Falcon Chambers

Emily Windsor

Called 1995



Practice Summary

Emily Windsor specialises in all aspects of property litigation, with particular emphasis on commercial property disputes and agriculture. She has extensive litigation experience at all levels and in the past few years has appeared in cases concerning restrictive covenants, easements, adverse possession, proprietary estoppel, rectification, break clauses, development agreements, rent review, nuisance and agricultural holdings. Emily also has experience of personal and corporate insolvency litigation.

Education

- Worcester College, Oxford: BA Jurisprudence (1993)
- Université Panthéon - Assas (Paris II): DSU European Law (1994). Rotary International Foundation Scholar.

Professional

- Fellow of the Chartered Institute of Arbitrators since 2014
- Gray's Inn Steen Scholarship
- Member of the Agricultural Law Association Committee 1997-1999
- Elected member of the Bar Council 2000-2005
- Chairman of the Young Barristers' Committee of the Bar Council 2002
- Elected member of the Chancery Bar Association Committee 2003-2006
- Member of the Bar Council's Bar Standards Board 2006-2016
- Chairman of the BSB's Diversity Committee 2007-2009
- Joint Vice-Chairman of the BSB's Education and Training Committee 2007-2016
- Chairman of Taxation Disciplinary Board Disciplinary Panels 2008-2010

Recent Cases

- **Chipp-Marshall v Coombes** (2024) HHJ Walsh (whether title to land had been acquired by adverse possession or estoppel, and whether it had been wrongly registered at HM Land Registry)
- **Maitland Court v Gulshan** (2024) HHJ Evans-Gordon (whether a landowner was entitled to maintain a locked gate against the holder of an easement)
- **Griffith v Roberts** (2022) Mold District Registry, KBD (whether title to land had been acquired by adverse possession; and writs of restitution)
- **Liddiment v Hull** [2021] EWHC 3418 (Ch) (appeal against a possession order made in favour of receivers)
- **Alexander Devine Children's Cancer Trust v Housing Solutions Ltd** [2020] UKSC 45 (application to discharge or modify restrictive covenant - whether restriction "contrary to the public interest").
- **M&P Enterprises v Norfolk Square** [2018] EWHC 2665 (Ch) (whether judge's conduct of a trial was unfair and/or would have led a fair-minded and informed observer to conclude that there was a real possibility of bias).
- **Walby v Walby** [2013] 1 EGLR 111 (No grounds on which to imply into a transfer of part of farming land and buildings an easement of drainage in favour of the retained land).
- **Ashdale Land and Property Co Ltd v Maioriello** [2012] 2 EGLR 119 (excessive user of easements)
- **Alford v Hannaford** [2011] EWCA Civ 1099 (CA) (extent of easements over farmland)
- **National Westminster Bank plc v Hunter** [2011] EWHC 3170 (Ch) (enforcement of agricultural charges)
- **Rahamim v Reich** [2009] ChD (exemplary damages and debarring orders)
- **Majorstake Ltd v Curtis** [2008] UKHL 10 (opposition to enfranchisement on redevelopment grounds and statutory construction).
- **Hopper v Hopper** [2008] EWHC 228 (proprietary estoppel)
- **Thomson v Church Commissioners for England** [2006] 3 EGLR 1 (succession under the Agricultural Holdings Act 1986)
- **Faircare Investments Ltd v Earlrose Golf and Leisure Ltd** [2006] PLSCS 44 (registered title and agency)
- **Shephard v Turner** [2006] 2EGLR 73 (restrictive covenants)
- **Monella v Pizza Express** (Restaurants) Ltd [2004] 1 EGLR 43 (rent review)
- **Owen v. Blathwayt** [2003] 1 P&CR (grazing rights over common land)
- **Yenula Properties Ltd v Naidu** [2002] 3 EGLR 28 (service of notices and agency)
- **State Bank of New South Wales v. Harrison** [2002] EWCA Civ 363 (courts' powers to stay orders for possession of mortgaged property)
- **Blackburn v David Alston (Suffolk) Ltd** [2001] PLSCS 263 (restrictive covenants and estoppel)
- **Essex Furniture plc v National Provident Institution** [2001] L&TR 3 (forfeiture by peaceable re-entry during tenant's insolvency)
- **Scotch Whisky Association v Glen Kella Distillers** (No.2) Times Law Reports April 1, 1997 (intellectual property and the European definition of "whisky")
- **Harries v Barclays Bank plc** [1997] 2 EGLR 15 (mortgages and milk quotas, the position of non-active quota holders and the European definition of "producer").

Publications

- General Editor, Muir Watt & Moss: Agricultural Holdings, 16th edition, Sweet & Maxwell 2024
- General Editor, Muir Watt & Moss: Agricultural Holdings, 15th edition, Sweet & Maxwell 2018
- Bullen & Leake & Jacob's Precedents of Pleadings (14th ed.) (Contributing Editor - Property Section)
- Woodfall Bulletin (Joint Editor).

Published Comments

"Emily is consistently at the top of her game. She's a joy to work with and is a great team player." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Emily is one of the very best in her field. She is extremely clever, a fierce and exceptional advocate, and a delight to work with. Clients love her!" *Legal 500 UK Bar Guide 2027 (Property Litigation)*

"Emily Windsor is delightful and very well liked by clients, her paperwork is very good and she is a tenacious advocate." *Chambers and Partners UK Bar Guide 2027 (Agriculture & Rural Affairs)*

"Whether on her feet or providing advice, Emily is brilliant and can deal with whatever is thrown at her. She can run rings around the other side." *Chambers and Partners UK Bar Guide 2027 (Agriculture & Rural Affairs)*

"I've used Emily for urgent advisory pieces. She turns work around very quickly, with very clear advice that clients can then act on; she does not sit on the fence." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Emily Windsor has been exceptional in handling a complex, long-running agricultural matter that has touched on multiple facets of agricultural law. She combines deep technical expertise with a highly commercial and pragmatic approach, ensuring that her advice is always clear, confident, and tailored to the client’s objectives." *Legal 500 UK Bar Guide 2027 (Agriculture)*

"Emily Windsor is razor sharp with a great advocacy style. She is approachable and great with clients too." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"I think she's simply fantastic and a formidable advocate. She is a delight to work with." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"Emily is very astute and charming to work with." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"Emily is delightful and very well liked by clients. Her paperwork is very good and she is a tenacious advocate." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"Emily Windsor is personable and takes a pragmatic approach." *Chambers and Partners UK Bar Guide 2026 (Agriculture & Rural Affairs)*

"She is both technically excellent and also very swift in her work." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*
"Emily is simply fantastic, a formidable advocate and a delight to work with." *Chambers and Partners UK Bar*

Guide 2026 (Real Estate Litigation)

"Encyclopaedic knowledge of property law. Great on paper and a persuasive advocate in court." *Legal 500 UK Bar Guide 2026*

"Razor-sharp advocacy delivered with precision." *Legal 500 UK Bar Guide 2026 (Agriculture)*

"Emily Windsor has a practice which spans all facets of property litigation, including agricultural land disputes, and has particular experience with regard to development agreements and rent review." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Emily demonstrates an excellent knowledge of the areas of law involved in each case and is a highly skilled property law barrister." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Emily gives excellent property law advice." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Emily Windsor has a focused expertise in agricultural property law. In particular, Emily has experience in tenancy disputes and agricultural land disputes. She has also been involved in a number of cases regarding restrictive covenants." *Chambers and Partners UK Bar Guide 2025 (Agriculture & Rural Affairs)*

"She is incredibly personable and gets on well with clients, but she's also a formidable advocate. She doesn't pull her punches." *Chambers and Partners UK Bar Guide 2025 (Agriculture & Rural Affairs)*

"She is happy to explain the options but also give a clear view and advise the client on the recommended way forward. Emily is an effective advocate and very approachable with lay clients." *Chambers and Partners UK Bar Guide 2025 (Agriculture & Rural Affairs)*

"A formidable opponent and highly effective advocate." *Legal 500 UK Bar Guide 2025*

"Her arguments are carefully delivered without unnecessary complication or hyperbole." *Legal 500 UK Bar Guide 2025*

"Emily Windsor has a huge range of knowledge and depth in all areas of agriculture and rural affairs law." *Chambers and Partners UK Bar Guide 2024 (Agriculture and Rural Affairs)*

"Emily is a tenacious advocate." *Chambers and Partners UK Guide 2024 (Agriculture and Rural Affairs)*

"Emily provides very sensible advice in a client-friendly manner and with a view to the client's particular circumstances. She is also excellent at providing good advice on navigating complex issues." *Chambers and Partners UK Bar Guide 2024 (Real Estate Litigation)*

"Highly reliable, clients love her and she is very accessible." *Chambers and Partners UK Bar Guide 2024 (Real Estate Litigation)*

'Emily brings a KC’s intellectual analysis to legal problems, but also has an excellent client handling manner that leaves the client and instructing solicitor in no doubt that she is absolutely on board and prepared to fight the client’s case.’ *Legal 500 UK Bar Guide 2024 (Property Litigation)*

'Emily's advice shows a deep understanding of commercial issues, and she sets out useful and pragmatic solutions.’ *Legal 500 UK Bar Guide 2024 (Agriculture)*

"When Emily is on her feet her arguments are clear and concise, and in front of judges she is able to predict where they're going in a case." *Chambers and Partners UK Guide 2023*

"Emily starts with the advantage of having an excellent client manner. Her enthusiasm is infectious, she is clever and a good advocate." *Chambers and Partners UK Guide 2023*

"She is very aware of clients' aims and objectives; it is at the forefront of her advice." *Chambers and Partners UK Guide 2023*

"Emily is very client-friendly, tenacious and thorough." *Chambers and Partners UK Guide 2023*

‘Extremely good with her clients, Emily instantly instils confidence and trust in her advice. She is nimble in thought and able to deal with anything that is thrown at her. Her advocacy is particularly impressive; calm and controlled in her submissions and decisive in cross-examination. ’ *Legal 500 UK Bar Guide 2023*

‘Emily is a fantastic advocate, having a talent for finding the right pitch and tone in her submissions and always reading the judge and responding accordingly. ’ *Legal 500 UK Bar Guide 2023*

Emily Windsor has a practice which spans all facets of property litigation, including agricultural land disputes, and has particular experience with regard to development agreements and rent review. Strengths: "Her advice has been bulletproof." "She is absolutely fantastic, really responsive and she gives really clear advice. *Chambers UK Guide 2022 (Real Estate Litigation)*

Emily Windsor is a standout junior with significant expertise in commercial and agricultural property. Her caseload includes claims to succession of 1986 Agricultural Holdings Act tenancies and disputes over diversification of agricultural land. She is a general editor of the leading textbook Muir Watt & Moss: Agricultural Holdings. Strengths: "She really impresses." *Chambers UK Guide 2022 (Agriculture and Rural Affairs)*

‘Approachable and easy to work with. Emily is razor-sharp and gives robust advice - she is the go-to barrister in agricultural disputes.’ *Legal 500 UK Bar Guide 2022*

‘Emily's strengths are commitment to the client and holding that relationship, and working on the minutiae of a case: an encyclopedic knowledge of the underlying law and procedural information and quick to grasp the necessary details.’ *Legal 500 UK Bar Guide 2022*

Has a practice which spans all facets of property litigation, including agricultural land disputes, and particular experience with regard to development agreements, rent review and leasehold enfranchisement. Strengths: "A wise, authoritative and reassuring presence on all things landlord and tenant." "She's the iron fist in the velvet glove." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

Standout junior with significant expertise in commercial and agricultural property. Her caseload includes claims to succession of 1986 Agricultural Holdings Act tenancies and disputes over diversification of agricultural land. She is a general editor of the leading textbook Muir Watt & Moss: Agricultural Holdings. Strengths: "She's a fantastic barrister to work with and she has an excellent way about her; she's the iron fist in the velvet glove and clients very much like her." *Chambers and Partners Guide 2021 (Agriculture & Rural Affairs)*

"She is a real go-to senior junior, especially for landlord and tenant matters." *Legal 500 UK Bar Guide 2021*

"Her client skills are second to none. She has the ability to put clients at ease and convey the legal and commercial issues effectively, demonstrating very sound judgement. When it comes to advocacy and negotiation, Emily is "an iron fist in a velvet glove" - she is assured, determined and tenacious and a superb advocate." *Legal 500 UK Bar Guide 2021 (Agriculture)*

Has a practice which spans all facets of property litigation, including agricultural land disputes, and particular experience with regard to development agreements, rent review and leasehold enfranchisement. Strengths: "She is brilliant – very knowledgeable and can answer any query off the top of her head." "For anything involving tenancies, Emily is a go-to person." *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"A real go-to senior junior." *Legal 500 UK Bar Guide 2020*

"Has a practice which spans all facets of property litigation, and particular experience with regard to development agreements, rent review and leasehold enfranchisement. Strengths: 'Very pragmatic and clear in her advice.' 'A canny 'go-to' senior junior for all things landlord and tenant-related'." *Chambers UK Guide 2019 (Real Estate Litigation)*

"Standout junior with significant expertise in commercial and agricultural property. Her recent caseload has included claims to succession of 1986 Agricultural Holdings Act tenancies and disputes over diversification of agricultural land. She is a general editor of the leading textbook Muir Watt & Moss: Agricultural Holdings. Strengths: 'A very clever and busy practitioner, who is especially good with difficult clients'." *Chambers UK Guide 2019 (Agriculture & Rural Affairs)*

"A true expert, extremely knowledgeable, experienced and thorough." *Legal 500 UK Bar Guide 2018 (Property Litigation)*