Guy Fetherstonhaugh KC

Called 1983
Silk 2003



FCIArb, Hon RICS, Hon Arbrix

Guy Fetherstonhaugh KC specialises as an adviser and advocate in all aspects of property law, and has for many years acted as arbitrator, independent expert and legal assessor in property disputes of different kinds.

Member of the Chartered Institute of Arbitrators' Presidential Property Dispute Service.

Joint head of Falcon Chambers.

Qualifications

I was called to the Bar in 1983, and took silk in 2003.

I was a Member of the Supplementary Panel of Counsel (Common Law) for property law work, and was, until taking silk, Standing Counsel to the Rent Assessment Committee.

I have been joint head of Falcon Chambers since 2007 (www.falcon-chambers.com), and a Bencher of the Inner Temple since 2009.

I was made an Honorary Member of the RICS in 2011 and of Arbrix in 2012.

Fellow of the Chartered Institute of Arbitrators.

Publications

I am the author or joint editor of:

- Commonhold (OUP 2004)
- The Handbook of Rent Review
- The Litigation Practice (former Contributing Editor)

I am also a Blundell Memorial Lecturer (1998; 2005; 2009), and speak regularly on property law and arbitration generally.

Arbitration work – professional

- I am a member of the CIArb Presidential Property Dispute Service, and am acting as arbitrator in a case follwoing an appointment by the president.
- I acted as one of three arbitrators in a substantial property dispute, which involved a hearing in June 2013.
- I have been appointed as arbitrator in rent review and other property-related disputes on a number of occasions recently. All of these were disposed of by written representations without a hearing.
- I was appointed as independent expert to resolve a dispute over a Development Agreement in 2009, with a two day hearing.
- I am frequently instructed by arbitrators or parties to act as legal assessor in property arbitrations.
- I have appeared a number of times in the High Court (and twice in the Court of Appeal) in cases involving challenges to arbitrators' awards.

Arbitration work – written work

- Arbitrators' Guidance Notes: I have been on the Revision Committee for the last four editions of the RICS guidance note for arbitrators and independent experts in commercial property rent reviews. I was largely instrumental in the complete overhaul of the guidance note for the recently published and separate Ninth Edition for arbitrators and for independent experts.
- RICS publications: I have also assisted with the drafting of a number of other RICS practice statements, guidance notes and other materials (Surveyors acting as expert witnesses; Surveyors acting as advocates; Conflicts of interest; Expert witness accreditation scheme). I was delighted to be elected an Honorary Member of the RICS in 2011.
- Handbook of Rent Review: I have been co-author of the Handbook of Rent Review (which has a substantial arbitration section) for many years.
- Estates Gazette: I write a monthly column for this magazine. Many of my articles deal with arbitration topics in the property world.

Arbitration work - lecturing

- Arbrix: I have appeared at Arbrix meetings on a number of occasions, and have delivered papers and taken part in syndicate sessions in 2003, 2004, 2006, 2007, 2010 and 2012. I was delighted to be elected an Honorary Member of the Club in 2012.
- RICS: I am often asked to give papers (eg to the RICS Scotland Rent Review Conference in 2011; to the Telecoms Forum annual conference in 2009) on topics which often include arbitration, or are arbitration-related. I have accepted an invitation to act as an RICS expert witness assessor.
- RICS Independent Expert Course: I took part as a trainer on this course in 2009. I am being held in reserve as a trainer on the arbitrators' course (repeating some training that I took part in some time ago).
- Accessible Retail Professional Forum: I have given papers to their meetings over the last 5 years on topics relating to arbitration.
- Solicitors: I give many talks to Solicitors firms and other legal professional bodies (eg the Property Litigation Association; the Property Bar Association; the Chancery Bar Association) on arbitration and arbitration-related topics.
