

NICK TAYLOR

Year of call: 2019

Qualifications: MSci, MA (Cantab),
Natural Sciences, University of
Cambridge (2009-2013). Double First.

Clerked by: Louise Barnes Brandon
Singh

AREAS OF EXPERTISE:

Banking & Finance Company
Commercial Dispute Resolution
Insolvency & Restructuring
Partnership Professional Negligence
Real Estate Litigation Sport
Technology & Construction



Profile

Nick became a tenant at Kings Chambers in September 2020 after completing pupillage under the supervision of Andrew Latimer and Eleanor Temple. Nick has quickly developed a busy practice across all areas practised by the Business and Property team with a particular interest in insolvency, commercial and corporate disputes.

During pupillage, under the supervision of Andrew Latimer, Nick gained experience in all aspects of commercial and chancery work, with an emphasis on commercial dispute resolution, company and property matters. In his second six and under the supervision of Eleanor Temple he gained particular experience in insolvency, banking and finance.

Prior to coming to the bar Nick qualified as a chartered accountant in the corporate tax team at one of the 'Big 4' firms, which provides a useful background when dealing with matters with an accounting, financial or tax aspect."

Year of Call: 2019

Areas of Expertise:

Banking & Finance

Nick's prior experience as a chartered accountant has provided him with a useful background relevant to all aspects of banking and finance.

During pupillage, Nick observed and assisted with many common banking and finance matters, such as consumer credit act claims including the 'unfair relationship' provisions.

Nick is currently instructed as a junior (led by Mark Harper QC) in a case brought against a major bank for mis-sold PPI claims.

Company

Nick has a particular interest (and experience at his level of call) in company law work. During pupillage, Nick gained significant experience (with Andrew Latimer and Mark Harper QC) of shareholder disputes, including unfair prejudice petitions, derivative actions and winding up on the just and equitable ground.

Examples of more recent work include:

- Drafting proceedings in a section 994 CA 2006 claim (alleging unfair prejudice) asserting the existence of a quasi-partnership, breaches of directors' duties and unlawful reductions in shareholdings
- Successfully representing a company in an application under section 1096 CA 2006 to remove confidential material from the Register of Companies
- Advising on a potential breach of directors' duty/breach of confidence claim
- Regular appearances in Companies Act applications including applications for rectification of the register, replacement of charges and extensions of time to deliver charges to the Registrar.
- Advising a company director in connection with potential disqualification proceedings
- Successfully appearing for a director in proceedings under the CDDA 1996 seeking permission to act as a director for a number of companies. Nick appeared for the director at an interim and final hearing.

Nick has recently delivered a seminar (with Mark Harper QC) titled "The Limitations on the Unfair Prejudice Remedy", which discussed the impact of the decisions in *Re Hut Group Ltd* [2021] EWCA Civ 904 and *Taylor Goodchild Ltd v Taylor & another* [2021] EWCA Civ 1135

Commercial Dispute Resolution

Commercial disputes form the core of Nick's practice. He is experienced in all aspects of contractual disputes, including debt recovery, sale and supply of goods and services, consumer credit finance, factoring and insurance claims. As a pupil with Andrew Latimer, Nick gained particular experience of high-value breach of warranty and post-completion SPA claims

Nick regularly represents clients in court proceedings, including small claims trials, fast-track trials and common applications such as applications to set aside default judgment. Nick also commonly represents clients at procedural hearings, such as directions hearings and CCMCs involving issues under the disclosure pilot.

Nick has advised on all aspects of civil procedure, including issues relating to service out of the jurisdiction.

Insolvency & Restructuring

Nick has a broad experience of corporate and personal insolvency, including voluntary arrangements, liquidations, administrations and bankruptcy proceedings.

Examples of recent experience include:

- *Re A Company* [2021] EWHC 2289 (Ch) – a preliminary hearing of a winding-up petition which considered the 'coronavirus test'. Nick acted for the successful respondent company.
- Advising a liquidator as to whether certain payments constituted a "transaction" for the purposes of s283 IA 1986
- Regular appearances in the applications lists including for administration orders, applications to extend or discharge administrations
- Advising over a company over a number of weeks on various matters in connection with CVA proposals that were due to be issued
- Advising a trustee-in-bankruptcy on a potential transaction at an undervalue claim
- Advising on and successfully appearing at a hearing to have a 'homes rights' notice removed from a bankrupt's residential home
- Appearing on behalf of the directors on an application for the directors to act for companies known by prohibited names under s216 IA 1986
- Advising a trustee-in-bankruptcy whether settlement amounts received from group litigation orders vested in the trustee-in-bankrupt
- Advising a trustee-in-bankruptcy on points arising from the sale of various properties in relation to capital gains tax
- Regular appearances in the winding-up lists and instructions in connection with contested winding-up petitions where debts are said to be disputed
- Successfully appearing for a director in proceedings under CDDA 1996 seeking permission to act as a director for a number of companies. Nick appeared for the director at an interim and final hearing.
- Assisting Eleanor Temple in a four day remote trial in relation to a misfeasance action brought by a liquidator against two directors involving a complex international corporate structure (as a pupil)

Nick has also delivered a seminar to the Leeds Business and Property Courts Forum with Her Honour Judge Jackson and Eleanor Temple on the 'new' Schedule 10 of CIGA 2020 in relation to winding up petitions.

Partnership

Professional Negligence

Nick's background as an accountant and tax advisor has given him a particular interest in, and insight into, professional negligence claims. Recently Nick utilised his experience to advise on and settle draft pleadings for proceedings against a firm of tax advisors and auditors.

During pupillage Nick drafted pleadings against a firm of solicitors involving a failure to provide tax advice.

Real Estate Litigation

During pupillage Nick gained a broad experience of proceedings regarding commercial and residential property, including possession proceedings for both mortgage and tenancies, trusts of land, restrictive covenants, and dilapidations

Nick has also gained particular experience of acting in and advising on proceedings regarding easements, forfeiture, boundary disputes, freehold valuation disputes and possession proceedings for residential tenancies and by mortgagees.

Sport

During pupillage Nick observed a remitted arbitration under FA Rule K. Nick has an ongoing interest in sports disputes.

Technology & Construction

Qualifications:

Bar Professional Training Course, BPP Law School (2018-2019) 1st in year.

Graduate Diploma in Law, BPP Law School (2017-2018). Distinction, 1st in year.

MSci, MA (Cantab), Natural Sciences, University of Cambridge (2009-2013). Double First.

Chartered Accountant (CA), Institute of Chartered Accountants of Scotland (ICAS)

Awards:

North Eastern Circuit Prize for the highest mark on the BPTC (2019)

Park Square Chambers prize for highest mark in Civil Litigation (2019)

Kings Chambers prize for the highest mark in Company Law (2019)

DWF Prize for highest mark on the GDL (2018)

Plexus Law Prize for the highest mark in Tort Law (2018)

Advocacy, Excellence and Regional Centre Scholarships, BPP Law School (2018)

Queen Mother Scholarship, Middle Temple (2017, 2018)

Harmsworth Entrance Exhibition, Middle Temple (2018)

Samuel Taylor Scholarship, Sidney Sussex College (2012, 2013)

Tripos Scholar of Sidney Sussex College

Memberships:

The Honourable Society of the Middle Temple

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ICAS