



Jonathan Karas KC
Called 1986 Silk 2006

Practice Summary

Jonathan has appeared in numerous leading cases. His practice embraces all aspects of land law and related areas including

- Complex commercial transactions and leases
- Rights over land including rights of light
- Planning and compulsory purchase
- Valuation disputes (including in the context of rating and taxation)
- Minerals, manorial rights, commons and greens
- Rural affairs (including agriculture and forestry)
- Water (including waterways, canals and sewerage and water infrastructure)

His expertise makes him a natural choice in cases where property, planning and public law issues coincide or collide.

Jonathan regularly acts in arbitrations (the details of which are confidential) and is himself an arbitrator. He is a FCI Arb, a member of the Agricultural Law Association Disputes Resolution Panel and a member of Falcon Chambers Arbitration.

- Education
 - MA (Oxon)
 - Dip Law (City University)
- Professional

FCI Arb

Member of:-

 - Agricultural Law Association
 - Chancery Bar Association
 - Planning and Environmental Bar Association
 - Property Bar Association
 - Compulsory Purchase Association.

Before taking silk he served on the 'A' Panel of Junior Counsel to the Crown (2000-2006) and before that on the Supplementary Panel of Junior Counsel to the Crown (Common Law) (now the 'B' Panel) (1995-2000).



He regularly acts for and advises public authorities.

- Recent Cases

- **Manchester Ship Canal Company Limited v United Utilities**
[2021] EWHC 1571 (Ch) (successfully representing United Utilities in significant case concerning remedies for discharges by sewerage undertakers into watercourse)
- **Manchester Ship Canal Company v United Utilities** [2019] EWHC 1495 Ch (successfully represented United Utilities in a case which reviewed the law of abuse of process and issue estoppel)
- **United Utilities (Eccles Wastewater Treatment Works) CPO 2016 Public Inquiry 2018-19**
(working with James Strachan QC and junior counsel in successfully promoting the first use of compulsory purchase powers by a sewerage company to acquire new rights of discharge for a major WwTW).
- **R(Best) v Chief Land Registrar**
[2016] QB 23 (represented Land Registry in leading Court of Appeal case on illegality and land registration)
- **Wood v Waddington** [2015] EWCA Civ 538 (represented successful appellant in Court of Appeal in leading case concerning rights of way and section 62 of the Law of Property Act 1925)
- **Manchester Ship Canal Company v United Utilities**
[2014] UKSC 40 (represented United Utilities in successful appeal to Supreme Court establishing continued lawfulness of discharges by sewerage undertakers into watercourses following privatisation)
- **R (Church Commissioners) v Hampshire County Council** [2014] 1 WLR 4555 (successfully represented Church Commissioners in opposing registration as village green of substantial area of land outside Winchester)
- **Wood Lane Quorn Public Inquiry**
(2014-2015) successfully represented Tarmac Lafarge in opposing development which prejudiced Mountsorrel quarry
- **HKR UK (CHC) II Ltd v Heaney** (retained in the Court of Appeal as leading counsel for respondent) [2011]
- **Sheffield City Council v Wall and Ingham** [2010] EWCA Civ 922 (leading case on statutory rights of succession, the setting aside of possession orders and overriding leases)
- **R (Primary Health Investment Properties Ltd) v Secretary of State for Health** [2009] EWHC 519 (Admin) (successful challenge to the Valuation Office Agency's role in setting current market rents for NHS premises)
- **R (Mayor of London) v First Secretary of State** [2008] EWHC 631 (Admin) (the first case considering the Secretary of State's powers to award costs planning inquiries against the Mayor of London)
- **Richard Parsons Ltd v Bristol City Council** [2007] EW Lands ACQ 190 2006 (Lands Tribunal decision on how onerous leases should be taken into account in the assessment of compensation on compulsory acquisition)
- **Oxfordshire County Council v Oxford City Council** [2006] UKHL 25 (leading House of Lords case on the law of town and village greens)
- **R (Sinclair Gardens Investments (Kensington) Ltd) v Lands Tribunal**
[2006] 1 EGLR 7 (amicus to the Court of Appeal: decision on jurisdiction of High Court to review decisions of Lands Tribunal)
- **R (Whitney) v Commons Commissioners** [2005] QB 282 (Court of Appeal decision on jurisdiction of local authorities to determine amendments to the commons register)
- **R (Ashbrook) v Secretary of State for Environment, Food & Rural Affairs** [2005] 1 ALL ER 166 (procedure for fencing commons)
- **R (Kind) v Secretary of State for Environment, Food & Rural Affairs**
[2005] EWHC 1243 (vehicular rights over routes shown as bridleways)
- **Midtown Ltd v City of London Real Property Co Ltd** [2005] 14 EG 130 (leading case on rights of light in office premises)
- **R (Kanssen) v Secretary of State for Environment, Food & Rural Affairs** [2005] EWHC 1024 (duties of public authorities to make 'welfare inquiries' before seeking possession)
- **Hackney LBC v Side by Side (Kids) Ltd**
[2004] 1 WLR 363 (leading case on the limits on jurisdiction to delay order possession)
- **Wandsworth LBC v Michalak** [2003] 1 WLR 617 (an important Court of Appeal case on discrimination in the context of landlord and tenant legislation and the application of the Human Rights Act 1998 in possession actions)
- **Commission for New Towns v J J Gallagher Ltd** [2003] 2 P & CR 3 (dedication of highways and presumptions applicable to land adjoining the highway; construction of section 62 of the Law Property Act 1925)



- **Fluor Daniel Properties Ltd v Shortlands Investments Ltd** [2001] 2 EGLR 103
- **Secretary of State for the Environment, Transport and the Regions v Baylis** (Gloucester) Ltd [2000] 2 EGLR 13 (statutory dedication of highways and the Land Registration Act).
- Publications

"The Law of Rights of Light" 2016. Wildy, Simmonds & Hill Publishing.

Jonathan is subject editor of Hill and Redman's Law of Landlord and Tenant and author (with David Elvin QC) of Unlawful Interference with Land second edition (2002).

He has made a substantial contribution to Halsbury's Laws of England being a contributing editor to the Compulsory Acquisition title (1996), editor of the Distress title (2000, 2007 reissues), the Forestry Title (2007 and 2009 re-issues) and editor of Perpetuities and Accumulations volume (2013).

He has delivered Blundell Memorial Lectures on the award of damages in lieu of injunctions (2007) and the quantification of release fee damages (2014).

Articles of his may be found on the RICS website, in the Estates Gazette, the Journal of Planning and Environment Law and the New Law Journal.

Published Comments

"Jonathan is very thorough, detailed and incisive. He is hugely well prepared for hearings and extremely comprehensive in his advice." *Chambers and Partners UK Guide 2023*

"Jonathan gives clearly written, excellently presented advice very efficiently. He is a fantastic advocate and a very hard worker." *Chambers and Partners UK Guide 2023*

'Jonathan's technical analysis, clear presentation of complex matters and his responsiveness is superb.' *Legal 500 2023*

Jonathan Karas QC is a leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He has recent experience of dealing with forestry-related disputes. Strengths: "He is excellent. He's really good on the detail and so hard-working." *Chambers and Partners UK Guide 2022 (Agriculture and Rural Affairs)*

Jonathan Karas QC is a noted land law practitioner who regularly handles planning cases. He has particular expertise in highways law, as well as cases concerning the compulsory acquisition of property rights. Strengths: "He is a force of nature and a real intellectual heavyweight." *Chambers and Partners UK Guide 2022 (Planning)*

Jonathan Karas QC has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. "Jonathan is impressive at pulling the details out from the case." "He is a go-to person for property." *Chambers and Partners UK Guide 2022 (Real Estate Litigation)*

'He is a master of detail and is unafraid to challenge all of those involved in the case. He is able to get to the heart of the matter and is unswerving in his pursuit of the required outcomes.' *Legal 500 2022*

Very intelligent, provides excellent clear, commercial advice and doesn't sit on the fence. *Legal 500 2022*

Has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects, and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. Strengths: "A skilled tactician who leaves no stone unturned." "A



master of detail and able to manage large-scale litigation on complex issues." "He gives clear advice which is legally thorough and commercially sensible." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

A leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He is known for his in-depth expertise in rural minerals transactions. Strengths: "He knows not only about landlord and tenant issues but also planning, so he has crossover skills." *Chambers and Partners Guide 2021 (Agriculture & Rural Affairs)*

"He has an ability to slice through volumes of paper to identify the real issues in a case; he is authoritative and commanding in court." *Legal 500 2021*

"He has excellent expertise, efficiency and personable nature." *Legal 500 2021 (Agriculture)*

Has a practice that is predominantly centred on commercial landlord and tenant law. He is also adept at handling cases with planning and agricultural law aspects, and is an expert in right to light disputes. He is particularly active in land cases relating to infrastructure works. Strengths: "He has a razor-sharp intellect and a great understanding of clients' needs." "An incisive and forceful advocate who gives robust advice." "A strong cross-examiner who fights cases hard and inspires confidence." Recent work: Acted in Covent Garden Tenants Association v Covent Garden Market Authority, a case regarding traffic issues arising out of the £200 million redevelopment of New Covent Garden Market in Nine Elms, London. *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"His advice is unambiguous and he is very direct." *Legal 500 2020*

Jonathan Karas QC is recognised for his brilliant real estate practice. He is "great at thinking outside the box" according to peers, and regularly deals with matters relating to valuation and planning. *Who's Who Legal UK Bar 2019 Guide*

"Has a practice that is predominantly centred around land law. He specialises in the crossover of planning, agriculture and property law, and is an expert in right to light. He is particularly active in land cases relating to infrastructure works. Strengths: 'He has a razor-sharp mind and is an excellent advocate.' 'A clear leader in this field with excellent technical knowledge.' 'A great strategic thinker.' Recent work: Represented United Utilities in its long-running dispute with the Manchester Ship Canal Company, in fresh proceedings following the canal company's Supreme Court defeat, to prevent United Utilities exercising rights in relation to infrastructure over the canal." *Chambers UK Guide 2019 (Real Estate Litigation)*

"A leading property and planning barrister with a strong focus on farms and other rural property. He has particular expertise in agricultural property relief. Karas also handles town and village green applications, farm business tenancies and potential development matters. He is known for his in-depth expertise in rural minerals transactions. Strengths: 'He fights the client's corner cleverly and strongly.' 'He's just a very detailed person - he is someone who will read everything. Even if you send 100 files, he will read every single word in them.'" *Chambers UK Guide 2019 (Agriculture & Rural Affairs)*

"Extremely tenacious and carries out implacable, text book cross-examination." *Legal 500 2018 (Property Litigation)*

"Extremely diligent in his preparation and his advice is very direct." *Legal 500 2018 (Agriculture)*

"Very good at distilling down a huge amount of information and arguments into a clear and concise approach." *Legal 500 2018 (Planning)*