

# Landmark Chambers

## Barrister CV

Jonathan Wills



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## Jonathan Wills

Call: 2006

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Jonathan specialises in property and planning law, and is often instructed on cases where there is a crossover between those two areas. He has a particular specialism in matters relating to the Electronic Communications Code.



### Expertise

Property, Planning

## Contact Practice Managers

### Mark Ball

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## Practice Summary

Jon is a property litigation barrister, with a particular specialism in the Electronic Communications Code.

Please see the [Telecommunications](#) tab for more details of this area of his practice.

His experience in the planning field means that he is particularly well-placed to advise on property matters with a planning law element to them.

Please see the tabs above for further details.

## Property

Jon is regularly instructed to appear in the High Court, with recent experience including cases involving forfeiture, landlord's consent and party walls. He is often instructed to obtain interim remedies in the Chancery Division, including injunctions and freezing injunctions. In the County Court, his recent experience includes a substantial recent forfeiture trial.

He is instructed to advise on the full range of property related matters, including commercial and residential landlord and tenant disputes, lease renewals, dilapidations, easements, restrictive covenants, land registration, land contracts, leasehold enfranchisement, possession actions, nuisance, and boundary disputes.

Jon has substantial experience of appearing before the tribunals, including a five-day land registration trial in which he succeeded in resisting an application to remove his client from the proprietorship register of land, despite it having been determined that such registration had constituted a mistake.

Jon is regularly instructed in appeals relating to Assets of Community Value, both at the local authority review stage, and before the First-tier and Upper Tribunals.

## Telecommunications

Jon has a particular specialism in matters under the Electronic Communications Code. He has appeared in a large number of the reported cases in England since the Code came into force, and regularly speaks at conferences and seminars on topical matters under the Code.

Because of his Code work, he is ranked in the Telecoms field in the 2022 edition of Chambers & Partners, which includes the following comments:

*'He is commercial and practical, and knows how things work on the ground.'*

*'He is a good advocate who is thorough in his written work.'*

*'He has an impressive knowledge of the interaction between the ECC and the Landlord and Tenant Act 1954.'*

He is similarly ranked as a leading junior in the 2022 edition of Legal 500. The 2021 edition also said this about him:

*'He is calm, succinct and knowledgeable. His written work is of the highest standard and generally hits the nail on the head in a concise and easy to understand fashion.'*

He appeared against a silk as sole counsel for the Site Provider in **EE Ltd v Islington**, the first case under the New Code relating to consideration and compensation.

He also appeared against a silk as sole counsel for the successful Site Provider in the **CTIL v University of the Arts** case, which was the first decision in a Code case in which the principle of a code agreement was in dispute under para 21.

Other successful recent appearances include in the Upper Tribunal in **Ashloch**, and in **Arqiva v AP Wireless**, both of which went to the Supreme Court.

He also represented the Site Provider in the first redevelopment case under the New Code (akin to the 1954 Act ground (f)) in the case of **Meyrick (also known as EE v Chichester)**, and acted in the **University of London** case in the Court of Appeal.

He sought and obtained permission to appeal to the Court of Appeal on numerous grounds in the **On Tower (Dale Park)** case, and also appeared at the interim stage in the case of **EE v Stephenson**.

He has significant experience in the area of telecoms lease renewals under the 1954 Act. In this regard he appeared at three interim hearings in what was to be the first such case, in **Vodafone v Portsmouth Water** (before the matter settled), and in late 2021 appeared against a silk at a three-day trial before Martin Rodger QC in **EE v Morris**, a case determining a number of legal points relating to the valuation of rent in respect of 1954 Act telecoms leases.

More recent cases which have drawn case comment online include:

- **CTIL v St Martins Property** in which intrusive works were successfully resisted at the interim stage
- **Crawley BC v EE**, in which Jon, acting against a Silk, obtained the first Order for the removal of apparatus under the Code
- **EE v HSBC**, in which the Deputy President held that the usual Order of the Tribunal in para 26 cases where the parties agree that an agreement should be imposed is that the Operator pays the Site Provider's costs.

## Planning

Jon has wide experience of planning and environmental work. He regularly appears at planning inquiries, both for developers and for local authorities. He has experience of a broad range of inquiries, from enforcement inquiries to substantial 'recovered' appeals.

Examples include acting for Tewkesbury Borough Council in a two-week long inquiry regarding an application of national importance for a gas pressure reduction installation made by National Grid (represented by David Holgate KC), and for a regulatory body in the Thames Tideway Tunnel DCO examination process.

He has been instructed in a number of judicial reviews and statutory appeals in the High Court and Court of Appeal. One example is the case of **R (Bibb) v Bristol City Council** in which he successfully obtained permission for the judicial review of the grant of planning permission relating to the Tesco store in Bristol that has been at the centre of riots and protests.

He regularly advises on all aspects of planning law and procedure including Environmental Impact Assessment, compulsory purchase, use classes, enforcement action and listed buildings. Additionally he has significant experience of defending planning related prosecutions in the criminal courts.

## Telecommunications

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More recent cases which have drawn case comment online include:

- **CTIL v St Martins Property** in which intrusive works were successfully resisted at the interim stage
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- **EE v HSBC**, in which the Deputy President held that the usual Order of the Tribunal in para 26 cases where the parties agree that an agreement should be imposed is that the Operator pays the Site Provider's costs.

## Qualifications

- BA (Hons) in Social and Political Sciences from St John's College, Cambridge - 2001
- MA (Cantab) - 2004

- Distinction in the Graduate Diploma in Law at BPP Law School - 2005
- Bar Vocational Course: Very Competent BPP Professional Education Law School - 2006

## Recommendations

"Inventive and good at thinking around difficult points, he always finds sensible ways to argue a case. He is good at getting judges to listen to him."

**Telecommunications, Chambers and Partners, 2024**

"Jon is unflappable, creative, commercial and good with clients. His written work is also excellent."

**IT and Telecoms (Infrastructure and Contracts), Legal 500, 2024**

"He stands out for his dynamism, quick wit and ability to make highly technical concepts easy to understand."

**Telecommunications, Chambers and Partners, 2023**

"He is commercial and practical, and knows how things work on the ground." "He is a good advocate who is thorough in his written work."

**Telecommunications, Chambers and Partners, 2022**

"Jonathan is carving a very valuable niche in being a good junior for telecom work."

**Planning, Legal 500, 2022**

## Cases and inquiries

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| 29 05 18 | Newham LBC v Miah [2016] EWHC 1043 (Admin)  |
| 29 05 18 | Keenan v Woking BC [2016] EWHC 427 (Admin)  |
| 29 05 18 | Sang Kook Suh v Mace (UK) Ltd [2016] EWCA Civ 4; [2016] 2 P. & C.R. DG3   |
| 29 05 18 | Miaris v Secretary of State for Communities and Local Government [2016] EWCA Civ 75                                       |
| 29 05 18 | Ioannou v Secretary of State for Communities and Local Government [2014] J.P.L. 608                                       |
| 24 05 18 | R (on the application of Khodari) v Royal Borough of Kensington & Chelsea Council (Court of Appeal Case No: C1/2015/4101) |
| 24 05 18 | Pearce v Connelly [2017] UKUT 39 (LC)   |

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| 24 05 18 | R (on the application of Hilton) v Secretary of State for Communities and Local Government [2016] EWHC 1861 |
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| 24 05 18 | No.1 West India Quay (Residential) Ltd v East Tower Apartments Ltd [2016] EWHC 2438 (Ch) |
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| 23 02 16 | R (on the application of Gerber) v Wiltshire Council [2016] EWCA Civ 84 |
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| 31 10 14 | Ioannou v Secretary of State for Communities and Local Government [2015] 1 P.& C.R. 10 |
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| 26 02 14 | Court of Appeal rules on planning enforcement offences |
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