



Matthew Hall

Year of call 1999

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Matthew is a barrister who specialises in **property** and **probate litigation**.

Since joining Kings Chambers in 1998 after an outstanding academic career (Law with Law Studies in Europe, St Edmund Hall, Oxford, First Class) Matthew has practised solely in property and probate work. He has been ranked in Chambers & Partners and the Legal 500 for many years. As his 2024 references in the Legal 500 and Chambers & Partners attest, he has a friendly and straightforward approach with clients, whilst being comfortable dealing with the most complex legal issues.

In real estate work, Matthew's practice focuses on commercial and development work in the areas referred to below.

- Issues which may affect the ability to develop, such as restrictive covenants, mines and mineral rights and sporting rights.
- Easements and in particular rights of access and to lay services. Here, Matthew will often work in conjunction with members of the Planning team offering a "one stop shop" where highways and other public law issues also arise.
- Overage clauses, options and promotion agreements.
- Status of land held by charities and local authorities and the application of the Open Spaces Act 1906.
- Commercial landlord and tenant with a particular focus on rent review and rent / terms on renewal under the 1954 Act.

In probate and trusts work, Matthew's noted user-friendly approach is a particular strength when dealing with highly sensitive cases, particularly at mediation. His expertise in property law is also an advantage. Matthew has particular experience in

- Personal representative and trustee removal.
- Issues about capacity, undue influence and knowledge and approval.
- Claims under the Inheritance Act.
- Family property issues (excluding tax) and in particular proprietary estoppel, TLATA and issues concerning land registration and company shares.

In all the work he undertakes, Matthew is aware of the need for an unfussy, cost-conscious approach. He is happy to travel to meet clients at their home, at solicitors' offices or on site.

Expertise

Private Client, Trusts and Probate

Matthew has much experience in each of these areas.

Matthew has longstanding expertise in the field of succession / wills and probate, in particular, contested wills (including a 2 week High Court trial and in the Court of Appeal in a death-bed will challenge (*Fitzgerald v Henerty* [2016] EWCA Civ 701 – led by Lesley Anderson KC)), claims under the 1975 Act (recently advising, for instance, in a claim to a £7.5m estate and in another case concerning Sharia / Nikah marriages), proprietary estoppel and estate administration (including the removal of personal representatives).

In trusts work, Matthew regularly advises on the powers of trustees (for instance, recently advising on the powers of trustees in a family trust established to hold the shares in a well-known brewing company), the removal of trustees (recently in acting in a 3-day High Court removal application) and the construction and operation of trusts (for instance, on the terms of a discretionary trust set up by a lottery winner). Matthew regularly gives talks on trusts e.g. on secret trusts to members of STEP and recently on fiduciary duties to advocates on the Isle of Man.

In charities work, Matthew has gained particular experience in dealing with the charitable status of land held by public bodies and charitable trustees, for example recently advising on a local authority's powers to redevelop part of a recreation ground and on the charitable status of a large city park.

Professional Negligence

Matthew has a great deal of experience of acting and advising in professional negligence issues arising in the context of his other areas of expertise, i.e. land law (e.g. negligent conveyancing – recently advised on claim against solicitor for failing to advise property developer of a restrictive covenant) and trusts and probate work (e.g. negligent drafting of wills – recently advised on failure to advise testator on severance of joint tenancy). Matthew has developed a high level of expertise on the law of damages in the context of negligently advised transactions.

Real Estate Litigation

Over 20 years' experience in all areas of land law (including landlord and tenant and service charge disputes). The focus of Matthew's work is now mainly property development and commercial / retail premises and in particular rights of way and restrictive covenants (advising regularly on ransom strips access to development plots), retail valuation and redevelopment issues under the 1954 Act (e.g. advising a local authority on a lease to a football club) and torts affecting land (e.g. a 6 day TCC nuisance trial concerning leaking fuel).

Matthew also regularly advises local authorities and other public bodies on the exercise of their land-holding functions, particularly concerning city centre redevelopment.

Significant Reported Cases (Court of Appeal only shown: in all the following cases appeared unled)

Ahmad v Secret Garden (Cheshire) Limited [2013] EGLR 32 (scope of court's discretion to rectify lease)

Bradford v James [2008] EWCA Civ 837 (extrinsic evidence in construction of conveyance)

Latimer v Carney [2007] 1 P & CR 213 (correct approach to assessment of damages in dilapidations claims)

Tenant v Adamczyk [2006] 1 P & CR 485 (adverse possession)

Memberships

- Society of Trusts and Estate Practitioners
- Chancery Bar Association
- Northern Chancery Bar Association

Qualifications

- Oxford University BA (First Class) in Law with Law Studies in Europe (French)
- City University Diploma in Law 1999

Recommendations

Chambers UK 2023

"Matthew is good on paper and on his feet."

"Matthew is strong on his feet, client-friendly and easy to work with as a solicitor."

"Matthew is very good and very user-friendly. He's very good with clients as well."

Legal 500 2023

"Matthew Hall is able to quickly get to the heart of complex and sophisticated matters and provide his advice in a straightforward and comprehensive manner."

Legal 500 2022

"Matthew is very personable and great with clients. He has an astute and commercial approach to property litigation disputes, and his advice has always been sensible and pragmatic. He has a keen eye for detail too."

Chambers UK 2022

"He is approachable, knowledgeable and good to work with. He has a refreshing attitude and a good balance of laid back and astute."

Chambers UK 2021

"He is very responsive and gives sound, practical advice. He is easy to work with." "He takes his points well and is always well prepared."

Legal 500 2021

"He is very good with clients, very thorough, great judgement."

Chambers UK 2020

"He is very available and willing to help as well as practical and incredibly down to earth." "He is astute and aware of the tactical considerations in a case."

Chambers UK 2019

"Approachable and friendly." "He provides good advice on complex real estate issues."

Chambers UK 2018

"Very forthright and very personable. Clients like him." "Very approachable and user-friendly."

Chambers UK 2017

"Excellent junior with a keen eye for detail." "Very good, assertive and user-friendly."

Chambers UK 2016

"Very client-friendly and diligent."

“Very good to work with and very pragmatic.”

Rated in Chambers and Partners as a specialist in Real Estate Litigation

“He is very accessible, excellent at thinking on his feet and persuasive in his approach.”

“He is very well prepared and gets to the heart of the issue.”

Accreditations

