

JAMES FULLER

Call 2020 | Sol 2017

✉	james.fuller@guildhallchambers.co.uk
☎	0117 930 9000



James Fuller is a member of the [Property & Estates Team](#).

James specialises in all areas of real property and landlord and tenant. He enjoys a busy court and advisory practice and regularly appears in the High Court, County Court, Upper Tribunal (Lands Chamber), and First-Tier Tribunal (Property Chamber).

Expertise

Property, Trusts & Estates

James acts for clients in real property and landlord and tenant related matters and has litigation and advisory experience in the following:

- Landlord and tenant (agricultural, commercial and residential);
- Restrictive covenants;
- Easements and profits;
- Adverse possession;
- Alteration and rectification of the register;
- Land registration;
- Boundaries and encroachments;
- Examination of title documents, deeds and plans;
- Proprietary estoppel;
- Trusts of land;
- Mortgages and charges;
- Mines, minerals, and manorial rights;
- Trespass, nuisance and other property torts.

Featured Property, Trusts & Estates cases

Mr A Hartley (T/A Hartley Park Homes) v Mr and Mrs Coles and others BIR/47UE/PHI/2023/0039-42, 44, 46-52, 100

James appeared for the successful Applicant in this application before the First-tier Tribunal (Property Chamber) for determination of a new level of pitch.

Cadogan House Investment Properties Limited v Kyriacou and Kyriacou CHI/00HC/LSC/2022/0057

James appeared for the successful Respondent in this case before the First-tier Tribunal (Property Chamber), concerning the construction of a lease and the determination of the tenant's liability to pay service charges.

Tolley v No Defendant (Re Caroline Fisher) [2023] EWHC 979 (Ch), [2023] 1 W.L.R. 2294, [2023] All ER (D) 23 (May), [2023] 4 WLUK 309, [2023] W.T.L.R. 1187, [2023] 2 P. & C.R. DG25, [2023] 9 C.L. 122

A case concerning whether a nominated executor of an unproven will had standing to seek a declaration of presumption of death of a missing person. James acted for the nominated executor who was successful in her application for a declaration of presumed death.

Commons, Town & Village Greens

James acts on matters involving public rights of way, commons, town & village greens, and planning related matters.

James advises on issues involving public rights of way (such as maintenance and obstruction) and has acted for a landowner in objecting to a Definitive Map Modification Order. James has recently advised a number of clients on issues relating to rights of common.

James is able to assist with preparing planning applications, and objections to planning applications. He also advises on development agreements and drafts overage agreements, promotion agreements and option agreements.

Commercial Dispute Resolution

James has experience in a broad range of commercial disputes including:

- Breach of contract;
- Misrepresentation;
- Misstatement;
- Estoppel;
- Guarantees;

- Sale of goods and supply of services;
- Agency;
- Professional negligence;
- Debt claims and asset recovery;
- Mortgages;
- Banking;
- Partnership disputes;
- Consumer credit.

Education

- M.St. in History, The University of Cambridge
- PgDip in International Legal Practice (Distinction), The University of Law
- LL.M. in Commercial Law (Distinction), The University of Bristol
- LL.B. (Hons) in Law, The University of Surrey

Memberships

- Agricultural Law Association
- Chancery Bar Association
- Property Bar Association
- The Contentious Trusts Association