



NEW SQUARE

## Nicholas Broomfield

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*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

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## Areas of Expertise

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### Property Damage

Nick is regularly instructed on behalf of companies, individuals and insurers in claims arising from fires, flooding and water ingress, impact/collision damage, electrical damage and subsidence. His experience in the fields of insurance, real property and professional negligence are often brought to bear when considering property damage claims.

Nick also acts in subrogated claims and professional negligence disputes with underlying property damage and insurance issues. By way of example, Nick is currently instructed in subrogated proceedings against a landlord for breach of the insuring obligations in a commercial lease following water ingress and owners of commercial premises following significant impact damage.

## Qualifications & Memberships

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B.A. (Oxon).

## Insights

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### **Matthew & Others v Sedman & Others [2021] UKSC 19**

21 May 2021

When Dinah Washington sang "What a difference a day makes" it seems unlikely that she had in mind the limitation period in an accountant's negligence case. However, the difference that a day makes, was precisely the issue in *Matthew v Sedman*. The Supreme Court found, as had the Court of Appeal and HHJ Hodge QC before it, that where a cause of action accrues at the stroke of midnight the whole of the day after midnight falls to be included in the computation of time for limitation purposes.

### **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.