by the Defendant. The case raised issues as to the correct measure of damages for pleasure vessels.

Bayerische Motoren Werke AG v Technosport London Ltd & Agyeton [2016] EWHC 797 (IPEC)

High Court trial concerning passing off and trade mark infringement of the BMW word mark and roundel logo.

Doctor Associates Inc v Hussain [2014] EWHC 3384 (IPEC)

High Court application to set aside default judgment on terms in a passing off case.

GHML v Maroo [2012]

Led by David Berkley KC of 3PB for permission to appeal to the Court of Appeal on the fiduciary duties owed by directors. Advising a large group of companies on their standard terms and conditions and updating the same in light of the Consumer Rights Act 2015.

Professional Negligence

Charles regularly leverages his commercial litigation experience to advise and represent clients in range of professional negligence matters. He has acted in claims involving accountants, finance professionals, solicitors, surveyors, valuers, and architects. Notable work includes:

Advised the claimants in a claim brought against former accountants, raising complex issues concerning recoverable losses. The case involved complex consequential losses which arose from the negligent accountancy advice, in particular, a personal injury element caused by the cancellation of private medical insurance.

A High Court claim concerned the Defendant’s negligent survey of a yacht prior to the Claimant’s purchase of it. There were issues as to the extent of the contract, whether the Defendant was negligent and the amount of recoverable damages. Charles successfully secured a substantial settlement for the client, almost double the value of the vessel.

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Articles

They discuss how family members often contribute to the purchase of a home, but informal arrangements can lead to disputes over ownership, which judgment creditors seeking to enforce a final charging order should be wary of when trying to obtain an order for sale. The High Court's decision in Kroll confirms that the Presumption of Advancement now carries little weight and can be easily rebutted, with important consequences for judgment claimants seeking to enforce any judgments.

View Article

They discuss the recent decision of Reid-Roberts v Mei-Lin [2026] EWHC 49 (Ch) which provides a helpful gloss on the Court of Appeal case of Hudson v Hathway [2022] EWCA Civ 1648.

Hathway clarified the requirements for creating a constructive trust through a post-acquisition agreement about beneficial ownership. This article examines how later cases have applied these rules, particularly regarding electronic messages and

what counts as detrimental reliance. There are also helpful tips for practitioners dealing with trusts.

View Article

Lydia Pemberton, deputy head of 3PB's Property and Estate team, and Charles Irvine, a member of 3PB's Property and Estates team and Commercial team, have reviewed the new changes to the execution of documents brought about shortly before and since the COVID-19 pandemic and lockdown.

New ways of working have meant a rise in technology and electronic communications which brings new formalities when it comes to dealing with the execution of legal documents. In this article, Lydia and Charles assess the current rules on formalities of deeds and documents and give their detailed response to these frequently asked questions from private client and property solicitors:
· What constitutes signature?
· What amounts to attesting?
· What happens if a deed fails to meet the formality requirements?
· What about formalities for notices and section 44 of the Companies Act 2006?
· What is HM Land Registry's response to the COVID-19 lockdown?
· What are the formalities for wills?

View Article

3PB's specialist Property and Estates Barristers Charles Irvine and Rebecca Farrell have issued an updated guide on the rights of commercial landlords and their tenants during the Coronavirus pandemic.

The guide reviews the existing position for commercial landlords and their tenants as well as an update on the latest Government's announcement on 23rd April 2020.

View Article

3PB's Charles Irvine and Rebecca Farrell discuss Changing the locks during lockdown: The Coronavirus Act 2020, Commercial Property and Forfeiture

View Article

Articles

Goknur Gida Maddeleri Enerji Imalet Ithalat Ihracat Ticaret Ve Sanayi AS v Aytacli [2021] EWCA Civ 1037

Specialist commercial and property law barrister, Charles Irvine has reviewed the recent Court of Appeal case *Goknur Gida Maddeleri Enerji Imalet Ithalat Ihracat Ticaret Ve Sanayi AS v Aytacli* [2021] EWCA Civ 1037 in which one party applied for a non-party costs order.

View Article

Following the introduction of the Corporate Governance and Insolvency Act 2020 ("the CIGA 2020") and the associated Insolvency Practice Direction, 3PB's specialist commercial law barristers Charles Irvine and Rebecca Farrell consider winding up petitions in this context.

View Article

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View Article

Privilege under investigation: a commercial update by Charles Irvine. When will solicitor's working papers (as opposed to advice) attract privilege? And what is the scope of legal advice privilege ("LAP") and litigation privilege ("LP")?

Charles Irvine (call 2010) analyses the recent case of Director of the Serious Fraud Office v. Eurasian Natural Resources Corporation Ltd [2017] EWHC 1017 (QB), its impact on its impact for civil litigation.

View Article