

Andrew Nicklin

Year of Call: 2010

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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.

Recommendations

'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.