



NEW SQUARE

## Nicholas Broomfield

Call: 2010

+442078222000      n.broomfield@4newsquare.com

**Clerk: Jack Boggans**

j.boggans@4newsquare.com

+442078222122      +447584248987



*Very bright and intellectually able, and always comes up with a good solution for problems. He is also very good on his feet in court and able to change tack when circumstances demand.*

- Legal 500

**Nicholas Broomfield has a broad commercial chancery practice, with particular emphasis on commercial litigation, the law of trusts and real property, banking, financial and mortgage related disputes, insurance claims, professional negligence and civil fraud.**

Nick is an experienced trial advocate with a reputation for his legal analysis. He relishes tackling complex points of law, both in writing and by way of submission, and is often instructed by solicitors, insurers and lay clients for his commercial, client-friendly, approach. Nick undertakes advisory and court work, regularly appearing in trials, appeals and arbitrations, either on his own or as a member of a larger counsel team.

Nick is described as a "go to" junior for banking, mortgage and property related work. His considerable experience is underlined by his appearance in a number of significant cases, including *Scott v Southern Pacific Mortgages Limited* in the Supreme Court, *Mortgage Express v Lambert* and *Pathania v Adedeji* in the Court of Appeal and *Landmark Mortgages Ltd v Bamrah* on appeal to the High Court. Nick is also a contributor to the 4<sup>th</sup> edition of *Cousins, The Law of Mortgages*.

Nick is regularly instructed to act in insurance disputes (including coverage issues, policy interpretation, non-disclosure, fraud, misrepresentation and FSMA/ICOB), recovery actions and claims following thefts and damage to property (including fires, floods and impact claims). Nick (led by Graham Eklund QC) recently acted for the successful insurers in *Bluebon Ltd v Ageas (UK) Ltd* and was instructed (led by Mark Cannon QC) in a significant dispute concerning coverage under a contractor's professional indemnity policy.

Ranked as a Leading Professional Negligence Junior by Legal 500, Nick is described as being "*exceptionally bright, tactically astute, very easy to work with and is great with clients*". He has experience of professional liability claims in the UK, the Channel Islands and the British Virgin Islands. Nick has acted in claims against lawyers (including barristers and solicitors), trust companies and trustees, valuers and surveyors, construction professionals (including architects) and engineers, agents (commercial agents and estate agents), brokers (mortgage and insurance), financial professionals (IFAs, accountants, fund managers and auditors) and management companies.

Nick is also instructed in claims arising from breaches of trust (including claims seeking to recover trust assets). His experience includes claims against trustees in this jurisdiction and offshore, and claims concerning the recovery and preservation of trust assets.

Before being called to the Bar, Nick read Jurisprudence at Mansfield College, Oxford, where he was awarded an Exhibition, the Mansfield College Essay Prize, the Worsley Prize and a number of Collections prizes. He studied for the BVC at BPP Law School



and was graded Very Competent. Nick is a member of Lincoln's Inn and has been awarded Hardwicke, Denning and Shelford Scholarships.

## Privacy Policy

[Click here for a Privacy Policy](#) for Nicholas Broomfield.

## Areas of Expertise

---

### Insurance & Reinsurance

**“Very bright and intellectually able, and always comes up with a good solution for problems. He is also very good on his feet in court and able to change tack when circumstances demand.”** – *Legal 500, 2021: Leading Insurance and Reinsurance Junior*

**“He is creative and good at thinking out of the box.”** – *Legal 500, 2020: Leading Insurance and Reinsurance Junior*

Nick has a strong insurance practice and is regularly instructed in cases involving issues of coverage (policy interpretation, non-disclosure, fraud, misrepresentation and FSMA/ICOB), aggregation, and claims following thefts and damage to property (including significant fires, flooding and collision damage) and recovery actions. He has acted for clients in insurance disputes in the County Court, High Court, Court of Appeal and in arbitration, as well as appearing for insurers in contempt proceedings brought against a fraudulent insured.

Nick's recent and notable cases include:

- Acting (led by Jonathan Hough QC) in an arbitration arising from a coverage dispute;
- Advising (with Nicole Sandells QC) on questions of aggregation arising from a significant number of fraudulent mortgage/conveyancing transactions;
- Appearing as junior counsel (led by Graham Eklund QC) for the successful insurers in *Bluebon Ltd v Ageas (UK) Ltd* [2017] EWHC 3301 (Comm);
- Acting as junior counsel (led by Mark Cannon QC) in a significant coverage dispute arising from a contractor's professional indemnity policy;
- Acting as junior counsel (led by Graeme McPherson) on behalf of professional indemnity insurers in a recovery action against an insured;
- Acting as sole counsel in an arbitration concerning a coverage dispute between two professional indemnity insurers;
- Acting for insurers in a claim arising from
- Acting in several claims involving disputes over insuring obligations in leases;
- Acting on behalf of insurers in a number of claims arising from damage to commercial property (including damage caused by fires, flooding/water ingress and collision damage) and claims for business interruption/loss of rent;
- Acting in a series of coverage disputes arising from thefts (or purported thefts) from residential and commercial premises;
- Acting as junior counsel (led by Graham Eklund QC) for the successful insurers in *Bate v Aviva Insurance (UK) Limited* in the High Court ([2013] EWHC 1687), Court of Appeal ([2014] EWCA Civ. 334) and related contempt proceedings ([2014] EWHC 4065 (QB)).

Nick also acts in subrogated claims and professional negligence disputes with underlying insurance issues. By way of example, Nick is currently instructed (led by Clare Dixon) in a significant claim against insurance brokers involving a number of underlying coverage issues and as sole counsel in subrogated proceedings against a landlord for breach of the insuring obligations in a commercial lease and owners of commercial premises following significant impact damage.

Nick is a contributor to British Insurance Law Association journal and regularly writes for the 4 New Square Insurance Blog.

## Cases

- *Bluebon Ltd v Ageas (UK) Ltd*



- Bate v Aviva Insurance UK Limited
- Bate v Aviva Insurance (UK) Ltd
- Bate v Aviva Insurance (UK) Limited

## Qualifications & Memberships

---

B.A. (Oxon).

## Insights

---

### **Vicarious Liability: whose liability is it anyway?**

20 April 2020

Vicarious liability is "on the move", but how far has it gone? Amanda Savage QC and Nick Broomfield explore the development of the doctrine of vicarious liability in light of the recent decisions of Barclays Bank plc v Various Claimants [2020] UKSC 13 and MW Morrison Supermarkets plc v Various Claimants [2020] UKSC 12.

### **Mears Limited v Costplan Services (South East) Limited & Others [2018] EWHC 3363 (TCC)**

10 December 2018

Simon Hale of 4 New Square represented Costplan Services (South East) Limited. The decision of Waksman J is considered by Nicholas Broomfield of 4 New Square.