



Nicholas Jackson

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Year of Call: 1992

Nicholas is a specialist commercial and chancery practitioner. He has a wealth of litigation experience in the higher courts including the Court of Appeal, and in the specialist tribunals such as the Lands and Property Chambers as well as other alternative forums ranging from local public inquiries to commercial arbitrations. He is regularly instructed in complex contract, construction law and intellectual property disputes as well as the more traditional chancery areas of real property and trusts, insolvency and wills and probate and in professional negligence cases which found upon those core areas and his practice ranges from relatively modest private matters to multi-million pound international concerns. One day may find him in the Rolls Building or the Court of Appeal and the next in any one of the regional Business & Property County Courts.

Nicholas is happy to consider accepting cases on a CFA basis and always welcomes general enquiries by telephone in advance of any formal instruction.

EXPERTISE

Company and Commercial

At the more commercial end of his practice Nicholas deals with all areas of contract law and economic torts, property based insurance, passing off, copyright and construction law.

Nicholas undertakes all aspects of advisory and contentious work including drafting, pleading and mediations and advocacy before the higher courts, the property and lands chambers and other specialist tribunals and, increasingly, at arbitrations.

Nicholas accepts conditional fee cases and is generally happy to discuss simple points on the telephone without charge.

Notable cases

FPH Law v Brown [2016] 5 Costs LO 733 (breach of costs undertaking, compromise and illegality).

Property and Private Client

Real property

Hand in hand with his general chancery practice, Nicholas specialises in all facets of real property work including co-ownership disputes under the Trusts of Land and Appointment of Trustees Act 1996, boundary and party walls disputes, registered and unregistered conveyancing, adverse possession, options, mortgages and charges and town and country planning but with a particular interest in rectification of title claims, easements, restrictive covenants, public and private nuisances and restitutionary proprietary remedies.

Landlord & Tenant

Nicholas has considerable experience across the whole range of landlord and tenant work encompassing agricultural, business and residential tenancies and licences and including leasehold enfranchisement, commercial renewals, break clauses and options, forfeiture and possession, rent review and dilapidations to name but a few.

Probate and Family Provision

Nicholas also deals with all aspects of wills and administration of estates including claims under the Inheritance (Provision for Family and Dependents) Act 1975 and in the Court of Protection extending to drafting and interpretation, contentious and non-contentious probate, undue influence, fraud, forgery, testamentary capacity, administration actions, Beddoes applications, intestate succession, inheritance tax, appointment and removal of trustees, variations of trusts and powers of attorney.

Notable cases

Cadogan v McCarthy & Stone (Developments) Ltd [2000] L & TR 249 (CA) (business tenancies, intention to re-develop).

Naidoo v Naidu, The Times, 1st Nov. 2000 (fiduciaries, breach of trust).

Davies v The National Bingo Game Association, unreported, Oct. 2001 (lawful gaming and enforceability).

Williams v Sandy Lane (Chester) Ltd [2007] 1 P & CR 27 (CA) (easements and reversions).

Margerison v Bates [2008] 3 EGLR 165 (interpretation, restrictive covenants).

R v Derwent Holdings Ltd, ex parte Liverpool City Council [2008] JPL 1768 (Building Act notices, town and country planning).

Campbell v Banks [2011] NPC 13 (CA) (section 62, the limits of continuous and apparent easements).

Goenka v Goenka [2016] Ch 267 (death benefits, nomination, family provision).

Clifton v Liverpool City Council [2017] UKUT 74 (LC) (enfranchisement and changes to hereditament).

Palo Alto Ltd v Alnor Estates Ltd (2017) UT T&C 0002 (whether dishonesty an essential element of unilateral mistake).

Banking, Finance and Insolvency

Insolvency and Partnerships

Nicholas specialises in all aspects of insolvency and partnership law but not pure company law issues.

Notable cases

Crantrave Ltd (in liquidation) v Lloyds Bank plc [2000] QB 917 (CA) (banking, payments without authority).

Customs & Excise Commissioners v. Allen [2003] BPIR 830 (insolvency, review of block transfer orders).

Professional Negligence

Nicholas also specialises in professional negligence related to his key practice areas extending to claims against solicitors, accountants, surveyors, architects, insolvency practitioners and insurance brokers.