



JESSICA HOPEWELL

Senior Associate

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BIOGRAPHY

Jessica has a broad practice across all areas of real estate disputes, and has extensive experience managing complex and high-value cases at all levels of the court system and in specialist tribunals. She advises landlords, developers, occupiers and funders in the real estate sector on a wide range of contentious property matters, including landlord and tenant issues, asset management queries, sale and purchase disputes, development constraints and joint venture disputes.

Jessica also has significant experience in specialist areas of property litigation. She works with developers to prepare and implement rights of light risk mitigation strategies (including insurance, service/registration of light obstruction notices and the use of s203) and defending injunction claims brought by neighbours. Jessica also has experience in business rates matters, such as advising clients on applicable reliefs, rates mitigation and valuation issues. She regularly advises

site providers on matters related to telecoms, including termination and removal of apparatus and access requests from operators.

Jessica is a member of the Property Litigation Association and sits on the committee for the Real Estate Balance Parents' Network.

ADMISSIONS

- England and Wales

RELATED CAPABILITIES

- Real Estate Disputes
- Litigation & Dispute Resolution
- Real Estate

EXPERIENCE

- Acted for one of the successful respondents (Tesco) in the Supreme Court case of *Cardtronics & ors v Sykes* (VO) [2020] UKSC 21, relating to the separate assessment of ATM sites in food stores for business rates. Jessica was involved before the first instance hearing in the Valuation Tribunal, and she continued to act on the case throughout the two appeals to the Upper Tribunal (Lands Chamber) and the Court of Appeal, before the hearing in the Supreme Court. Tesco was successful in both the Court of Appeal and the Supreme Court, which resulted in retailers receiving rebates in excess of £200 million.
- Acted for the successful seller in *Lodha Developers 1 GSQ Ltd v 1 GSQ1 Ltd* [2020] EWHC 2356 (Ch), a summary judgment claim concerning the termination of a £100M+ property contract of a super prime residential unit in 1 Grosvenor Square development in Mayfair.
- Acted for the successful tenant of a high-end art gallery in the heart of Mayfair in *Timothy Taylor Ltd v Mayfair House Corporation* [2016] EWHC 1075 (Ch), in which the Court considered how to balance a landlord's express rights to build reserved in a lease and the tenant's right to enjoy the premises pursuant to the covenant for quiet enjoyment and the landlord's implied covenant not to derogate from grant.

- Acted for St Martins in *Cornerstone Telecommunications Infrastructure Limited v (1) St Martins Property Investments Limited and another* [2021] UKUT 262 (LC), a dispute regarding the terms of access for a telecoms operator to carry out a multi-skilled visit.
- Acted for the successful respondent in *Jackson (VO) v Canary Wharf Limited* [2019] UKUT 136 (LC), which clarified the rateability of floors of a tower building undergoing redevelopment.
- Acted for the tenant in *Pullman Foods Ltd v The Welsh Ministers* [2020] EWHC 2521 (TCC), a dilapidations dispute concerning industrial premises in Swansea.
- Acted for the administrators in *TCG Pubs Ltd (in Administration) v The Master and Wardens or Governors of the Art or Mystery of the Girdlers of London* [2017] EWHC 772 (Ch), a dispute relating to the interpretation of a pre-emption right contained in a lease.
- Acted for the successful landlord in *Century Projects Limited v Almacantar (Centre Point) Limited* [2014] EWHC 394 in defending an interim injunction application brought by its tenant in relation to building works at the iconic Centre Point building in central London.

RELATED INSIGHTS

Insights

Jan 23, 2025

On your radar? 10 real estate risk areas to watch in 2025

As we look ahead to 2025, several key areas within the real estate sector are poised to see an uptick in disputes. This report outlines ten pressing issues that property owners, occupiers, developers and investors should be aware of.

Insights

Dec 19, 2024

Briefcase 2024 Quarter 4: Key Real Estate Cases and Updates

Insights

Sep 29, 2023

Briefcase 2023 Quarter 3: Key Real Estate Cases and updates

Insights

Jun 27, 2023

Briefcase 2023 Quarter 2: Key Real Estate Cases and updates

In this quarter's edition, we cover cases concerning continuing nuisance, business lease renewals, "subject to contract" and misrepresentation. We also tell you about the new Renters (Reform) Bill recently introduced to Parliament.

Insights

Jun 08, 2023

“For the rich but not the poor” but still entitled to charitable relief from business rates

In the case of London Borough of Merton Council v Nuffield Health [2023] UKSC 18, the Supreme Court unanimously held that Nuffield Health was entitled to charitable relief of 80% from its business rates liability in respect of a members-only gym, despite it only being “for the rich but not the poor”. If a charity is using premises for its charitable purpose it will be entitled to mandatory relief from business rates, irrespective of the public benefit from the specific premises. This decision brings welcome clarity, both for charities and property owners, in a climate where our High Streets continue to struggle to recover from the impact of the pandemic.

Insights

Dec 21, 2022

Briefcase 2022 Quarter 4: Key real estate cases and updates

Insights

Dec 14, 2022

What a relief! High Court grants relief from forfeiture of an option to take a new lease

This decision has confirmed that a court can grant relief from forfeiture in relation to a tenant’s option to take a new lease. It is a useful reminder for landlords that forfeiture does not apply solely to leases, and is a helpful example of the factors a court takes into account when considering whether or not to exercise its discretion to grant relief from forfeiture.

Insights

Sep 30, 2021

Briefcase 2021 Quarter 3: Key real estate cases and updates

Insights

Jun 05, 2020

Business Rates win for retailers in UK Supreme Court

The UK Supreme Court has given judgment on the rateability of the sites of ATMs hosted by retail outlets. It has ruled that ATMs operated by a company other than the store operator should be assessed as part of the host store. Separate assessments of ATMs sites, which resulted in significantly increased rates, were incorrectly made. There are wide ranging implications for retailers, both in relation to ATMs and in-store concessions.