Falcon Chambers

Fern Schofield

Called 2018



Practice Summary

Fern Schofield (née Horsfield-Schonhut) practises in all areas of real property and landlord and tenant law, in both commercial and residential contexts, and has developed a busy court and advisory practice.

Fern has particular expertise in telecoms law and has appeared in numerous cases under the New Code, including as junior counsel for the site provider in three conjoined appeals to the Supreme Court. She is also a contributing author to the chapter on 'Rents and Rent Reviews in Electronic Communications Agreements' in the Handbook of Rent Review.

Fern's recent cases and advisory matters have included the following areas:

- Residential landlord & tenant, including possession proceedings, tenancy deposit claims, service charge disputes and enfranchisement
- Commercial landlord & tenant, including forfeiture, dilapidations and opposed and unopposed renewals under the Landlord & Tenant Act 1954
- Telecoms
- Land registration
- Easements
- Adverse possession
- Boundary disputes
- Restrictive covenants
- Nuisance and trespass
- Mortgages, including FCA regulation and the position of the mortgagee on sale
- Charging orders
- Trusts of land and TOLATA

Education

- BA Modern & Medieval Languages (German and French), Newnham College, University of Cambridge – First class

- Graduate Diploma in Law, City University of London – Distinction
- LLM in Professional Legal Practice, City University of London - Merit

Professional

- Bar Professional Training Course, City Law School, London (Very Competent)
- Jarman Advocacy Prize, Inner Temple, 2019 (highest pupil advocacy prize)
- BPTC Exhibition Award, Inner Temple, 2017
- Paul Methven Scholarship, Inner Temple, 2017
- GDL Exhibition Award, Inner Temple, 2016
- Creighton Memorial Prize, Newnham College, 2016 (outstanding dissertation)
- Margaret Gardner Prize, Newnham College, 2016 (academic excellence)
- Alastair Graham Scholarship, Alton College, 2010

Reported cases

- **On Tower UK Limited v Icon Tower Infrastructure Limited** [2026] UKUT 89 (LC) ('Queen's Oak Farm') - Junior Counsel for the appellant site provider (led by Wayne Clark KC), in an appeal concerning redevelopment intention and a number of other issues under the Electronic Communications Code.
- **AP Wireless II (UK) Ltd v EE Ltd** [2026] UKUT 45 (LC) ('Equipoint') - Junior Counsel for the appellant site provider (led by Wayne Clark KC), in an appeal concerning occupational status and a number of jurisdictional issues under the Electronic Communications Code.
- **On Tower UK Ltd v AP Wireless II (UK) Ltd** [2025] UKUT 280 (LC) – Junior counsel for the Respondent (led by Wayne Clark KC) in an appeal concerning the impact of the Product Security Telecommunications Infrastructure Act 2022 on the appropriate sharing terms for greenfield sites under the Electronic Communications Code.
- **Potting Shed Bar Gardens Ltd (formerly known as Gencomp (No.7) Limited) v AP Wireless II (UK) Limited** [2023] EWCA Civ 825 – Junior counsel, led by Wayne Clark, in a case considering the mechanics of renewal and imposition of agreements under the Electronic Communications Code.
- **On Tower Ltd v AP Wireless (II) (New Zealand Farm)** [2022] EW Misc 6 (CC) – Junior counsel, led by Wayne Clark, in a 1954 Act renewal of a telecommunications agreement considering terms and valuation
- **Vodafone Ltd v Gencomp** (No.7) Ltd [2022] UKUT 223 (LC) – Junior counsel, led by Wayne Clark, in a case considering the mechanics of renewal and imposition of agreements under the Electronic Communications Code
- **EE Ltd v Stephenson** [2022] UKUT 180 (LC) – Junior counsel, led by Wayne Clark, in a Part 5 Code renewal considering terms, consideration and compensation
- **On Tower Limited v AP Wireless II (UK) Limited** [2022] UKUT 152 (LC) ('Audley House') - Junior counsel, led by Wayne Clark, in a Part 5 Code renewal considering numerous disputed terms across 3 sites
- **Cornerstone Telecommunications Infrastructure Ltd v Compton Beauchamp Estates Ltd** [2022] UKSC 18 – Junior counsel, led by Wayne Clark and Christopher Pymont QC, in three appeals to the Supreme Court considering the meaning of 'occupier' for the purposes of the Code
- **EE Limited and Hutchison 3G UK Limited -vs- Aviva Investors Ground Rent Holdco Limited and Aviva Investors Ground Rent GP Limited** [2021] UKUT 0057 (LC): Sole counsel in a case under the Electronic Communications Code consider when para 26 interim rights are appropriate and costs

discretion

- **Vodafone Limited v Hanover Capital Limited** [2020] EWMisc 13(CC) – Junior counsel, led by Kester Lees, in the first reported decision concerning determination of rent under the Landlord and Tenant Act 1954 where the renewed lease will be an agreement under the Electronic Communications Code.
- **On Tower UK Limited v. JH and FW Green Limited** [2020] UKUT 0348 – Junior counsel, led by Kirk Reynolds QC, in the first Part 5 renewal determined by the Upper Tribunal under the Electronic Communications Code, concerning consideration payable for a rural greenfield site.
- **CTIL v Compton Beauchamp Estates Ltd** [2019] EWCA 1755, CA – Junior counsel, led by Wayne Clark, in the first case under the new Electronic Communications Code to reach the Court of Appeal, concerning who is the 'occupier' for the purpose of granting code rights.
- **Bate v Affinity Water Ltd** [2019] EWHC 3425 (Ch) – Junior counsel, led by Guy Featherstonhaugh QC, in a case concerning the legal basis of the presence of a water main, involving acquisition of easements by prescription and the exercise of statutory powers.

Publications

- **Some (Equi) Points of Principle – Code Rights and the 1954 Act (2026)** 30 L. & T. Rev., Issue 5
- **The Party Never Ends: A Second Appeal on Code Operator Status (2026)** 30 L. & T. Rev., Issue 3
- **Breaking point: Break notices and the Electronic Communications Code** (2025) 29 L. & T. Rev., Issue 5
- **The Meaning of "Operator….who is Party to a Code Agreement"** (2025) 29 L. & T. Rev., Issue 4
- **A closer look at lease and licence issues in telecommunications agreements** (2024) 28 L. & T. Rev., Issue 6
- **Break Notices under the Electronic Communications Code and the Latest Developments** (2024) 28 L. & T. Rev., Issue 3
- **Recent Developments under the Electronic Communications Code – Part 2** (2022) 26 L. & T. Rev., Issue 6
- **Recent Developments under the Electronic Communications Code – Part 1** (2022) 26 L. & T. Rev, Issue 5
- **To the victor the spoils?** (with Anthony Tanney) New Law Journal, vol 172 7990
- **Pushing the limit? Unlimited sharing and upgrading rights under the Electronic Communications Code** (2022) 26 L. & T. Rev, Issue 2
- **Handbook of Rent Review**, 'Rents and Rent Reviews in Electronic Communications Agreements' (contributing author)
- **Telecommunications - Lease Renewal under the EC Code or 1954 Act?** (2021) 25 L. & T. Rev., Issue 6
- **Ringing the Changes: Government Consultation on the New Telecoms Code** (2021) 25 L. & T. Rev., Issue 4
- **A new lease of life: the first renewal under the Electronic Communications** Code (2021) 25 L. & T. Rev, Issue 3
- **Tenancy Renewals of Telecommunications Sites** (2021) 25 L. & T. Rev, Issue 1

Published Comments

"Fern is highly diligent, responsive and hugely knowledgeable. She is a great member of any legal team."
Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)

"Fern navigated the matter excellently, with great responsiveness and advocacy in person. She was incredibly reliable and responsive. She's absolutely indispensable, with excellent attention to detail and knowledge of the case and underlying documents; a massive asset to the team." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Fern is great – an effective advocate who can think on her feet. Clients really like her, and she is really easy to work with." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

Fern remains our go-to junior counsel for all our telecoms work for landowner clients. She is very easy to work with, rolls her sleeves up and really gets involved in cases and is good value for money. *Chambers and Partners UK Bar Guide 2027 (Telecommunications)*

Fern demonstrates strong responsiveness and works efficiently, ensuring matters progress smoothly. She is meticulous in her approach, with a clear focus on getting the details right. She is a confident court advocate and brings a steady, composed approach when working under pressure. *Legal 500 UK Bar Guide 2027 (Telecoms Regulation)*

"Fern Schofield is brilliant. She is a go-to junior; she is hitting above her weight. The sky is the limit for her, she is just so good. I enjoy working with her." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Fern Schofield is our go-to junior on telecoms matters and has never let us down. She is responsive, communicative and clear in her advice and has an excellent manner with clients." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Fern is my right hand and is my go-to for almost every dispute. Her knowledge is second to none, she can digest information with ease and she can think on her feet." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Fern is an absolutely fantastic advocate." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Fern Schofield is very user-friendly and a delight to work with. She gets on top of knotty issues quickly and easily, and presents complex legal issues in a manner so it is easy to understand." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Fern Schofield is clearly developing a strong reputation in telecom code matters." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"Fern Schofield is always very proactive and helpful and very good value." *Chambers and Partners UK Bar Guide 2026 (Telecommunications)*

"She is very clever with great attention to detail." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Fern has very good knowledge and expertise beyond her years in this specialist area." *Legal 500 UK Bar Guide 2026 (Telecoms)*

"Fern Schofield is a junior with a growing practice in real estate, with significant expertise in landlord and tenant matters in residential and commercial settings. Schofield has knowledge of possession claims, right of way and service charge disputes as well as telecoms matters. She is experienced at all levels of court including the Supreme Court." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Fern is excellent beyond her years and is particularly strong on telecoms." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Fern is an excellent all-rounder who is passionate about the law and can be trusted to handle complex work." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"She has the most amazing mind; her knowledge is beyond her experience. She has the ability to assess a situation, process it and present it back in a cohesive and fluid way." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Fern Schofield is a highly knowledgeable junior with in-depth experienced of the new Code. She has acted as junior counsel in the Supreme Court as well as the Court of Appeal. She often represents telecoms operators in property-related disputes." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Fern's knowledge and understanding of the Code and its complexities is astonishing." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"She has the most amazing mind. Her knowledge is beyond her experience. She has the ability to assess a situation, process it and present it back in a cohesive way." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Fern is very experienced in her area, easy to work with, and always happy to roll her sleeves up and assist on a case." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Fern is knowledgeable, user-friendly, and her advice is commercially focused. Fern has been great in consultation with the client and provides clear and definitive written advice." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Fern has an exceptional understanding of the law related to telecoms. She is consistently excellent in her level of service and a pleasure to work with." *Chambers and Partners UK Bar Guide 2025 (Telecommunications)*

"Hugely knowledgeable in telecoms beyond her year of call and very easy to work with. She is really good with clients and very willing to get stuck into a matter at short notice and help out instructing solicitors." *Legal 500 UK Bar Guide 2025*

"Very knowledgeable in telecoms matters despite her relatively junior years, and very user-friendly." *Legal 500 UK Bar Guide 2024*

"sole ‘Rising Star’ in Telecoms Regulation" *Legal 500 UK Bar Guide 2024*