MAITLAND

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TIMOTHY FOOT

CALL: 2021
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OVERVIEW

Timothy has a busy commercial chancery practice, and accepts instructions across the full range of Chambers' specialisms.

He is comfortable working as sole counsel or as part of a team, and regularly appears unled in both the High Court and County Court.

Before joining Chambers, Timothy took a first in Greats at Merton College, Oxford and stayed to read for an MPhil in Classics, which he obtained with Distinction. He then read Law with 'Senior Status' (i.e. as a second undergraduate degree) at Harris Manchester College, Oxford, graduating top of the Senior Status course. He subsequently completed the Bar Course with Distinction, receiving the Derek Wood QC Prize for the best overall performance at the Inns of Court College of Advocacy.

Together with Professor Robert Hazell (Constitution Unit, UCL), Timothy is co-author of ***Executive Power: The Prerogative Past, Present and Future*** (Hart Publishing, 2022). The book examines the prerogative powers of the Crown amid the changing landscape of the British constitution. Thanks to sponsorship by the Canadian SSHRC, the book is now available as an open access resource here.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Timothy is regularly instructed in commercial disputes, both led and unled.

Recent instructions include:

- Acting for the manufacturers in Secretary of State for Health and Social Care v Primer Design Ltd, a £130m+ breach of warranty dispute over Covid-19 PCR testing equipment supplied during the pandemic, which settled on the first day of trial (led by Andrew Twigger KC alongside Jonathan Allcock);
- Acting for the sellers in a share purchase dispute, seeking to recover £20 million in deferred consideration and defending claims for breach of warranty and misrepresentation by the purchasers, now settled on confidential terms (led by Olivier Kalfon KC);
- Advice in relation to a high-value share purchase dispute concerning a UAE-based company;
- Advice on a multimillion-pound dispute about the supply of biomass fuel amidst market volatility following the invasion of Ukraine;
- Acting for various utilities companies in defending high-value claims in relation to alleged secret and half-secret commissions;
- Urgent advice as to the purported termination of a multi-million pound services contract;
- Urgent advice on the right to reject goods under the Sale of Goods Act.

Timothy also has experience in the enforcement of judgments and arbitration awards, including by charging orders and applications to appoint receivers, in both a domestic and offshore context.

COMPANY & PARTNERSHIP

Timothy's instructions frequently involve aspects of company and partnership law, in both an English and offshore context, including:

- Unfair prejudice petitions (for petitioners and respondents);
- Disputes as to the proper convening of shareholder meetings, the appointment of directors, and the beneficial ownership of shareholdings;
- Applications under section 117 Companies Act 2006;
- Advice on the registration of company charges;
- Advice on restoration of companies to the register.

Recent instructions include acting as sole counsel for the successful First Respondent in ***McIlroy v Minaar & Ors*** [2026] EWHC 2281 (Ch), in which an unfair prejudice petition was dismissed in its entirety following a 5-day trial.

INSOLVENCY & ASSET RECOVERY

Timothy is frequently instructed in insolvency matters, including winding-up and bankruptcy petitions, as well as other matters such as:

- Seeking and resisting injunctions to restrain presentation/advertisement of winding-up petitions, including

on an urgent basis;
- Validation orders;
- Seeking and resisting the annulment of bankruptcy orders;
- Applications for disclosure under s236 IA 1986;
- Applications for and relating to the extension of administration orders;
- Orders for sale by trustees in bankruptcy;
- Charging orders;
- Advice on retention of title clauses in a cross-border insolvency context;
- Advice on the enforcement of charges under section 73 of the Solicitors Act 1974.

Recent instructions include acting (led by **Laurie Scher**) in proceedings under s423 Insolvency Act 1986, including obtaining a freezing injunction and conducting debtor examinations under CPR Pt 71.

He has also acted (unled) in successfully seeking the annulment of the bankruptcy of a prominent international sportsman.

BANKING & FINANCIAL SERVICES

Timothy is frequently instructed to represent and advise financial institutions, in particular in relation to issues of secured lending and often in disputes of significant value. His experience includes:

- Advising on unfair relationship claims under section 140A to 140C of the Consumer Credit Act 1974, including in relation to secured lending;
- Claims in relation to allegedly forged mortgage deeds, including alternative claims based on subrogation;
- Led by Andrew Walker KC, advice on the enforcement of unregistered charges, including by way of equitable charges and subrogation;
- Disputes as to the priority of legal and equitable charges inter se and in relation to alleged overriding interests, including the application of the Brocklesby principle;
- Advice on claims by secured lenders in a corporate/individual insolvency context.

REAL ESTATE

Timothy has strong experience in property matters, including both real property and landlord & tenant. He is frequently instructed both to act and to advise on disputes, both by individuals and corporations.

His experience includes:

- Advice and representation in relation to restrictive covenants and easements, including rights of light;
- Acting for the successful Claimants in ***Cooper v Ludgate House Limited*** and ***Powell v Ludgate House Limited*** [2025] EWHC 1724 (Ch), a significant rights of light dispute about a large development on Bankside (led by Tim Calland);

- Obtaining urgent possession orders against trespassers, including in relation to high-profile land;
- Advice and representation in relation to statutory undertakings;
- Advice as to land registration disputes;
- Advice on tenants' rights of first refusal under Part I of the Landlord and Tenant Act 1987;
- Claims for business tenancy renewals and statutory compensation under Part II of the Landlord and Tenant Act 1954;
- Advice on dilapidations claims and alterations disputes;
- Representing landlords and tenants in service charge disputes.

MEDIA & ENTERTAINMENT

Timothy has been instructed in several matters concerning high-profile individuals in the entertainment sector. Most recently, he has been instructed in an ongoing dispute about a streaming revenue collection agreement and a dispute relating to the delivery up of accounting records.

CHARITIES

Over the course of pupillage and practice, Timothy has experience of advising on the law relating to charities. He is available to advise or act for charities in a wide range of matters.

Recent instructions include:

- Assisting Maxim Cardew at an early stage in ***Mohammed & Ors v Patel & Ors*** [2024] EWHC 2581 (Ch) (although Timothy did not appear at the hearing);
- Appearing at the case management stage of ***The Free Church of England Central Trust v Hanna & Ors,*** for the Claimant (which was later successful at trial, represented by Maxim Cardew [2026] EWHC 2260 (Ch));
- Advising on potential breaches of a charity's safeguarding duty (led by Matthew Smith KC);
- Advising a local authority concerning historic charitable trusts (led by Maxim Cardew);
- Advising a charity as to potential conflicts of interest.

Timothy also has an interest in Ecclesiastical Law, and is a member of the Ecclesiastical Law Society.

QUALIFICATIONS

- Bar Course, ICCA: Distinction (2021)
- MPhil in Classics, Merton College, Oxford: Distinction (2017)
- MA (Oxon.) in (i) Lit. Hum., Merton College: First Class (2015); (ii) Jurisprudence, Harris Manchester

College: First Class (2020)

AWARDS

Derek Wood QC Prize, ICCA (2021)

Lord Denning Scholarship, Lincoln's Inn (2020)

D'Souza Prize, University of Oxford (2020)

Wronker Prize for Administrative Law, University of Oxford (2020)

Lord Haldane Scholarship, Lincoln's Inn (2017)

Gaisford Dissertation Prize, University of Oxford (2017)

Prof. W. M. Edwards Prize in Classics, Merton College, Oxford (2015)

MEMBERSHIPS

- Chancery Bar Association
- Charity Law Association
- COMBAR
- Contentious Trusts Association
- Property Bar Association

NOTABLE CASES