Falcon Chambers

Nathaniel Duckworth KC

Called 2002 Silk 2025



Practice Summary

Nathaniel Duckworth is ranked in Band 1 for both Chambers and Partners and Legal 500. His practice encompasses all aspects of real property and landlord and tenant-related litigation, advice and ADR. Real property matters on which he advises include:

- Conveyancing and development contracts
- Boundary disputes and adverse possession
- Land registration
- Private and public rights of way and other easements
- Restrictive covenants
- Options
- Mortgages
- Disputes relating to beneficial ownership of land, fraud, common law and statutory nuisance and compulsory purchase.

He advises in both residential and commercial landlord and tenant matters including:

- Rent review
- Break clauses
- Forfeiture and other possession claims
- Applications for consent
- Service charge
- Right to manage
- Dilapidations
- Enfranchisement
- Business lease renewals under the 1954 Act
- 1987 Act right of first refusal
- Agriculture and public-sector tenancies.

He also regularly advises on associated company, insolvency, trusts and partnership matters and has extensive

experience in professional negligence claims against surveyors, solicitors and other property professionals.

Nathaniel has appeared in the Privy Council and the Court of Appeal and regularly appears in both the High Court and the County Court as well as the Lands Tribunal, Leasehold Valuation Tribunal and other statutory tribunals. He also has experience of advising and acting in mediations and arbitrations, as an independent expert.

Nathaniel also has experience of advising and appearing in Court in other jurisdictions, including Bermuda, Trinidad & Tobago, the Cayman Islands, Jamaica, the Turks & Caicos and Hong Kong.

Education

- St. Anne's College, Oxford: M.A. Honours Modern Languages (French & Spanish), 1st Class
- Paris Chamber of Commerce: Diploma in Business and Economics French
- The College of Law: Diploma in Law (Commendation).

Professional

- Inns of Court School of Law: Bar Vocational Course (Very Competent, graduated top 3%)
- Called, Lincoln's Inn (2002).

Recent Cases

- **Handy Cross Dev Co Ltd v Vanni Properties Ltd** [2026] EWHC 266 (Ch): acted for the successful respondent in a commercial boundary dispute concerning the application of the principles in Ali v Lane [2007] 1 P&CR 26 and the dual capacities of a local authority.
- **Shamsan v 44-49 Lowndes Square Management Co Ltd** (2024, Court of Appeal, Nugee, Underhill and Edis LJJ). Acting for the landlord in an appeal about whether a head landlord is liable in negligence when the porters in a residential block carelessly hand over keys to a sub-tenant's flat to a thief.
- **Donovan v Prescott Place Freehold Ltd** [2024] EWCA Civ 298 (Asplin, Arnold and Snowdon LJJ). Acted for the successful Appellant in an appeal raising issues relating to the Landlord and Tenant Act 1987, abuse of process and injunctions.
- **Messenex v Lanark Square Limited** [2024] EWHC 89 (Ashley Greenbank). Acted for the successful landlord at trial resisting a tenant's claim for a declaration that consent had unreasonably been refused to redevelopment of a block of flats in London.
- **Amin v Amin** (2024, HHJ Monty KC). Acted for the successful defendant in a seven day undue influence and misrepresentation trial.
- **Winchester Court Limited v Paymil** (2023, HHJ Johns KC). Acted for the successful tenant in case which considers, for the first time, whether a sub-tenant of part of premises demised by a head-lease can obtain relief from forfeiture under s.146(2) of the Law of the Property Act 1925 vesting the whole of the head-lease in the sub-tenant.
- **AHGR Ltd v Kane** [2023] EWCA Civ 428 (King, Dingemans and Snowden LJJ). Acted for the landlord in an appeal concerning whether a planning permission and user covenant in the lease which required premises to be used as a "live/work unit" should be read as requiring living and working or living and/or working.
- Valley View Health Centre v NHS Property Services Limited [2022] EWHC 1393 (Edwin Johnson J). Acted

for the successful landlord in five sets of proceedings concerning the liability of GPs to pay service charges to their NHS landlord.

- **Milestar v Gandesha** (2021) (CC, HHJ Monty QC). Acted for the successful landlord in opposed lease renewal proceedings under the Landlord and Tenant Act 1954 in which the Court had to consider, for the first time, whether whether a landlord can succeed under Ground (b) (rent arrears) if the tenant has a right of equitable set off in an amount that is equal to or in excess of the arrears of rent.
- **Derhalli v Derhalli** [2021] EWCA Civ 112 (Court of Appeal). Acted for the successful Respondent in a second appeal concerning the interpretation of a consent order in high value divorce proceedings.
- **Menzies v Louisianna Properties Ltd** (2019) (High Court, HHJ Kremer) Acted for the successful appellant in an appeal relating to a claim for damages for negligence and nuisance in connection with water penetration from a suprajacent flat.
- **London Kendal No 3 Ltd v Daejan Investments Ltd** [2019] 7 WLUK 589 (HHJ Saunders). Acted for the successful landlord at trial in commercial lease renewal proceedings under the Landlord and Tenant Act 1954, in the first ground (f) case since the Supreme Court's decision in S Franses v Cavendish Hotels.
- **Shortland v Hill [2018] 1 P & CR 16** (HHJ Matthews) (claim for declaration as to location of a boundary and scope and enforceability of a right of way).
- **Pollock v Oldfield** [2018] EWHC 2743 (Chancery Division, Arnold J). Acted for the successful appellant overturning a finding of fact and the first instance judge's construction of an old conveyance in boundary dispute proceedings.
- **Freehold Managers (Nominees) Ltd v Celestia Management Company** [2017] EWHC 1281 (Chancery Division, HHJ Davis-White QC). Acted for the successful Defendant in a claim for declaratory relief as to the proper construction of an outgoings covenant in a lease forming part of a complicated leasehold scheme
- **Sparks v Biden** [2017] EWHC 1994 (Chancery Division, HHJ Jarman QC). Acted for the Defendant in a claim for declaratory relief as to existence or otherwise of an implied term in an overage agreement
- **Goodlad v Tonkinson** (2017) (SYK196094) – Acted for the successful respondent opposing an application to the First-tier Tribunal for a notice protecting an option agreement to be cancelled on the grounds of invalidity / unenforceability.
- **Westhill Endowment v Birmingham City Council** (2016) (Chancery Division, HHJ Purle QC). Acted for the successful claimant in proceedings for rectification of the register of town or village greens under section 14(b) of the Commons Registration Act 1965, led by Guy Fetherstonhaugh QC.
- **Murdoch v Amesbury** [2016] UKUT 0003 (TCC). Appeal to the Upper Tribunal (HHJ Dight), in a boundary dispute, concerning amongst other things (i) the breadth of the FTT's discretion on an application for a determined boundary under s.60(3) of the Land Registration Act 2002 and (ii) the extent of the Ali v Lane exception to the inadmissibility of subsequent conduct.
- **Airport Industrial GP Ltd v Heathrow Airport Ltd** [2015] EWHC 3753. Claim for specific performance of contractual obligations to build and hand over a car park in the immediate environs of Heathrow.
- **Safin v Badrig** [2015] EWCA Civ 739. Appeal to CA about whether and if so in what circumstances the Court may vary a consent order containing a contract of compromise.
- **CF Business Ltd v Munday** [2014] EWCA Civ 1296 (Court of Appeal decision in a mortgagee possession case raising issues of estoppel by convention and cause of action estoppel).
- **Ham v Ham** [2013] EWCA Civ 1301 (Court of Appeal decision on the interpretation of departure provisions contained in a partnership agreement).
- **Director of Land Valuation v Banks** (2012) Civil Appeal No 12 (Bermuda Court of Appeal: construction of the Land Valuation and Tax Act 1967)
- **Lancashire Insurance Co Ltd v MS Frontier Reinsurance Limited** [2012] UKPC 2012 (Appeal from the Bermuda Court of Appeal: interpretation of an agreement for an assignment of a commercial lease; waiver by election)
- **CA Trott (Plant Hire) Ltd v Humble** [2012] UKUT 391 (Lands Tribunal appeal: enfranchisement and

breach of natural justice)

- **Director of Land Valuation v Banks** (2012) Civil Appeal No 17 (Supreme Court of Bermuda: rating appeal)
- **Gopaul v Baksh** [2012] UKPC 1 (Privy Council (Trinidad & Tobago): statutory interpretation)
- **Rees v Peters** [2011] EWCA Civ 836 (Court of Appeal decision on restrictive covenants; alteration of the register)
- **Neale v Witney Electric Theatre** (2011) (Court of Appeal decision on interim rent under the 1954 Act)
- **Forrester Ketley & Co v (1) Brent (2) Palette** [2009] EWHC 3441 (Ch) (High Court fraud trial).
- **Royal Oak Property Co. Ltd v Iktilat and anor** [2008] PLSCS 215 (High Court: Sham trusts; whether equity of redemption is a sufficient interest for the purposes of s. 2 of the Charging Orders Act 1979).
- **Plintal SA and another v 36-48A Edgewood Drive RTM** [2008] PLSCS (Lands Tribunal: Jurisdiction of the LVT to award costs under s. 88(1) of the Commonhold and Leasehold Reform Act 2002).
- **The Holt (Freehold) Ltd v Daejan Investments Ltd** [2008] PLCS 75 (Lands Tribunal: Enfranchisement: deferment rate for non-Prime Central London property).
- **Blue Haven Enterprises Ltd v (1) Tully and (2) Robinson** [2006] UKPC 17 (Appeal from the Jamaica Court of Appeal – proprietary estoppel/unjust enrichment).
- **DS (Applicant) v SS (NOW SM) (Respondent) & EM (Intervener)** [2006] EWHC 2892 (Fam) (proprietary estoppel, constructive trusts; competing equities).

Publications

- Co-author of Commercial and Residential Service Charges (www.bloomsburyprofessional.com/1528/Bloomsbury-Professional-Commercial-and-Residential-Service-Charges.html)
- Contributor to the Woodfall Landlord and Tenant Bulletin
- Contributor to the New Law Journal.

Published Comments

"Nathaniel is an exceptional silk. His advocacy skills are formidable, and his strategic acumen is second to none. He has an unwavering commitment to clients' commercial objectives." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Nathaniel is superb and has transitioned to silk wonderfully; a phenomenal barrister." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"He's my go-to all-rounder and is extremely thorough, while also being user-friendly, convivial and very popular with clients and solicitors." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"Nathaniel is not only forensically intelligent but also superb with clients, which makes him ideal to work with on big matters." *Chambers and Partners UK Bar Guide 2027 (Real Estate Litigation)*

"[Nathaniel] is exceptionally bright, thorough, and a pleasure to work with. He always makes himself available where he can and is a great team player. At trial, Counsel expertly and calmly navigated the Judge through the complicated areas of the dispute. His cross-examination skills were highly effective too." *Legal 500 UK Bar Guide 2027*

"It is no surprise Nathaniel has made silk. He stands out amongst his peers as an outstanding property litigator."

Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)

"He is equally comfortable advising on paper and advocating on his feet, and the breadth of his expertise means that he is a valuable asset in all manner of situations and disputes." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"He is extremely responsive, smart, sharp and with a tone and manner of delivering advice which oscillates between the pleasing and the entertaining." *Chambers and Partners UK Bar Guide 2026 (Real Estate Litigation)*

"Nathaniel combines being exceptionally clever with a powerful and persuasive advocacy style." *Legal 500 UK Bar Guide 2026*

"Nathaniel Duckworth is an expert in real property, and residential and commercial landlord and tenant work. He excels in everything from service charge liability disputes and adverse possession claims to easements and restrictive covenants." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Nathaniel is great. He is a very clever lawyer with exceptional technical skills." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Nathaniel is excellent in the area of opposed lease renewals." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"Nathaniel's advocacy is of the highest quality, and is of great assistance and comfort to his clients." *Chambers and Partners UK Bar Guide 2025 (Real Estate Litigation)*

"He has a great style of advocacy which is powerful, engaging and effective at bringing the court onside." *Legal 500 UK Bar Guide 2025*

"He has a fantastic mastery of courtroom strategy and is a compelling and persuasive advocate."

"Extremely bright and tenacious with it."

"Nathaniel is a real team player, incredibly bright and really quite academic." *Chambers and Partners UK Bar Guide 2024 (Real Estate Litigation)*

‘Nat is very clever, with an encyclopedic knowledge of property law. He thinks about matters from every angle, anticipating the other side’s arguments and preparing thoroughly. He outclasses his opponent in court and explains complex legal points simply and compellingly.’ *Legal 500 UK Bar Guide 2024*

Chambers & Partners Real Estate Junior Barrister of the Year - 2023 *Chambers and Partners UK Bar Awards 2023*

"Nathaniel is completely on top of the commercial aspects and conscious of the proportionality of matters; he sees the end game." *Chambers and Partners UK Guide 2023*

"He has the ability to deal with high levels of complexity and pressure." *Chambers and Partners UK Guide 2023*

"He is very user-friendly, pragmatic and good with clients. He is also a strong advocate." *Chambers and Partners UK Guide 2023*

‘Nat has a fantastic mix of technical excellence, commercial acumen and communication skills. He finds the perfect balance in hearings, striking the right tone with judges while simultaneously forwarding his argument in a compelling way. ’ *Legal 500 UK Bar Guide 2023*

Nathaniel Duckworth is an expert in real property, and residential and commercial landlord and tenant work. He

excels in everything from service charge liability disputes and adverse possession claims to easements and restrictive covenants. "He is technically good and he's one of a very modern breed of barrister who is easy to deal with, very responsive and immensely approachable and commercially minded." "He is incredibly bright and responsive and brilliant with solicitors and clients alike." *Chambers and Partners UK Guide 2022*

‘ Nat is an absolute leader in his field. He is exceptionally astute and his ability to collate facts and evidence is outstanding. He produces some of the best pleadings I have seen, and he is exceptionally user friendly with clients and is a natural leader. Diligent, reliable, incredibly intelligent, a superb advocate and extremely focused. ’ *Legal 500 UK Bar Guide 2022*

An expert in real property, and residential and commercial landlord and tenant work. He excels in everything from boundary disputes and adverse possession claims to easements and restrictive covenants. Strengths: "Nat's work ethic, his knowledge of the case and his client manner is just exceptional." "He is a smart and capable barrister who earns the confidence of clients." "He's excellent as an advocate, very persuasive with the judge and reassuring with the client." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

"A true expert when it comes to landlord and tenant disputes." *Legal 500 UK Bar Guide 2021*

An expert in real property, and residential and commercial landlord and tenant work. He excels in everything from boundary disputes and adverse possession claims to easements and restrictive covenants. Strengths: "Gets to grips with issues quickly and gives pragmatic advice." "Commercially focused and provides accessible and insightful advice." "Extremely knowledgeable with impressive turnaround times." *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"Recommended for real property and landlord and tenant-related litigation." *Legal 500 UK Bar Guide 2020*

"An expert in real property, and residential and commercial landlord and tenant work. He excels in everything from boundary disputes and adverse possession claims to easements and restrictive covenants. Strengths: 'Has a calm yet confident manner in court and thinks well on his feet.' 'Technically excellent with good court presence.' Recent work: Successfully represented the defendant in a claim for declaratory relief as to the proper construction of an outgoings covenant in a lease forming part of a complicated leasehold scheme." *Chambers UK Guide 2019 (Real Estate Litigation)*