



# Alexander Whatley

**Year of Call:** 2014

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## Overview

Alexander Whatley is a commercial, chancery and property barrister. He has been recommended in Legal 500 as a 'Tier 1 Leading Individual' in Commercial Litigation in 2023, 2024 and 2025 and Professional Negligence in 2025 as well as a Leading Junior in Commercial Dispute Resolution in Chambers and Partners 2024 and 2025. He also takes instructions in costs disputes.

Before joining the Bar, he worked in a City advisory firm conducting investigative corporate intelligence for global merchants and hedge funds in the field of international commodity trading.

Alexander is also available for instruction through Direct Access.

## Recommendations

Alexander Whatley of 3PB Barristers is a highly respected barrister with expertise in a range of commercial disputes. He is sought after for his prowess in areas including breach of trust, contractual disputes and property matters.

Strengths:

"Alexander is very user-friendly, good with clients and an easy barrister to use."

"Alexander is still relatively young but shows a good level of knowledge and insight into problems. He has proved himself a very good advocate."

**Chambers 2025**/Commercial Dispute Resolution /Western Bar

"Well prepared and quick on his feet."

"Alex has the ability to deal with all situations and can think on his feet to get a great result."

**Chambers 2024**/Commercial Dispute Resolution /Western Bar

'Alexander goes above and beyond to make himself available to assist the clients and turn around work with extraordinary attention to detail. He shows great support and provides the clients with in-depth knowledge.'

**Legal 500 2025**/Commercial Litigation/Leading Juniors/Western Circuit - Ranked in Tier 1

'Alex is affable and articulate, and his paperwork is prompt.'

**Legal 500 2025**/Professional Negligence/Leading Juniors/Western Circuit

'He is a great advocate and commands a courtroom. He also gives detailed advice and considers all areas of a dispute.'

**Legal 500 2024**/Commercial Litigation/Leading Juniors/Western Circuit - Ranked in Tier 1

'Alexander Whatley is a strong and persuasive advocate, with an excellent grasp of the facts and an ability to cut through to the heart of a matter. Exceptionally well prepared with a calm, analytical approach. He delivers clear, concise advice in a client-friendly manner.'

**Legal 500 2023**/Commercial Litigation/Leading Juniors/Western Circuit - Ranked in Tier 1

'Alexander has a very analytical mind. He is an extremely well prepared barrister who knows the client's case inside out. He provides his advice in an approachable and user-friendly manner.'

**Legal 500 2022**/Commercial Litigation/Leading Juniors/Western Circuit

## Academic qualifications

- Kaplan Law School, BPTC
- University of Southampton, LLB Law

## Scholarships

- Inner Temple Profumo Scholarship
- Inner Temple Major Exhibition Award
- Inner Temple Duke of Edinburgh Award
- Kaplan BPTC Future Potential Scholarship

## Professional qualifications & appointments

- London Commercial Bar Association
- Commercial Bar Association

# Expertise

## Commercial

Alexander's commercial practice encompasses agency disputes, claims for breach of warranty and misrepresentation, claims in respect of share purchase agreements and joint venture agreements, claims to enforce loans, guarantees and security, claims concerning real and personal property. He is comfortable working on all sizes of cases, from those involving individuals or small businesses through to high-value complex litigation.

### AGENCY

Alexander specialises in agency litigation ranging from recruitment/ estate agency commission disputes to High Court injunctions prohibiting agents from using confidential information and breaching non-compete clauses. He has extensive expertise in disputes that turn on the scope of an agent's express, implied and apparent authority. Alexander also regularly advises on actions arising out of the Commercial Agents Regulations 1993.

**M & Others v FG Limited [2024] Ongoing:** Acting for the Claimants in a high value estate agency commission dispute.

**RF v AG Ltd [2024] Ongoing:** Representing the Defendant in a brokerage fee dispute valued at £160,000.

**HS v DR Limited [2023]:** Represented the Defendant in an unpaid commercial agency fees dispute including allegations of breaches of fiduciary duties and fraud.

**T Ltd v G Ltd [2022]:** Represented the Defendant in a High Court Recruitment Agency dispute valued at £1.5m.

**LG Ltd v HD Ltd [2021]:** Represented the Claimant in a High Court estate agency claim valued at £1.1m.

**IR v TR [2022] HF Ltd v RF Ltd [2020], CS v HH Ltd [2019], FP Ltd v LT Ltd [2018], A T Ltd v M C Ltd [2018], W K v CWC Ltd [2018];** et al: Represented both Claimants and Defendants in a sequence of recruitment agency litigation – ATOW Alex has not lost a recruitment trial.

### APPEALS

**Fitzroy Place Residential Limited & Others v Lovitt & Others [2024] All ER (D) 91 (Mar):** Alexander successfully represented the Respondent Company and the appeal was dismissed. The appeal concerned the meaning of a standard form of lease used in a large and prestigious development in Central London comprising approximately 290 residential flats and commercial premises. Specifically, it related to the proportions in which the leaseholders of private apartments in the development are required to contribute towards the cost of services provided by the landlord to the development as a whole, and the extent of a discretion given to the landlord to vary those proportions.

**O v E [2024]:** Alexander successfully represented the Respondent in an Appeal of a decision to set aside a judgment. The appeal turned on the proper exercise of discretion in relying upon matters not in evidence.

### CIVIL FRAUD

Alexander has wide experience of claims involving allegations of fraud and dishonesty and related asset recovery, including obtaining and resisting freezing orders, claims for dishonest assistance, conspiracy claims, and claims for fraudulent misrepresentation and deceit.

**M & Others v H [2024]:** Represented the Claimants in the High Court successfully securing an interim and final freezing order with costs against the Defendant following the attempted dissipation of assets to avoid paying a judgment debt.

**LR Limited v M Limited & Others [2024]:** Successfully acted for the Claimant in High Court injunction proceedings for retaining of company property and data, breaches of confidentiality and breach of restrictive covenants.

**M Ltd v TM [2023]:** Acted for the Defendant in a High Court injunction for a Freezing Order against a high net worth individual

whose business was bringing an action against him for fraud.

**LFC Ltd v DH [2023]:** Acted for Defendant in action against a director of a football club including allegations of breach of director duties and fraud valued at £190,000.

## **CONTRACT**

**G & M v H [2025]:** Successfully represented the Claimants in three-day construction trial involving conflicting expert evidence, fraud and criminal damage. The Claimants beat their Part 36 Offer and secured punitive interest on costs and award in addition to their costs of two freezing order hearings in the High Court.

**RB v JK [2024], EB v HB Ltd [2024], BB Ltd v PB [2023]** et al.: Representing Claimants and Defendants in various construction disputes ranging in value up to £160,000.

**HS Limited v S Ltd & Others [2023]:** Acted for the Claimants in a £420,000 franchising dispute against an international fast-food chain.

**HP Ltd v ZC & others [2023]:** Acted for the Claimant in a dispute between an event planning and stage production company, successfully struck out the Defence and secured judgment of £110,000.

## **DEFAMATION**

**SM v LB & Others [2025] Ongoing:** Representing the Claimant in a defamation claim involving an international martial arts athlete and allegations of abuse.

**T & AUD Ltd [2023]:** Represented a Chief Executive in a defamation action against his former employer following allegations of improper financial reporting.

**MA & Others v IM [2023]:** Acted for four Claimants in a defamation action against one of the largest body of churches in the UK.

## **PROFESSIONAL NEGLIGENCE**

Alexander has acted in litigation against all manner of professionals including lawyers, surveyors/valuers and financial professionals.

### **Lawyers**

Alexander has substantial experience in the field of solicitors' negligence. He accordingly has specialist knowledge on issues including limitation (with a special interest in section 14A and section 32 of the Limitation Act), causation, duty of care, quantification of damages including loss of a chance and claims for contribution from third parties. He has acted in disputes involving allegations of negligence, breach of fiduciary duty and breach of trust against lawyers.

### **Surveyors & valuers**

Alexander is frequently instructed in claims against surveyors/valuers including complex valuation disputes involving hidden defects and building pathology experts.

### **Financial professionals**

Alexander has extensive experience in claims against IFAs and has recently acted in litigation involving unsuitable investment advice and mismanagement of investments.

**DC v WP LLP [2024]:** Acting for the Claimant against a firm of Surveyors in a dispute concerning alleged failures in a property survey.

**AM v RJS [2024]:** Acting for the Claimant against a firm of solicitors for defective conveyancing services.

**PR & GB v KBFS Ltd [2023]:** Acting for the Defendant in two separate claims brought against a financial services firm

following allegations of negligent pension advice.

**GFAP Ltd v BS [2023]:** Acting for the Claimant against a firm of solicitors following a number of failures in their conveyancing services including not advising on an SPV, restrictive covenants and Section 106 liabilities.

#### **Other recent cases**

**AS v C T Limited [2024]:** Represented a private individual in an action against a five-star hotel for failing to protect him against the criminal actions of third parties.

**S & S v D [2023]:** Successfully represented the Claimants in a three day trial. The Defendant had fallen asleep at the wheel and subsequently collided with the Claimants' house. The Defendant insurer denied any of the structural damage was caused by the collision due to cosmetic nature of the exterior damage. After days of cross examination of experts in the fields of structural engineering and building pathology the Court awarded the Claimants over £120,000 in addition to punitive costs and interest.

**RS v SB [2023]:** Acted for the Claimant in a dispute concerning fraudulent astrology services against a celebrity astrologer.

#### **Notable previous cases**

**SF Ltd v DC, LB & Others [2022]:** Represented three Defendants in a High Court dispute concerning claims of conspiracy, breaches of fiduciary duties and directors duties, constructive trusts and unjust enrichment.

**C's v H, H & L [2021]:** Successfully represented 22 Claimants in a 7-day trusts trial involving donors in a Muslim prayer group each of whom were alleging the Defendants had committed breaches of trust, failure to account and fraud.

**BP Limited v MM Ltd [2021]:** Represented the Claimant in a High Court planning contract dispute.

**CHS Ltd v TL Ltd [2021]:** Ongoing. Representing the Defendant in a £460,000 recruitment agency claim.

**P v D [2021]:** Successfully represented the Claimant in a dispute with his accountant concerning allegations of fraud, misrepresentation and unjust enrichment.

**L v C [2020]:** Successfully struck out the defective pleadings of an unrepresented party and secured a costs order for the Defendant.

**M v R [2020]:** Successfully represented the Claimant in High Court proceedings to recover a judgment debt through enforcement.

**C & C v D [2019]:** Represented the Claimants in a 3-day misrepresentation trial involving an alleged village conspiracy, abusive neighbours and the existence of ghosts.

**Bank v R & R [2019]:** Successfully acted for two individuals in a misrepresentation action against a national bank concerning a £250m fraud.

**R v M [2019]:** Successfully defended a contract claim arising out of a university start-up venture which had transformed into a multi-million-pound media company.

In the Matter of **W E PLC [2018]:** Successfully acted for the company in the High Court over the course of several months in an application to reduce their share premium account and transfer to special reserve in the amount of £6m.

## **Property and Estates**

Alexander Whatley's Property and Estates practice focuses on disputes between landlords and tenants and he is regularly instructed to advise on property disputes involving Breach of Covenants, Relief from Forfeiture, Construction Contracts and

Service Charges.

### **Commercial**

Alexander has a wealth of experience acting for large retailers, developers, pension trusts and public authorities, as well as commercial tenants.

- Service Charge Disputes
- High value boundary disputes including adverse possession
- Unlawful forfeiture and relief from forfeiture in high value commercial property
- Easements and Restrictive Covenants
- Opposed lease renewal under the Landlord and Tenant Act 1954
- Rent review
- Land registration disputes in the High Court, County Court, Property Tribunals and the Land Registry
- Rectification of documents and title

### **Residential**

Acting for both landlords and tenants, Alexander has extensive experience across the following areas:

- Service charges in high value residential property
- Mortgage and Tenancy Possession proceedings
- Tenancy Deposit disputes
- Injunctions
- Easements and Restrictive Covenants
- Boundary disputes
- Trespass and breach of quiet enjoyment
- Proprietary Estoppel
- Adverse Possession
- Contractual disputes on lease agreements

### **Recent Cases**

**Fitzroy Place Residential Limited & Others v Lovitt & Others [2024] UKUT 63 (LC):** Alexander successfully represented the Respondent Company and the appeal was dismissed. The appeal concerned the meaning of a standard form of lease used in a large and prestigious development in Central London comprising approximately 290 residential flats and commercial premises. Specifically, it related to the proportions in which the leaseholders of private apartments in the development are required to contribute towards the cost of services provided by the landlord to the development as a whole, and the extent of a discretion given to the landlord to vary those proportions.

**W v S [2024] Ongoing:** Alexander is representing the Respondent in a high value commercial boundary dispute with a national supermarket chain across three property jurisdictions.

**C v W Limited [2024] Ongoing:** Acting for the Respondent in a service charge dispute valued at over £1.2m.

## Costs

Alex Whatley has experience of costs hearings including:

- **Melloy v UK Insurance Ltd [2022] EW Misc 4 (CC)**: represented the Defendant in a hearing concerning the application of fixed costs in proceedings for damages that fall within Part IIIA of CPR45 and whether such Claimants are separately entitled to the costs set out in Table 6B.
- **C v D Ltd [2023]**: Alex successfully resisted three consecutive Applications for costs to be assessed on an indemnity basis each made at different stages of the litigation.'
- A costs hearing to determine the date on which the costs burden shifted from the claimants to the defendants, based on a judgment in the claimants' favour on the defendants' failure to account in a trusts case. Alex acted for the 22 claimants having also represented them during the seven-day trial.

## Articles

In this High Court judgment concerning two cross applications for strike-out and adding a party, the primary dispute related to an unpaid debt for investment consultancy services and the assignment of the sums due. The court decided that the prohibition of assignment clauses were valid and enforceable but that the claimant's application to join the original assigning party should proceed thereby allowing the claim to continue.

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3PB's commercial and property barrister Alex Whatley has written an analysis of *Advanced Multi-Technology for Medical Industry & Ors v Uniserve Limited & Ors [2024] EWHC 1725 (Ch)*, in which The High Court considered the circumstances in which an agent could bind its principal in making representations and variations in commercial contract agreements.

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3PB's commercial and property barrister Alexander Whatley analyses *Sherman v Reader Offers Limited [2024] EWCA Civ 412*, a breach of contract claim brought by a couple whose Arctic cruise was disrupted by the weather.

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Alexander Whatley has written, for LexisNexis, an article about breaching payment obligations under agency agreements in the case of *Aston Martin MENA Ltd v Aston Martin Lagonda Ltd*. The analysis highlights the partially-successful claim, following trial, brought against this well-known manufacturer of luxury cars by its exclusive distributor in the Middle Eastern, North Africa and Turkish ('MENA') region.

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3PB's commercial law barrister Alexander Whatley analyses the case of *Abigal Boura v Lyhfl Limited [2023] EWHC 2585 (Ch)*, a case in which the High Court had to consider whether one director has standing to apply to court for the appointment of an administrator in circumstances where there is no majority of the board and no valid resolution of the board in favour of the application.

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Alexander Whatley analyses the case of *Rolls-Royce Holdings Plc v Goodrich Corporation [2023] EWHC 1637 (Comm)*, a case in which the High Court had to consider if the original, contractual agreement between the two parties or the incorrect invoice issued by the supplier was to take primacy in this commercial dispute.

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3PB commercial, chancery and property barrister Alexander Whatley has written about the impact of the decision in *Barton v Morris [2023] UKSC 3*. He has been recommended in *Legal 500 (2023)* as a 'Tier 1 Leading Individual' in Commercial Litigation.

In torts such as deceit, where liability depends on the claimant acting in reliance on a statement made to him, the test for establishing vicarious liability is not the same as for other wrongs committed in the course of a servant's employment. Alex Whatley analyses the Court of Appeals recent decision in *Winter v. Hockley Mint Ltd* [2018] EWCA Civ 2480.

Alex Whatley is a Commercial Law barrister specialising in business disputes and Agency. [Click here to view his profile.](#)

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