

Practice Areas

Overview
Charities
Commercial Disputes
Company
Insolvency
Planning and Local
Government
Professional Liability
Property

Trusts

Wills and Estates

Mediation and
Arbitration

Nathan Wells

| Call 2000

Profile: Trusts

Experience and Expertise

Trusts law forms one of the main elements of Nathan's practice. He is a co-author of Tolley's Practitioner's Guide to the Powers and Duties of Trustees and editor of the Trusts and Estates section of Butterworths Civil Court Precedents. He is a member of ACTAPS.

Nathan is recommended as a leading junior for Private Client, Trusts and Probate by The Legal 500 and for Traditional Chancery by Chambers UK.

He acts regularly in trusts litigation and produces advice and specialist drafting in less contentious trusts matters. His practice covers private trusts (including will trusts), charitable trusts and pension trusts, and includes the following:

- Advising on the administration of trusts and applying to the court for directions under CPR Part 64
- Claims for breach of trust by private, charitable and pension trustees
- Claims for the removal of trustees under the High Court's inherent jurisdiction or under the various statutory powers of removal
- Claims for Accounts
- Claims involving common intention constructive trusts, under the principles in *Lloyds Bank v Rosset*, *Stack v Dowden*, *Jones v Kernott*, etc.
- Claims under TLATA 1996
- Claims for Beddoes and Benjamin relief
- Claims relating to trustees' rights of retainer and indemnity, and other aspects of trustees' costs and expenses
- Applications under the Variation of Trusts Act 1958
- He acted (as junior to Robert Pearce QC) for the University of London in *University of London v Prag* [2015] WTLR 705, where the High Court was asked to construe a 1944 Deed of Trust relating to the Warburg Institute.
- As well as pure trusts advice and litigation, Nathan frequently encounters elements of trust law as part of his commercial and local government practice. He has, for instance, provided trust law advice in the context of housing benefit and council tax benefit claims, and in *Oxford City Council v Pullen* [2005] PLSCS 166 he had to consider the effects of a declaration of trust over a local authority tenancy in the context of a claim for possession.