



## Joanne Wicks QC

Call: 1990

QC: 2010

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### Clerks' Details

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### Qualifications and Appointments

- First Class degree in Jurisprudence and Gibbs Prize in Law, Oxford University
- Bachelor of Civil Law degree, Oxford University
- Kennedy and Hardwicke Scholar of Lincoln's Inn

*“Extremely knowledgeable, very bright, client-friendly and responsive”*

Chambers & Partners 2018

### Memberships

- Property Bar Association
- Chancery Bar Association
- Professional Negligence Bar Association
- Women in Property
- Bar Pro Bono Unit panel
- ARBRIX

### Practice Overview

Joanne has a broad commercial chancery practice with an emphasis on property litigation and related professional negligence. She is ranked Band 1 of Leading Silks for Real Estate Litigation by Chambers & Partners 2019, which says **“she has the ability to cut through the issues and be pragmatic and commercial.”** **“She is an asset to any legal team and is an absolute pleasure to work with.”** **“An excellent advocate and an enviable opponent for all who come up against her.”** She was also ranked Band 1 in Chambers & Partners 2018 for Real Estate Litigation, being described as having a **“fine reputation as a top real estate QC”** and is **“a joy to work with, really approachable and excellent at problem solving”**. The Legal 500 2019 edition describe Joanne as **“trustworthy and reliable, as well as being technically excellent”**. She was also rated as one of the most highly regarded silks for Real Estate in Who's Who Legal UK Bar 2018, which says **“she's absolutely excellent”**. Other advocates describe her as **“a court opponent I would treat with the utmost caution and respect”**. Joanne was named The Times' 'Lawyer of the Week' in March 2019 for her work on the case of *Canary Wharf (BP4) T1 Ltd v European Medicines Agency*.

Joanne's strength is the ability to combine intellectual rigour with a good understanding of her clients' commercial interests and a determination to find the best way to serve them. She is recognised for the quality of her courtroom skills and her ability to deliver advice on the most complex of problems in a clear and client-friendly manner.

As well as appearing in courts and tribunals at every level, Joanne has very considerable experience of arbitrations and expert determinations, having acted in a substantial number of cases resolved by these means in recent years. She accepts instructions to act as an arbitrator or an independent expert in her specialist practice areas and also advises non-lawyer arbitrators and independent experts, as well as routinely acting as an advocate in arbitration or expert determination proceedings. Joanne is also an accredited mediator.



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## Property

Joanne is recommended as a Leading Silk for property/real estate litigation in the major legal directories. Chambers & Partners 2019 describes Joanne as **"an excellent advocate and an enviable opponent for all who come up against her"**. Who's Who Legal UK Bar 2018 says she is **"one of the most highly regarded names"** in the field of Real Estate.

Joanne's practice encompasses all aspects of property law. She acts in disputes resolved through litigation, arbitration and expert determination and also advises transactional lawyers on title issues and the drafting of property contracts. Joanne takes instructions from surveyors and other professionals eligible to instruct the Bar directly.

### Her property practice includes:

- Representing the successful tenant in the Supreme Court in *S Franses Ltd v The Cavendish Hotel (London) Ltd* [2018] UKSC 62, a landmark judgment which establishes that a landlord cannot object to its business tenant's application for a new tenancy on ground (f) – the redevelopment ground – with a scheme of works which it would not carry out if the tenant left voluntarily.
- Acting for Canary Wharf Group in successfully resisting the claim by the European Medicines Agency that the Agency's 25-year lease of premises in Canary Wharf will be frustrated when the UK leaves the EU (*Canary Wharf (BP4) T1 Ltd v European Medicines Agency* [2019] EWHC 335 (Ch)).
- Obtaining permission to appeal to the Supreme Court in *Duval v 11-13 Randolph Crescent Ltd* [2018] EWCA Civ 2298, a case concerning covenants which are found frequently in leases of residential blocks of flats and which the Court of Appeal has held affect a landlord's ability to authorise structural alterations to a flat.
- Representing the appellant in *Churston Golf Club v Haddock*, in which the Court of Appeal considered the anomalous "fencing easement" and whether such a right had been created by an express covenant to fence (judgment awaited).
- Appearing for the prospective purchaser of an office block in Luton, which recovered its deposit and damages following fraudulent misrepresentations by the seller (*Greenridge Luton One Ltd v Kempton Investments Ltd* [2016] EWHC 91).
- Appearing for a developer seeking to establish that a covenant imposed to secure overage was not binding upon it (*Bryant Homes Southern Ltd v Stein Management Ltd* [2017] P & CR 6).
- Acting for Joseph, the fashion retailer, in a claim against Stella McCartney Ltd under the Landlord and Tenant Act 1954 in relation to a shop in Old Bond Street.
- Acting for a right to manage company on an appeal by a landlord to the Court of Appeal contesting its acquisition of the right to manage under the Commonhold and Leasehold Reform Act 2002 (*Miltonland v Platinum House (Harrow) RTM Co Ltd*).
- Representing a supermarket chain in a dispute as to whether a contract to acquire a site was properly terminated because the planning permission was not 'satisfactory' (*Norcros Estates Ltd v Optimisation Developments Ltd & WM Morrison Supermarkets Plc*).
- Advising the developer of a very substantial London site on the impact of a scheme of restrictive covenants affecting part of it.