

## Timothy Wigglesworth

After being admitted as a solicitor in 1999, Timothy practiced in general company and commercial matters, principally acting in the sale and purchase of companies and businesses, and in banking and finance matters.

Since transferring to the Bar in 2007, Timothy has developed a broad Chancery practice and will happily represent clients, provide written advices and opinions, advise in conference or on site, where the location of the dispute is of relevance, as well as drafting pleadings and other documents required during the course of litigation, to ensure that clients



obtain the best result possible. He is practical and realistic and will only advise clients to pursue litigation if it is in their best interest.

Over the course of his career at the Bar Timothy has built a reputation for his objective approach to the commercial and practical realities of litigation and is unafraid of providing 'robust' advice when required. He is highly regarded by the Judiciary on circuit as an extremely capable and well-prepared advocate who assists the Court in getting quickly to the heart of disputes.

Timothy undertakes work in the following areas, appearing regularly in the County Court and High Court:

### Probate

Timothy regularly deals with a wide variety of matters in connection with the administration of estates and situations where a person feels that a will has not made reasonable provision. Such matters include the interpretation of wills, all elements of claims in relation to the administration of estates where the executors, administrators or the beneficiaries are in dispute, the substantial validity of wills, testamentary capacity and undue influence, rectification and claims under the Inheritance (Provision for Family and Dependants) Act 1975, including advising on the merits of a claim, the procedure, the grounds and basis of a claim, and advising on making a claim out of time.

### YEAR OF CALL

2007

### ADMITTED TO THE ROLL OF SOLICITOR

1999

### APPOINTMENTS

Legal Adviser to the  
Church of England  
Guild of Vergers since  
1999

Churchwarden of the  
Cathedral Church of  
St Nicholas, Newcastle  
upon Tyne, since 2009

### AREAS OF PRACTICE

CIVIL

Company &  
Commercial  
Property  
Trusts & Probate

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### Real Property and Landlord and Tenant

Timothy also advises and represents clients on a broad range of freehold and leasehold property issues and claims, including the enforcement of mortgages and charges, disputes as to easements and rights of way and their creation and extent, adverse possession of property and claims of limitation, Party Wall disputes, disputes as to the location of boundaries and claims concerning adopted public highways and rights claimed thereon.

Other claims that Timothy deals with include the co-ownership of property and claims under the Trusts of Land and Appointment of Trustees Act 1996, particularly following the breakdown of a relationship where the parties did not marry and a property was purchased in the name of only one of them, and the rectification of registers, leases and transfers.

Timothy advises as to a wide range of residential and commercial landlord and tenant claims, including the extent and effect of leasehold covenants, claims for unpaid service charges, forfeiture and relief from forfeiture, dilapidations, business tenancy renewals, leasehold enfranchisement and the grant of new leases.

### Bankruptcy and Insolvency

Timothy acts for both creditors and debtors in individual and corporate debt issues, advising and representing clients in claims including defending bankruptcy petitions and setting aside statutory demands, advising on petitions seeking bankruptcy or insolvency; opposing applications to set aside statutory demands and injunctions to restrain the advertisement of winding up petitions.

### General Contractual, Commercial and Civil disputes

Timothy has acted for clients in a very wide range of commercial disputes, including the winding up of partnerships and the settlement of final accounts, shareholder disputes and claims in relation to defective goods including mobile homes, boats and telephone systems. Recently, Timothy has regularly represented clients in claims relating to the defective installation of cavity wall insulation.

### Ecclesiastical law

Being the senior Churchwarden of Newcastle Cathedral, Timothy continues to build on his experience of ecclesiastical matters and his knowledge of ecclesiastical law. He has also acted on a pro-bono basis for many years as the Legal Advisor to the governing body of the Church of England Guild of Vergers.

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### Memberships

Member of the North Eastern Circuit.

Member of the Ecclesiastical Law Society.

### Qualifications

University College of Wales, Aberystwyth. LL.B, 1996.