

Nicola Preston

Call: 1992

"Very direct and sound in her advice."

Chambers UK 2023



Nicola Preston is a specialist Chancery practitioner.

She is recommended for Chancery by Chambers UK and is quoted as "a ferocious cross-examiner" (2022), as "a very strong, knowledgeable and able opponent", "incredibly good on the private client side" (2021) and having "a remarkable grasp of a complex area of law and yet manages to present her views in a down-to-earth and understandable manner" (2020).

Nicola came to the Bar in 1992, after a successful academic career (at Wolverhampton University) which saw her publish over 50 articles and during which time she was a visiting Professor at University of Akron (1989-90), School of Law, Ohio, USA and also a Fulbright Fellow.

Nicola continues to give lectures to other professionals, including groups such as the Society of Trust and Estates Practitioners and local Law Society groups.

Expertise

Business & Property

Nicola Preston is a member of the Business & Property Group.

[Click to view her specialist areas.](#)

Agriculture & Rural Affairs

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Nicola’s particular areas of expertise, relevant to this Group include:

All aspects of taxation, especially as it affects farmers and landowners, including tax planning, APR, BPR. Also VAT,

Ownership of land, including beneficial interests (by way proprietary estoppel or constructive trusts), agricultural tenancies,

Other aspects of property law, including easements, restrictive covenants and conveyancing,

Partnership and company disputes (including minority protection), All aspects of wills, including drafting, construction and probate litigation.

Commercial Litigation

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Nicola undertakes all aspects of commercial litigation, from contractual disputes to VAT appeals.

Company & Partnership

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Nicola deals with all aspects of partnership, from the drafting of partnership deeds to the litigation or resolution of disputes.

Similarly with company law, especially matters such as restrictive covenants and minority protection.

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Real Estate

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Nicola undertakes all aspects of property work, including conveyancing, easements and restrictive covenants, as well disputes under the Trusts of Land Act and beneficial interests in land based on constructive trusts and/or proprietary estoppel.

Inheritance Act Disputes

Nicola’s particular areas of expertise relevant to this group (which forms the largest part of her practice) are:

- Contentious probate actions, rectification of wills, administration actions and claims under the Inheritance (Provision for Family and Dependents) Act 1975
- Advice on all aspects of the administration of estates, including estate planning, taxation, construction of wills and deeds of variation
- Trusts – drafting, construction, taxation, advising trustees and all aspects of trust litigation (for example, breach of trust, variations of trust etc)
- Direct taxation including all aspects of tax planning, tax efficient dispositions, income tax, corporation tax, capital gains tax and inheritance tax
- VAT – advice on all aspects and representation in contentious matters
- Pensions law including occupational and private schemes, drafting of the same, administration and the settling of disputes
- Court of Protection – advice on all matters, from Lasting Powers of Attorney to statutory wills
- Charities – advice on all aspects of charity law

Notable Cases

Re Weetman [2015] WTLR 1745

Meek [2014] COPLR 535; [2014] WTLR 1155

Drakeford v Cotton [2012] 3 All ER 1138; [2012] 3 FCR 464; [2012] WTLR 1135; [2012] 15 ITELR 144

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Euro Stock Shop Ltd v Revenue and Customs Commissioners [2010] STC 2454

Heath v Heath [2010] 1 FLR 610

Sprackling v Sprackling [2009] WTLR 897

Bates v Wheildon [2008] WTLR 1705

Hartshorne v Gardner [2008] WTLR 837

Revenue and Customs Commrs v Dunwood Travel Ltd [2008] STC 959 (CA), [2008] STC 411

Ledger v Wootton [2008] WTLR 235

Staffordshire County Council v. Challinor [2008] 1 P & CR 10

Kynnersley v Wolverhampton City Council [2008] WTLR 65

Land v Estate of Land [2007] 1 WLR 1009

Hughes v Hughes [2005] 1 FCR 679

McNulty v McNulty [2002] WTLR 737

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Awards



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