

## Nigel Burroughs

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*He clearly knows the law and gives clear and concise advice*

- Legal 500

**Nigel Burroughs joined 4 New Square after 15 years in commercial chancery chambers. He covers all areas of chancery work, and associated professional liability claims.**

Nigel is also well known for his pensions' and offshore practice, and is recognised as a leading junior in these areas by The Legal 500.

His practice has taken him to Saudi Arabia, Jersey, Guernsey and the British Virgin Islands. He has been called to the bar of the Supreme Court of the Eastern Caribbean.

Nigel is variously described as "technically excellent, he's very good to deal with and he really does get his hands dirty with the materials" (Chambers & Partners); "great fun to work with, offers commercial and pragmatic advice, and has a wide chancery background which informs his pensions work" (Chambers & Partners); who 'can hold his own against QCs' (Legal 500).

### Privacy Policy

Click here for a **Privacy Policy** for Nigel Burroughs.

## Areas of Expertise

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### Chancery

After spending 15 years in a leading commercial chancery chambers, Nigel has considerable experience of all areas of chancery litigation. Whilst the majority of his work is commercial in nature, he is also well versed in traditional trust, wills and probate claims.

### Real Property and Mortgages

Nigel's property work encompasses all contentious aspects of real property and the security over it. On the pure property side, he has dealt with conveyancing disputes, including specific performance applications, as well as boundary and easement problems. He has litigated a number of constructive trust claims. His security work encompasses the construction and enforcement of mortgages. He has fought actions involving the avoidance of mortgages on the grounds of misrepresentation and undue influence, and related professional negligence claims. Nigel has experience of enforcing lenders' rights under forged and equitable mortgages, and subrogation claims.



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#### Recent cases:

- Advising a national housebuilder on its obligation to complete the purchase of several sites where planning and other conditions remained outstanding.
- Mortgagee possession actions where the mortgagee sought to avoid the charge on the grounds of fraud and undue influence.
- Advising on the interrelation between an option contract over commercial property and a related supply agreement which had been subject to several variations.

## Financial Services

Much of Nigel's financial services work concerns the misselling of personal pensions and life assurance products. He has also acted in claims against investment advisers and professionals involved with occupational pension schemes. Some of Nigel's cases have involved an overseas element, and he has appeared in court in the British Virgin Islands to obtain a pre-emptive costs order in favour of trustees for failing to comply with its investment duties to an off-shore trust.

## Contentious trusts, wills and probate

Nigel has acted in numerous trust disputes. They have involved private trusts as well as pension and charitable trusts. Wills and probate cases have included claims for rectification, and challenges on the grounds of incapacity and want of knowledge and approval.

#### Recent cases have included:

- Acting for trustees seeking orders for sale of trust property opposed by the beneficiaries who alleged that the trustees had acted in breach of trust in failing to sell the property several years before.
- *Greenwold v Greenwold* – Construction of a will trust as to whether the expression 'my wife' also means 'my widow'.
- A claim for rectification brought out of time by the executors and a cross-claim by the residuary beneficiary under an earlier will for renunciation of probate on the grounds of incapacity and want of knowledge and approval.

## Qualifications & Memberships

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Association of Pensions Lawyers  
Commercial Bar Association  
Supreme Court of the Eastern Caribbean

### Education

B.A. (London) Dip. Law (PCL)

## Insights

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### **Expert Evidence on Share Valuations: When to use hot tubbing in unfair prejudice petitions**

22 July 2019

A critical part of any unfair prejudice petition is the valuation of the minority shareholding. Paul Mitchell QC and Nigel Burroughs of 4 New Square were counsel on different sides in *Swain v Swains Plc*, a case in which the expert share valuation evidence was taken concurrently. They look at the pros and cons of hot tubbing, and offer practical advice on how to approach the way experts should give their evidence.

### **Pensions and extrinsic contracts**

13 September 2011

An article which considers how the legal principles of extrinsic contracts and estoppel apply in the context of pension schemes.