



Thomas Seymour

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Clerks' Details

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Qualifications and Appointments

- First Class degree in Law – Cambridge

“A joy to work with.”

The Legal 500, 2021

Memberships

- Chancery Bar Association
- Association of Pension Lawyers
- Society of Trust and Estate Practitioners
- Association of Contentious Trust and Probate Specialists

Publications

- Speaker on an APL webinar (November 2020) discussing *Hughes and others v Board of the Pension Protection Fund* [2020] EWHC 1598
- Address at Wilberforce Chambers Hot Topic Seminar (November 2018) – *Barnardo's v Buckinghamshire & Ors* [2018] UKSC 55
- Article on *Hampshire v PPF* on compensation for loss of benefits on employer insolvency published by Practical Law Pensions (January 2017) and Nugee Memorial Lecture (June 2017)

Practice Overview

Thomas is a highly experienced barrister with a broad chancery and commercial practice. His main practice areas are pensions, trusts/private client, wills and contentious probate, administration of estates and charity law, property and professional negligence related to those practice areas.

Thomas has a specialist pensions practice based on over 20 years' experience of acting and advising in pensions matters, including litigation in the High Court, regulatory matters and Pensions Ombudsman references.

Thomas has an extensive trusts and private client practice, specialising in contentious trust litigation both in the United Kingdom and cases with a foreign element (including recent cases in Gibraltar and the Cayman Islands). His private client practice also embraces wills, contentious probate, estates and charities.

His property work focuses on real property disputes: enforcing contracts for sale or lease, title and boundaries, restrictive covenants, easements, mortgages, commercial landlord and tenant, and conveyancing.

Thomas acts and advises on partnership and company law matters and has recently advised the Financial Reporting Review Council on International Accounting Standards and compliance issues relating to public companies.

Chambers & Partners, 2021 describes Thomas as **"very experienced"**. Chambers & Partners, 2020 says he is **"commercial and pragmatic"**, **"he's very thoughtful, with an academic approach"**.

The Legal 500 2021 notes the following about him: **"Very thorough. Really runs points to ground. Fantastic tolerance level for technical detail. A joy to work with."** The Legal 500 2020 edition describes Thomas as providing **"reliable analysis of tricky trust law issues"**.

He is also an accredited mediator.



Publications continued

- [Comments from Counsel: A leak in the statutory lifeboat? Compensation for loss of pension benefits on employer insolvency](#)
Published by Practical Law (January 2017)
- [Estoppel in pensions cases](#)
Published by Practical Law (May 2015)
- [Trustee exculpation - the law, the quirks and the business sense](#) (2014)
Trusts & Trustees 20 (9): 933-942
- Seminar address to Association of Pension Lawyers on group estoppel in occupational pension schemes.
Published in Pension Lawyer Issue 101 (November 2004)

Property

Thomas has been frequently engaged throughout his professional life in advising and litigating in real property disputes, in particular contracts for sale or lease and their enforcement, title and boundaries, restrictive covenants and their modification or discharge, easements (including rights of light), mortgages, commercial landlord and tenant issues, leasehold enfranchisement and general conveyancing issues.

Thomas also has significant experience of more specialist topics: school sites and rights of reverter, open spaces and rights of common; property cases involving charitable or public trusts; and cases having ecclesiastical law aspects. His range and depth of experience makes him well placed to provide swift and reliable advice on points which arise in the course of a property transaction.

Notable cases include:

- Dispute concerning claim to an exclusive fishery over the foreshore and sdeabed of River Severn at Porton, Monmouthshire: issues as to alleged manorial rights, following earlier decisions in *Roberts v Swangrove Estates and Others* [2007], *Roberts v Crown Estates Commissioners* [2008] P&CR.
- Application for a restoration order requiring the demolition of a building erected in breach of statute at public expense on a public open space in Spitalfields (2015-8): involving proceedings in the Administrative Court, London Consistory Court (June 2016) and Court of Arches (First appeal in 2015, second appeal in October 2018).
- Walbrook Trustees/Fattal: property litigation concerning multimillion pound island site in the West End (2003-11).
- *Hurstanger Ltd v Wilson* [2007] EWCA Civ 299 – an important Court of Appeal decision on the relationship between mortgage brokers and borrowers: the nature and extent of the duty to disclose commission received from the lender: and whether the borrower is entitled to have the mortgage set aside.
- *Firstpost Homes Ltd v Johnson* [1995] 4 AER 355 Court of Appeal. Contract for sale of land. Void for non-compliance with s.2 Law of Property (Miscellaneous Provisions) Act 1989).
- *Kohn v Wagschal* [2006] EWHC 3356 (property dispute: leave to enforce arbitration award: High Court and Court of Appeal).
- *Official Custodian for Charities v Parway Estates Developments Ltd* [1984] 3 AER 679 CA; *OCC v Mackey (No.1)* [1984] 3 AER 689; (No.2) [1985] 2 AER 1016. Forfeiture of commercial lease on insolvency.