Andrew Nicklin



Year of Call: 2010
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Overview

Andrew Nicklin is a specialist property and chancery barrister who joined 3PB from chambers in East Anglia in 2023.

He has a busy practice across the South East (including London and all of East Anglia) with particular expertise in real property, landlord and tenant, trusts of land and other trusts/estate disputes.

He appears in the High Court (Business and Property Courts), the County Court and other tribunals providing a high level of client care and service to solicitors and direct access clients alike. Whilst Andrew is an experienced trial advocate and courtroom practitioner, a substantial part of his practice includes advice (in writing, in conference and at the site of any land or property dispute). His skills also adapt well into mediations and joint settlement meetings. Many of Andrew's cases are effectively resolved through active and focused dispute resolution.

Solicitors and business/private clients usually instruct Andrew in the following primary areas of work:

- Real property disputes
- Landlord and tenant claims (including residential cases engaging the Equality Act 2010)
- Trusts of land and other equitable rights acquired over land
- Land and property disputes involving local authorities (including gypsy and traveller sites)
- Probate and estate disputes (typically with a property dimension)
- Other disputes concerning trusts and trustees
- Professional negligence and related contractual claims concerning property and land transactions
- Insolvency and partnership disputes (usually with a property dimension)

Andrew offers engaging training seminars/webinars on a range of topics within his specialism. Contact his clerks for an initial enquiry.

Andrew is able to draw on substantial past experience as a broad common law practitioner in East Anglia. His knowledge and skills have developed through a mix of civil, employment and public law work, including education, discrimination and inquests. His breadth of knowledge and experience is invaluable in dealing with a range of issues which may arise in property, land and chancery disputes.

Before being called to the Bar he taught history, politics and critical thinking at a large comprehensive school in North East London. He has also been a governor of a primary school in Norfolk.

Andrew is committed to protecting and respecting your privacy and data, which he processes and controls in accordance with the UK GDPR and Data Protection Act 2018. Please contact Andrew or his clerk for a copy of his privacy policy which sets

out the basis upon which any personal data he may collect about you, or that is provided to him in the course of working with you, will be processed. Andrew or his clerk will provide a copy of his policy to you promptly by email upon request.

Recommendations

"Andrew is excellent at explaining the issues clearly to clients and excellent at communicating and putting forward submissions to the court eloquently."
"He is my first choice for counsel whenever I have a property or contentious probate matter. He is extremely knowledgeable, helpful and is always willing to go that extra mile in helping a solicitor who is uncertain on how to proceed."
"Andrew Nicklin is an all-round excellent lawyer."
Chambers UK 2027/Chancery/South Eastern Circuit/

'An excellent property litigator, able to think strategically and about what is practical. Able both on paper and as an advocate.'
'Also a good communicator with instructing solicitors, who has a good track record of advising when he promises to do so, without delays.'
Legal 500 2027/Property and Construction/South Eastern Circuit/Leading Juniors

'Andrew is calm, concise, and commanding. He picks up details extremely quickly and has an ability to focus on the important facts without diminishing the emotional value to clients, giving pragmatic, clear, and cost-effective advice. He is excellent at mediations, applying enough pressure on the opposition, tempered by meaningful and thoughtful advice to clients. He creates a rapport with clients and instructing solicitors with such ease.'
Legal 500 2027/Private Wealth, Probate and Tax/South Eastern Circuit/Leading Juniors

'Andrew is extremely knowledgeable and very thorough in his approach. He also has excellent inter-personal skills with clients, explaining complicated legal concepts clearly and in a way that lay clients can understand. He is also an excellent and tenacious advocate, putting his clients' cases clearly and persuasively. He gives good tactical advice whilst also being honest with clients about the merits of their cases.'
Legal 500 2026/Property and Construction/South Eastern Circuit/Leading Juniors

'Andy is calm and methodical and de-codes complex legal issues for lay clients in pressured environments such as mediations and hearings, putting them at ease and enabling them to be more measured in their approach.'
Legal 500 2026/Private Wealth, Probate and Tax/South Eastern Circuit/Leading Juniors

Andrew Nicklin is known for his 'thoroughness in complex drafting' and recently acted for a restaurant tenant seeking a new lease and costs order.
'Andrew is great with clients and has a knack for explaining complex legal issues in an accessible way. He is commercial, with a good understanding.'
Legal 500 2025/Property and Construction/South Eastern Circuit/Leading Juniors

'Andrew is extremely good with the lay client, putting them at ease. He is also readily accessible to instructing solicitors.'
Legal 500 2025/Chancery, Probate and Tax/South Eastern Circuit/Leading Juniors

'Andrew is very hands-on and helpful, happy to offer advice throughout a case on an ad hoc basis to assist with case progression. He is very well-prepared, including in the mediation context. He is very good at managing a client, and his negotiation skills are excellent.'
Legal 500 2024/Chancery, Probate and Tax/South Eastern Circuit/Leading Juniors

"a preferred counsel of mine in respect of property related disputes."
Mark Taylor, Partner, Cunningtons LLP

Academic qualifications

- LLB, First Class Honours, College of Law (2010)
- Graduate Diploma in Law, Distinction, College of Law, Birmingham (2009)

- Bar Vocational Course, Outstanding, College of Law, London (2010)
- Postgraduate Certificate in Education (PGCE), University of Warwick
- BA (Hons) History, University of Bristol

Scholarships

- Middle Temple, Baron Dr Ver Heyden de Lancey Prize for 'Outstanding' results: BVC
- Middle Temple, Certificate of Honour: BVC
- Middle Temple, BVC Diplock Scholar
- Middle Temple, GDL Benefactors Scholar
- Middle Temple, Blackstone Entrance Exhibition
- Leonard Sainer Foundation Trust Award
- Mills & Reeve LLP Prize, Best Overall GDL Student (College of Law, Birmingham, 2009)
- Mills & Reeve LLP Prizes, Best GDL scores in Land, Public and EC Law (College of Law, Birmingham, 2009)

Professional qualifications & appointments

- Deputy District Judge (South Eastern Circuit)
- Fee-paid Employment Judge of the Employment Tribunals (England & Wales) – London Central

Professional bodies

- Member of the Chancery Bar Association
- Member of the South Eastern Circuit
- Property Bar Association

Direct Access

Andrew Nicklin is qualified to accept instructions directly from members of the public and professional clients under the Direct Public Access scheme.

Expertise

Property and Estates

Andrew is a specialist property and chancery barrister with 3PB's Property and Estates team. His practice is a mix of real property, landlord and tenant and traditional chancery, regularly advising and representing clients in the High Court (Business and Property Courts), County Courts and other specialist Tribunals. Andrew is recognised for providing a high level of client care and service to solicitors and lay clients alike.

Andrew has a particular specialism and substantial experience in real property matters, acting and advising in disputes such as:

- Adverse possession
- Boundary disputes
- Rights of way and easements (including right to light cases)
- Public rights and protected or designated sites (such as SSSIs)
- Land Registration
- Covenants
- Trusts of Land (ToLATA) claims and orders for sale
- Estoppel and other equitable remedies involving land and proprietary rights
- Trespass and nuisance claims
- Real property disputes involving public bodies and local authorities
- Professional negligence claims involving property transactions and surveys

In leasehold and housing matters, Andrew regularly advises and represents clients in the following:

- Leases and enfranchisement
- Commercial landlord and tenant disputes (1954 Act)
- Residential landlord and tenant (leases and licences)
- Agricultural tenancies
- Local authority housing policy advice
- Housing disrepair claims
- Trespass
- Social housing and anti-social behaviour
- Equality Act 2010 matters in housing cases
- Mobile Homes Act claims

Andrew also has a particular specialism in property and housing related claims in respect of local authority gypsy and traveller sites. Andrew has worked with a number of local authorities concerning issues such as: licences, Mobile Homes Act claims, water disputes, equitable interests over sites, adverse possession, anti-social behaviour, site management and diversity inclusion and Equality Act issues.

Some recent property case highlights include:

- Successfully representing a commercial tenant at multi-track trial in respect of a 1954 Act lease renewal and on appeal before Roth J in the Chancery Division (Rolls Building) in 2022. The trial judgment was upheld save for an adjustment to

the trial costs order.

- Successfully representing a man who had been in adverse possession of an unregistered village motor garage for in excess of 20 years. After a four-day trial, the trial judge dismissed the claim for possession and made declarations as to his adverse possession and his entitlement to be registered as the proprietor of the garage at HM Land Registry.
- Successfully representing a couple in defending the preservation of their rights of way across land previously sold off in part.
- Settling a complex and historic boundary and adverse possession dispute between neighbouring properties involving water.
- Settling a family ToLATA dispute involving a hotel
- Representing a property company in its claim for rescission of the purchase of a public house on the basis of misrepresentations made by the vendor.
- Advising and representing a central London homeowner in respect of his professional negligence claim against solicitors as to faulty advice regarding the removal of restrictive covenants from his title prior to commencing the build of an expensive second property on the land.
- Advice and drafting in respect of claims against surveyors prior to property purchases.
- Advice in respect of right to light.
- Advice in respect of a case involving the infringement of public rights of way and rights over an SSSI.
- Settling a complex property dispute concerning adverse possession of a gypsy and traveller site.

Probate and other chancery

Andrew Nicklin has a busy chancery and probate practice with considerable experience in contested wills, trust disputes and Inheritance Act claims.

Typical cases in which he is instructed include:

- Disputes between trustees and beneficiaries, particularly concerning the conduct of trustees and attorneys and the management of trusts
- Advice on the role and duties of trustees, including Beddoe applications in respect of trust litigation
- Contested probate, usually involving:
- Testamentary capacity
- Undue influence
- Fraud
- Inheritance Act claims and disappointed beneficiaries

Other chancery work involves:

- Insolvency applications and advice (recently acting for a liquidator in respect of a construction company with creditors exceeding £2m)
- Partnership disputes, usually with a property dimension and/or ToLATA issues
- Professional Negligence, often involving property work

Commercial

Andrew is an experienced commercial and chancery practitioner. His expertise spans business-to-business contractual disputes, equitable remedies, partnership disputes, insolvency, professional negligence, and consumer law.

Core Specialist Areas:

Insolvency and Bankruptcy: Andrew has a wealth of experience in handling insolvency matters, including acting for liquidators, validating transactions pre-bankruptcy orders, and resisting injunctions related to winding up petitions.
Partnership Disputes: Often involving real property assets, which are referred to arbitration under partnership agreements.
Commercial Disputes: Involving complex multi-jurisdictional proceedings, misrepresentation, and estoppel defences.
Professional Negligence: Extending to claims against solicitors, pre-purchase building surveys, and successful representation of architects in court trials.
Equitable Remedies: With a strong background in equitable remedies, Andrew advises on unconscionable transactions, fraud, non est factum, and cases involving the court's equitable jurisdiction.

Recent and ongoing Cases:

- Acting a claim for a substantial deferred remuneration and contractual interest. The dispute arises from a broader investment in innovative culinary solutions distributed internationally, with the case centering on the rescission of a previous agreement and the conditionality of payment on further funding.
- Acting for a liquidator in the recovery of payments made post-winding up petition, managing validation order applications and other claims for void payments.
- Advised and represented a businessman in a validation order concerning a home transaction before a bankruptcy order.
- Successfully resisted an injunction to restrain the presentation of a winding up petition related to unpaid invoices under a substantial construction contract.
- Represented a dentist in bankruptcy proceedings, rescinding the bankruptcy order after securing commercial funding.
- Handled various winding up petitions, bankruptcy petitions, and applications to set aside statutory demands.
- Handled a partnership dispute involving approximately £1.5 million in real property assets referred to arbitration.
- Advised on unconscionable transactions and other equitable remedies, including property transfers at undervalue.
- Represented a professional theatre company in a substantial loss of profit claim arising from a breach of contract.
- Professional Negligence:
    - Claimed damages against a solicitors' firm for negligent advice on the release of a no-build covenant.
    - Successfully represented an architect in a county court trial for alleged faulty work.