

# Andrew Williams

Call 1994



## Clerks

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## Memberships

- Northern Circuit Commercial Bar Association (former committee member)
- Professional Negligence Bar Association
- Property Bar Association
- Chancery Bar Association
- Northern Chancery Bar Association

## Education

- Inns of Court School of Law (1993-94) (Entrance Scholar)
- Birmingham University (1990-93)
- Liverpool Blue Coat School (1983-90)

## Property

Andrew has a very specialised Real Estate litigation practice. Accordingly he has extensive experience of almost every type of property dispute.

Chambers and Partners 2024 states that he is a “**formidable advocate**” and that his “**knowledge of property law is second to none**”.

He has appeared in courts and tribunals at all levels all the way up to the House of Lords/Supreme Court.

As a former university lecturer in land law and with over 25 years’ experience at the Chancery bar, he is frequently involved in complex property litigation. He has appeared in numerous reported decisions and his articles on property law topics have been published extensively, mainly in specialist journals.

During the first few months of 2024 alone, Andrew’s work is due to include:

- Conducting a 5-day trial against a chancery silk (landlord and tenant covenants)
- Conducting a trial against a chancery silk (land development agreement, sale of land)
- Leading a junior in the Court of Appeal (probate-based dispute)
- Contested application before a designated civil judge (property fraud and land registration)
- Conducting a 4-day trial (re meaning of statutory provisions concerning adverse possession)

Andrew’s practice extends to:

- All aspects of commercial & residential Landlord and Tenant: e.g. dilapidations, business tenancies, forfeiture, service charges, leasehold enfranchisement, agricultural tenancies

- Proprietary estoppel, adverse possession, restrictive covenants, mortgages, sale of land, beneficial interest disputes
- Solicitors negligence claims arising out of property transactions
- Nuisance, boundary disputes, easements, possession claims
- Property-based estates disputes and partnership disputes
- Overage, options and land development disputes
- Real estate litigation of all types

## Cases

### REPORTED AND INTERESTING CASES

***Raja & others v Holden & others* [2024] Commercial Court (KBD), HHJ Halliwell sitting as high court judge:** disposal hearing arising out of trial of deceit/fraudulent misrepresentation claim re purchase of development property. (Trial on liability is reported at [2022] EWHC 3085 (Comm) and Estates Gazette (17 Dec 2022, PP 2022/218))

***Brealey v Shepherd & Co* [2024] EWCA Civ 303:** leading Court of Appeal case re executors' costs of administering an estate comprising a high value property

***Wroot Council v Nightingale and others* (2024) REF/2020/0179 & REF/2022/0605:** adverse possession claim arising out of payment of rent under tenancies granted by squatter

***Severn Trent Water Ltd v Morgan* (2023) REF 2021/10:** rectification of transfer under s. 108(2) Land Registration Act 2002

***Daniel James Adams v Thomas James Cecil Jones* [2021] 1 P.&C.R. DG22:** leading case on applications for succession tenancies under the Agricultural Holdings Act 1986

***Dowse v Bradford Metropolitan Borough Council* [2021] 1 P.&C.R. 8:** adverse possession leading case involving the construction of the para 5(4) condition of sched 6 Land Registration Act 2002.

***Re: Cwmni Rheoli Pentref Marina Conwy Cyfynedig* [2021] EWHC 1275 (Ch):** whether s. 84(2) of the LPA 1925 (restrictive covenants) can be relied upon in a particular novel situation.

***Anaghara v Anaghara* [2021] P.&C.R. DG16:** proprietary estoppel & probate

***Palmer v Rowbottom* [2020] HHJ Kramer as s. 9 judge, 4-day trial:** implied easements, proprietary estoppel, electricity supply

*Bruckfern Ltd v Gillian Whalley* (HHJ Hodge QC (s. 9) Ch Div, 2018): trial and appeal on the construction of an option to purchase land with unusual time provisions

*Stephanie Brennan v Lawrence Oliver* (HHJ Mark Raeside QC (s. 9) 2017): trial of high value Inheritance Act claim

*The Croft (Bickershaw) Ltd v Brian Smith and others* [2017] UKUT 339 (LC) [2017] 8 WLUK 303: application to discharge restrictive covenants. Burden of proving entitlement to object

*Paul Dickson v NFU Mutual Insurance Services Ltd and others* [2017] 6 WLUK 175: solicitors' liability for costs of litigation between 2 parties whose dispute arose out of the fraud of a former employee of the firm

*Black & White v Measures* [2016] Ch D (HHJ Bird) 5 day trial: easements, nuisance, development agreement, economic torts, slander of title

*Williams & Williams v Blundell, Blundell & Malthouse* [2016] MAN/ooCA/OAF/2015/002: imposition of restrictive covenants on purchases of freehold interest under Leasehold Reform Act 1967

*District & Urban Housing Ltd v. Persons Unknown* [2015]: TV and news coverage (claim against "Love Activists" who took over former Bank of England building, Liverpool)

*Morgan v. Arriva Northwest and Dures* [2015] [QBD] Simler J, PILJ 140, Westlaw 2015 WL 474488: conflicts of interest, strike out

*Lafarge Aggregates Ltd. v. Ronald Davies & another* [2012] Ch D: option to purchase land, overage

*Nick Griffin, British National Party and Simon Darby v. Kenneth Smith* [2012] QBD, national newspaper and TV coverage: injunctive relief re BNP membership list

*Wirral M.B.C. v. Leighton* [2006] national radio and newspaper coverage: residential landlord and tenant, ASBO possession claim

*Wirral M.B.C. v. Boden* [2003] national newspaper coverage: residential landlord and tenant, ASBO possession claim

*Bromilow v. Linskills* [2000] QBD – extensive national newspaper and TV coverage: Solicitors negligence, Hillsborough

*Re Higham (a bankrupt)* [1997] B.P.I.R. 349: insolvency, transfer of title to property

*State Bank of India v. Sood* [1997] 1 W.L.R. 1568 (House of Lords), [1997] Ch 276, [1997] 2 W.L.R. 421, [1997] 1 All E.R. 63 (Court of Appeal): overreaching of beneficial interests in land

## Recommendations

“Andrew is exceptionally bright, and has an encyclopaedic knowledge of property law. Not only does he have a sharp intellect and an ability to think on his feet without ever giving the impression of being caught off guard or flustered, he is also extremely personable and engaging.”

“Andrew is exceptionally bright, and one of his strengths, if not his greatest, is his ability to simplify and take people through what are often complicated areas of law, without being condescending, aloof, or arrogant. Not only does he have a sharp intellect and an ability to think on his feet without ever giving the impression of being caught off guard or flustered, he is also extremely personable and engaging, both in and out of court.”

**The Legal 500 2024**

“He has a good manner with clients and is scrupulously careful about his advice. He is a strong advocate, always well prepared and ready for anything unexpected in a courtroom.”

“His measured and careful approach in an area of law where tensions can run very high serves to soothe client nerves.”

“Andrew’s knowledge of property law is second to none. He is measured and has a careful approach in an area of law where tensions can run very high and he is able to soothe client nerves.”

“He is a careful, diligent and formidable as well as technical advocate.”

**Chambers and Partners 2024**

“Exceptionally bright, Andrew has a knack for taking what can be mundane, dry, and complex legal points, and explaining them in a way to Clients, lawyers and judges that provides clarity.”

“Andrew is very knowledgeable, experienced, analytical, thorough, approachable, and very strong and robust in defending his clients’ interests. Not only is he gifted from a legal, academic and procedural point of view, but also his advice and approach generally are very practical and tailored to achieving the best outcome for his clients.”

**The Legal 500 2023**

“Andrew Williams has a strong profile in the market. Sources point to his commercial approach and user-friendly advice. He regularly handles disputes regarding leases, possession, restrictive covenants and professional negligence.”

**Chambers and Partners, 2023**

“He has encyclopaedic knowledge of property litigation.”

**Chambers and Partners, 2022**

“Andrew is extremely knowledgeable and is very approachable. Excellent advocacy skills and also very thorough in all advices provided. All written work is done promptly and the detail is exceptional. Advocacy provided is always thoroughly researched and prepared and delivered with great skill.”

“Andrew is articulate, always very well-prepared, approachable and gets to the heart of a case quickly. He is formidable in court but maintains a calmness that the clients like but the opponents don’t”

**The Legal 500, 2022**

“He gets to grips with complex issues very quickly and speaks to clients on their level.”

“He has profound knowledge of the property sector.”

**Chambers and Partners, 2021**

“He is an “on the ball” and modern barrister.”

“Diligent, personable and tenacious. A very pleasant opponent but a very tough one.”

**The Legal 500, 2021**

“Experienced in contract and partnership disputes.”

“He has a great academic understanding of the law.”

**The Legal 500, 2020**

“Diligent and meticulous.”

**The Legal 500, 2018/19**

“Recommended for a broad range of property matters.”  
The Legal 500, 2017

“Extremely knowledgeable and proactive.”  
The Legal 500, 2016

## Publications

- Misfeasance in public office: the need to plead (Local Government Lawyer, May 2018)
- Commercial landlord & tenant: Remedies for tenant disrepair during the currency of the term (Property Law Journal, October 2016)
- Local authorities’ powers to obtain possession of land (Local Government Lawyer, October 2015)
- Evicting squatters (Manchester Evening News, Business Section, October 2015)
- Damages in private nuisance claims (Property Law Journal 334, July 2015)
- Flooding Claims (Property Law Journal 326, November 2014)
- Positive freehold covenants and Goodman v. Elwood (Property Law Journal 318, February 2014)
- Solicitors undertakings and Clark & Clark v. Lucas (Property Law Journal 237, 5 October 2009)
- Failure to complete land transactions (Property Law Journal 217, October 2008)
- Terminating Assured Shorthold Tenancies (New Law Journal, Vol. 156 No. 7244, 13 October 2006)
- Resiling from admissions (New Law Journal, Vol. 156 No. 7218, 31 March 2006)
- Surrenders of leases and Belcourt Estates v. Adesina (Solicitors Journal, Vol. 149 No. 38, 7 October 2005)
- Public Rights of way and McGeown v. Northern Ireland Housing Exec (New Law Journal, Vol. 153 No. 7096, 19 Sep 03)
- Andrew has also been invited to write book reviews for the New Law Journal on the following texts:
  - Maudsley & Burn’s Land Law Cases and Materials (New Law Journal, Vol. 155 No. 7172, 15 April 2005)
  - Boundaries Walls & Fences: Aldridge (New Law Journal, September 2004)
  - Charging Orders Against Land: Law, Procedure and Precedents: Walker and Buckley (New Law Journal, Vol. 154 No. 7137, 16 July 2004)