

Overview

Charities
 Commercial Disputes
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 Insolvency
 Planning and Local
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Mediation and
 Arbitration

Profile: Overview

Nathan Wells has a broad Chancery practice, with a particular emphasis on wills, probate and estate administration, trusts, real property and related professional negligence. He has appeared as an advocate before all the major tribunals, including the House of Lords, and before numerous specialist tribunals. He also has a substantial advisory practice and regularly acts as counsel in mediations. He is ranked as a leading junior by both The Legal 500 and Chambers UK.

Experience and Expertise

Nathan was called to the Bar in 2000 and began his tenancy after spending six months as the Judicial Assistant to the President of the Family Division and the Vice-Chancellor. He had previously worked as a Research Assistant at the Law Commission (Property and Trust team) and had taught Land Law at Oxford.

He is happy to accept instructions in any Chancery matter, although he has a particular interest in and experience of cases involving wills, probate and estate administration, trusts, real property and related professional negligence. In addition, he has acted in a number of cases for local authorities (including several homelessness appeals and HMO prosecutions) and in general commercial matters.

In addition to the County Court, High Court, Court of Appeal and House of Lords, he has appeared before a wide range of tribunals, including the Privy Council, the Principal and District Probate Registries, the Adjudicator to HM Land Registry, the LVT/RPT, the Magistrates Court and the Crown Court. He has also been called to the Northern Irish Bar and has appeared before the Northern Irish High Court.

As well as court work, Nathan undertakes a large amount of advisory work and is happy to advise in writing, in conference and by telephone. He also appears regularly as counsel in mediations and a considerable amount of his private client work is successfully settled in mediation.

More specific details of Nathan's work are available via the links below:

Property
 Trusts
 Wills and Estates

Cases and Work of Note

- *Pearson v Foster* [2017] EWHC 107 (Ch) (Ch D - profit a prendre of fishery - ancient watermill - prescriptive milling rights - riparian rights in artificial watercourse - extinguishment of profits - alteration of the register).
- *University of London v Prag* [2015] WTLR 705 (Ch D - charitable trusts - construction - Warburg Institute);
- *Green v Eadie* [2012] Ch 363 (Ch D - conveyancing - misrepresentation - professional negligence - scope of conveyancer's retainer - limitation);
- *Ferneley v Napier* [2011] WTLR 1303 (Ch D - Sugden v Lord St Leonards - attempt to propound alleged will using oral evidence - standard of proof - fraud allegations);
- *Shaw v Lighthouseexpress Ltd* [2010] EWCA Civ 161 (Court of Appeal - financial services - contractual indemnity - limitation - insurance 'excess');
- *Creque v Penn* (2007) 70 WIR 150 (Privy Council - BVI - registered conveyancing - Torrens title);
- *Owers v Bailey* [2007] P&CR DG 17 (Ch D - prescriptive easements - substantial interference - aggravated damages);

- *London Diocesan Fund v Phithwa* (Avonridge Property Co Ltd, Part 20 defendant) [2005] 1 WLR 2956 (House of Lords – Landlord and Tenant (Covenants) Act 1995 – anti-avoidance);
- *Oxford City Council v Pullen* [2005] PLSCS 166 (Possession action – secure tenancy – declaration of trust).

Recommendations

Nathan is recommended for Property Litigation by The Legal 500 and Traditional Chancery by Chambers UK.

Recent editorial has included:

- “The quality of his written work is excellent. He is invariably well prepared and always appears calm and unruffled, even in circumstances where others might become flustered.” (Chancery: Traditional, Chambers UK, 2017)
- "At the top of his game." (Property litigation, The Legal 500, 2016)
- his paperwork is immaculate and reflects the scholarly approach which he brings to every matter.
- his pleadings are absolutely brilliant and his skeleton arguments are par excellence.
- extremely technically accomplished and clients like him.
- a lawyer with a very nice manner when on his feet, he forensically builds up a case.
- a stickler for detail and a counsel of perfection.
- has an excellent manner with clients.
- he has a keen eye for detail.
- attentive and listens closely to his clients' problems.
- constructs brilliant, technically adept skeleton arguments, and well-crafted pleadings.
- extremely thorough in his advice.
- remains calm at all times.

Publications

Nathan is a co-author (with Stephen Lloyd, Jill Gibson and Catherine Finely) of Tolley’s Practitioner’s Guide to Powers and Duties of Trustees.

He is also the current editor of the Trusts and Estates section of Butterworths Civil Court Precedents.

Qualifications

BA (Jurisprudence): Pembroke College Oxford.

LLM: St Catharine’s College Cambridge.

Memberships

Chancery Bar Association; ACTAPS; Northern Ireland Bar.

Other Details

VAT Registration Number: 795693557

Bar Membership Number: 41616

For More Information

Please click on the links to the left or contact a member of the clerking team