

Angus Burden

Business and Property



Year of Call: 1994

Email Clerks: bp@no5.com

Angus is an experienced specialist Chancery barrister currently practising at No5 Barristers' Chambers in Fountain Court Birmingham. He was educated at Exeter University graduating with First Class honours.

He was called to the Bar in 1994 and undertook pupillage at 7 Stone Buildings, Lincoln's Inn (now Maitland Chambers) and 24 Old Buildings, moving to the Midlands in 1995 where he has practised ever since.

In addition to his undergraduate qualifications, he has post graduate certificates (forming part of the LLM course awarded by Bristol University) in Insolvency Law, Restitution and Company Law, and a Diploma in the Taxation of Trusts and Estates (through STEP).

He is a member of the Midland Chancery Bar Association and sat on the STEP technical committee for 2 years.

He regularly lectures on trusts and estate matters, and recently gave a lecture for the Association of Contentious Trusts and Probate Specialist (ACTAPS) on the court's control of the exercise of trustees' discretions.

The types of cases in which Angus is regularly instructed in the High Court and the Court of Appeal include:

- Claims for financial provision pursuant to the Inheritance (Provision for Family and Dependents) Act 1975.
- Disputes as to the substantial and procedural validity of wills
- Applications for the removal of executors and trustees
- Applications for the rectification of wills

- Breach of trust/breach of fiduciary duty claims
- Administration actions in particular disputes as to the construction of wills or directions from the court
- Proprietary estoppel, undue influence and constructive trust claims
- Disputes concerning charitable trusts
- Professional negligence actions relating to wills and trusts work
- General advisory work as to inheritance tax, the exercise of trustees' discretions, the drafting of settlements

During the course of his practice Angus has acted in upwards of 100 mediations as advocate and in January 2017 qualified as a mediator with the London School of Mediation. He has been recommended to act and has acted in a number of mediations this year and is rapidly developing this area of his practice as something to which he is well suited. This year he has been instructed by Freeths Solicitors, Sydney Mitchell, HCB Solicitors and Kerwoods.

Whilst sympathetic to the high emotions that are often generated in probate and trust disputes, his approach is to encourage participants to look for their own practical solutions to issues, and to move away from positions and personalities. Further, his thorough and detailed knowledge of the law and understanding of the approach of Judges enables him to assist participants in focusing on solutions that are anchored in the realities of the claims being considered.

Angus is married with three children and in his spare time inflicts his love of tennis on his children.

Recommendations

"Angus is a skilled advocate who is able to advance a case in an understated way to great effect. He is also technically brilliant and able to understand the most complex of problems."

Legal 500 2024

Angus is extremely detailed and thinks of every possible angle. He is always so organised and his attention to detail is incredible. He is also great with clients and judges.

Chambers UK 2024

"He has a really strong brain, careful analysis of the case and a nice, careful way about him at trial. He really gets his point across well." "He is extremely technically strong and very collaborative. He also has a very nice manner in dealing with clients and gains their trust quickly."

Chambers UK 2023

"Angus is a superb intellect, very strong on detail and technical issues and a skilled advocate. He is able to explain complex issues to clients in a very straightforward manner. He is undoubtedly one of the best contentious trust and probate barristers in the regions."

Legal 500 2023

"He is an exceptionally gifted barrister; he's very easy to deal with, has real attention to detail and is a tremendous advocate too."

Chambers UK 2022

Angus Burden of No5 Barristers' Chambers focuses on private client disputes involving wills, trusts and probate. "He does a lot of contentious probate work, he is extremely able," observes a fellow

barrister, who also says that he is "really subtle" and "lends perspective and balance" to matters. "He is my favourite," says a solicitor, adding: "He is just excellent - a proper brain and really good with clients, and he wins the judge over."

Chambers UK High Net Worth Guide 2022

"Angus is extremely skilled in analysing and advising on complex matters while also excelling in his advocacy. He is that rare breed of barrister who delivers great advice and is superb on his feet."

Legal 500 2022

Angus Burden focuses on private client disputes involving wills, trusts and probate. "He does a lot of contentious probate work, he is extremely able", observes a fellow barrister, who also says that he is "really subtle" and "lends perspective and balance" to matters. "He is my favourite", says a solicitor, adding: "He is just excellent - a proper brain and really good with clients, and he wins the judge over."

Chambers UK High Net Worth Guide 2021

"He really is the leading light in his field in the West Midlands." "He has an almost encyclopedic knowledge of probate law; he is in these parts a towering figure in the discipline." "He's technically really good but he is also practical and good at using the resources around him."

Chambers UK 2021

"Very calm and practical, he is excellent in mediation and at trial"

Legal 500 2021

"His knowledge of the area is first-rate and he is quite methodical and measured in terms of the way he deals with things." "He is very detailed and considered and leaves no stone unturned, and he's a scary barrister in court."

Chambers UK 2020

"An outstanding and tenacious advocate."

Legal 500 2020

Notable Cases

Hill v Haines [2008] Ch. 412 CA

An insolvency case which considered the relationship between insolvency law and matrimonial property adjustment order

Perrins v Holland [2010] WTLR 95 and [2011] 2 Ch. 270 CA

A leading case on the validity of wills in particular the requirement for knowledge and approval

Hope v Knight [2011] WTLR 583

An Inheritance (Provision for Family and Dependents) Act 1975 claim

Breslin v Bromley [2016] WTLR 219

A claim concerning the procedural requirements for execution of a will

McGuinness v Preece [2016] EWHC 1518 (Ch) McGuinness v Preece [2016] EWHC 1518 (Ch)

A substantial proprietary estoppel claim