

Alex Troup
Head of Wills & Trusts



YEAR OF CALL: 1998

INN: GRAY'S INN

“ Alex is one of the most able chancery counsel on the Western Circuit.”

LEGAL 500, 2020
COMMERCIAL, BANKING, INSOLVENCY AND CHANCERY LAW

Practice Overview

Alex is ranked as the only star individual on the Western Circuit in chancery matters by Chambers UK. Alex was also shortlisted for 'Junior of the Year' in the regional category of The Legal 500 UK Awards 2020. He has a thriving chancery practice with a particular emphasis on the following areas:

- ▶ Contentious probate and administration of estates
- ▶ Trusts
- ▶ Property litigation
- ▶ Court of Protection
- ▶ Associated professional negligence claims
- ▶ Mediation

Alex has been consistently recommended as a leading junior in Chambers UK, Legal 500 and Legal Experts.

In previous editions Alex has been described as “highly skilled and approachable, and has good legal and people skills”, a “formidable advocate”, a “star of probates”, “among the most skilful barristers” and as having “a real commercial brain”. Further quotations are set out under the relevant practice areas.

Alex has been trained as a mediator with the London School of Mediation and works both as a mediator and as a representative at mediations.

Alex lectures extensively in his areas of expertise, mainly to firms of solicitors, law societies and specialist organisations.

Areas of Expertise

Agriculture & Rural Affairs

Alex frequently acts for farming clients and is experienced in dealing with a wide range of cases involving agriculture and rural affairs, including in particular property disputes, agricultural tenancies, partnership issues, proprietary estoppel claims, contested wills and probate, and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Court of Protection

Alex has been described by peers as an exceptional chancery barrister who is adept at handling Court of Protection work. He has been instructed in a wide variety of Court of Protection cases, for the most part involving property and affairs disputes, including in particular contested LPA and deputyship applications, applications for authorisation of inter vivos gifts, statutory wills, and cases involving allegations of financial abuse.

Professional Negligence

Alex deals with professional negligence cases relating to his specialist areas of practice, typically involving claims against solicitors, surveyors, architects, executors and trustees. He has spoken at the Professional Negligence Lawyers Association seminars in both London and Bristol.

Real Estate

Alex is often instructed in property litigation cases. Some of his property cases overlap with his trust and contentious probate practice, such as proprietary estoppel claims, disputes over the beneficial ownership of property, and challenges to the validity of inter vivos gifts of property. He has appeared in courts and tribunals at all levels in relation to property disputes, including an appearance as junior counsel in the House of Lords in *Bettison v Langton* [2002] 1 AC 27, a case concerning rights of common.

Wills & Trusts

Alex's practice includes both advisory and contentious work relating to trusts, wills and the administration of estates, including claims based on proprietary estoppel and under the Inheritance (Provision for Family and Dependents) Act 1975.

Mediation

Alex is an experienced mediator with particular experience of dealing with contentious trust and probate cases. He adopts a friendly but no-nonsense approach to mediations and has a high success rate for achieving settlements. Alex is one of the panel mediators for the Court of Protection pilot mediation scheme.

Alex's recent experience as a mediator includes cases involving the following practice areas:

- ▶ Agricultural tenancies
- ▶ Contentious Probate claims
- ▶ Constructive trust/Trusts of Land and Appointment of Trustees Act 1996
- ▶ Court of Protection and mental capacity issues
- ▶ Donatio mortis causa
- ▶ Disputes over chattels
- ▶ Dispute over disposal of deceased's body
- ▶ Inheritance (Provision for Family and Dependents) Act 1975
- ▶ Lasting Powers of Attorney/Deputyship
- ▶ Lifetime gifts

- ▶ Lost/missing wills
- ▶ Proprietary estoppel

Alex has been instructed as a mediator by the following firms:

- | | |
|---|---|
| <ul style="list-style-type: none"> ▶ Accessible Family Law ▶ Ashfords LLP ▶ Bartlett Gooding & Weelen ▶ Bendles Solicitors ▶ Berry Smith ▶ Beviss & Beckingsale Solicitors ▶ Boyes Turner LLP ▶ Bray Dilks ▶ Brixlaw Ltd ▶ Charles Russell Speechlys LLP ▶ Clarke Willmott LLP ▶ Clifton Ingram LLP ▶ Coodes ▶ Foot Anstey LLP ▶ Gartsides ▶ Grove Tompkins Bosworth ▶ Harding Evans ▶ Harrison Clark Rickerbys LLP ▶ Hoole & Co ▶ Hugh James ▶ Hughes Paddison Solicitors | <ul style="list-style-type: none"> ▶ Humphries Kirk LLP ▶ IBB Solicitors ▶ John Hodge Solicitors ▶ Kitsons LLP ▶ McMillan Williams ▶ Michelmores LLP ▶ Mitchells Solicitors ▶ Mowbray Woodwards ▶ Penningtons Manches LLP ▶ Porter Dodson ▶ Robertsons ▶ Royds Withy King ▶ Stephens Scown LLP ▶ TLT Solicitors ▶ TWM Solicitors LLP ▶ Veale Wasbrough Vizards LLP ▶ Wards ▶ WBW Solicitors ▶ Whitehead Vizard LLP ▶ Wilson Browne solicitors |
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The feedback which Alex has received following mediations includes the following:

- ▶ "Alex had to work hard to bring the parties to a settlement – which was clear for us/the client to see and was very much appreciated. He had clearly engaged with all of the issues in the case and communicated impressively in emotive circumstances." (Solicitor at mediation, February 2020)
- ▶ "I think overall he paced it well and made sure that this mediation didn't fail and was achieved within the day." (Solicitor at mediation, February 2020)
- ▶ "Mr Troup progressed settlement negotiations at a suitable pace, he identified issues quickly and was direct." (Solicitor at mediation, January 2020)
- ▶ "He listened carefully to what both clients had to say and was appropriately supportive" (solicitor at mediation, December 2019)
- ▶ "Listened to the clients, demonstrated understanding and empathy, had a calm, positive demeanor." (Solicitor at mediation, November 2019)
- ▶ "He has a good knowledge of the types of issues which were present in this case and his many years of experience were of great help to the parties ... The client has said that he thought that Alex was brilliant and he would recommend his services to anyone who found themselves in a similar position." (Solicitor at mediation, August 2019)
- ▶ "[We] were concerned about the process but Mr Troup kept us at ease but in a professional manner." (Client at mediation, June 2019)
- ▶ "[I] felt Alex was sensitive to the specific difficulties [I] had." (Client at mediation, June 2019)
- ▶ "Overall performance 5 out of 5." (Client at mediation, April 2019)
- ▶ "Thank you so much for being so very understanding and supportive ... It was fantastic to see such skill & experience unfold before my eyes. I will never forget what you did for me" (Client at mediation, January 2019)
- ▶ "Alex was quick to grasp the issues and also handled the tight timing of the day very well. He quickly built up a good relationship with my clients." (Solicitor at mediation, December 2018)
- ▶ "The pace of the mediation was good. The mediator kept the meetings short and ensured that the client remained engaged. The feedback from the other parties was clear and concise. The mediator avoided unnecessary issues and was able to focus on key issues." (Solicitor at mediation, October 2018)
- ▶ "Highly recommended...a credit to St John's Chambers" (Client at mediation, September 2018)

- ▶ "Alex is an excellent communicator... He commands confidence in his ability to steer the parties to a solution all could live with and to do so in an unhurried and unpressured way." (Solicitor at mediation, September 2018)
- ▶ "Alex was excellent at putting the clients at ease but also encouraging the negotiations to start in good time so that we weren't faced with the first offers being made at 3 or 4pm." (Solicitor at mediation, September 2018)
- ▶ "5 out of 5.... All was conducted well" (Solicitor at mediation, May 2018)
- ▶ "To start with I was very nervous (not knowing what to expect really). The mediator... made me feel at ease very quickly and the experience turned out to be a pleasant one." (Client at mediation, March 2018)
- ▶ "Most pleasant, personable manner, combined with a brisk professionalism...it is hard to know how he could have been more helpful." (Client at mediation, February 2018)
- ▶ "Our clients liked Alex's sense of humour, his grasp of the issues and of the personal relationships/difficulties between the [parties]. Alex was patient and empathetic." (Solicitor at mediation, September 2017)
- ▶ "Alex was extremely professional, friendly and our client found him knowledgeable, approachable and informative" (Solicitor at mediation, September 2017)
- ▶ "Alex was extremely professional, friendly and our client found him knowledgeable, approachable and informative" (Solicitor at mediation, September 2017)
- ▶ "Momentum of day was maintained and Alex worked hard throughout. It felt 'fast paced' in comparison to other mediations." (Solicitor at mediation, August 2017)
- ▶ "Alex was very sensitive to my clients' circumstances. Both were elderly and could have been overawed by the procedure but Alex helped ensure that they remained at ease." (solicitor at mediation, May 2017)
- ▶ "I found him friendly efficient and very fair in his actions ... I was very impressed at the professional way in which this was conducted." (party to mediation, May 2017)
- ▶ "Alex made our young clients, who were very anxious, at ease from the outset. He assisted greatly in explaining the issues to both sides and the clients were very happy with the outcome" (Solicitor at mediation, March 2017)
- ▶ "We all felt that Alex had a very good grasp of the issues and the various personalities and handled the matter with aplomb and sensitivity. It's a testament to his skills as a mediator that we were able to achieve a deal and be on our way by 5:30pm in what was an incredibly acrimonious and high-value dispute." (Solicitor at mediation, March 2017)
- ▶ "He dealt very well with an elderly client, and an emotional one. He kept the pace up and didn't get bogged down with the past." (Solicitor at mediation, January 2017)
- ▶ "Very patient and sensitive to issues, and his working knowledge of all the issues was second to none, meaning we could just launch straight in. Very calm, measured and experienced. The clients took to him well... Very happy with the outcome." (Solicitor at mediation, November 2016)
- ▶ "Alex was calm, measured, kind and thoughtful. He was sensitive to the 'family issues'." (Solicitor at mediation, November 2016)
- ▶ "Sensitive to client's feelings and very patient but still authoritative when required." (Solicitor at mediation, October 2016)
- ▶ "Very good at moving issues on quickly and focusing on methods of pushing through contentious / emotive issues to focus on methods of settlement. Great grasp of the legal position as I expected he would have – it was a great help in this case...really pleased...would definitely use him again" (Solicitor at mediation, October 2016)
- ▶ "Always has a very balanced view." (Solicitor at a mediation, October 2016)
- ▶ "I am very pleased with Alex's mediation of this case and hope before long to have an occasion to instruct him again." (Solicitor at a mediation, July 2016)
- ▶ "Alex is very clear and concise throughout the process. He is a patient, polite, pleasant individual who put us at ease. Encouraging...would highly recommend." (Party to a mediation, May 2016)
- ▶ "Alex was once again excellent. He allowed my clients to let off steam and was very sensitive to their emotions and arguments without losing focus on reaching an agreeable settlement. We reached a successful resolution in good time and my clients were very pleased with our choice of mediator." (Solicitor acting for party in mediation, March 2016)
- ▶ "Many thanks for your efforts. I am certain we would not have got to where we ended up without your assistance." (Solicitor for a party in mediation, January 2016)
- ▶ "Alex did an excellent job yesterday. We were really pleased with his work and will not hesitate to use him again." (Solicitor for a party in mediation, January 2016)

- ▶ "Thank you for all your hard work yesterday. We had an uphill struggle but we got there in the end and I'm very grateful to you for your assistance. I will most certainly bear you in mind in the future and will have no hesitation in recommending you to colleagues." (Solicitor for party in a mediation, October 2015)
- ▶ "Thank you again for your work and skill; I never actually believed this process would work, – (as my Position Statement demonstrated) – so it was good to be proved wrong." (Litigant in person in a mediation, October 2015)

Recent cases

- ▶ [Todd v Parsons](#) [2019] EWHC 3366 (Ch)
- ▶ [Thompson v Raggett](#) [2018] EWHC 688 (Ch)
- ▶ [In the matter of an application by the University of Chester](#) [2016] UKUT 457 (LC)
- ▶ [Shirley Brindley deceased, sub nom Brindley v Brindley](#) [2018] EWHC 157 (Ch)
- ▶ [DMM, Re \(Alzheimer's : power of attorney\)](#) [2017] EWCOP 32
- ▶ [Re Robson Deceased, sub nom White v Matthys and others](#)
- ▶ [Re DMM, sub nom EJ \(as attorney for DMM\) v SD](#) [2017] EWCOP 32
- ▶ [Kellie v Wheatley & Lloyd](#) [2014] EWHC 2212 (TCC); [2014] EWHC 2886 (TCC)
- ▶ [Fox v Jewell](#) [2013] EWCA Civ 1152
- ▶ [Thomas v Jeffery and others](#) [2012] EWCA Civ 693; (2012) 162 NLJ 845 (Court of Appeal)
- ▶ [Drake v Fripp](#) [2011] EWCA Civ 1279; [2012] 1 P&CR 4
- ▶ [Cowderoy v Cranfield](#)
- ▶ [Stephens v Grills](#) [2010] EWHC 3795 (Ch)
- ▶ [Bray \(t/a Building Co\) v Bishop LTL](#) [2009] (Court of Appeal)
- ▶ [University of Plymouth v. European Language Centre](#) [2009] TCLR 9; [2009] EWCA Civ 768 (Court of Appeal)
- ▶ [Dutton v Davis](#) [2006] EWCA Civ 694; [2006] 2 P&CR DG 19
- ▶ [Thomas & Anor v Kent](#) [2006] EWCA Civ 1485; [2007] WTLR 177 (Court of Appeal)
- ▶ [Bettison v Langton](#) [2001] 3 ALL ER 417 (HL)
- ▶ [Laine v Cadwallader](#) 33 HLR 36; 33 HLR 36; (2000) 80 P & CR; [2000] EWCA Civ 5562; [2001] L & TR 8; (2001) L&TR 8

Related Articles

- ▶ [Summary of modern case law on applications to remove personal representatives](#)
- ▶ [Some thoughts on Ilott v. Mitson](#)

Recommendations

"An exceptional chancery barrister who is adept at handling Court of Protection work. He excels in cases concerning statutory wills, contested deputyship applications and lifetime gifts. He uses his extensive experience to assist deputies and family members. 'Alex is the top choice when it comes to contentious probate matters outside London. He is exceptionally hard-working and has an intricate and up-to-date knowledge of case law.' 'He's calm, personable and very good at explaining complex issues to lay people.' "

CHAMBERS UK , 2020

COURT OF PROTECTION: PROPERTY & AFFAIRS - ALL CIRCUITS

"Chancery barrister handling cases affecting the farming community, including proprietary estoppel claims, trusts and inheritance matters. 'He commands a lot of respect but is happy to roll his sleeves up and get stuck in with clients. He also gives clear advice and is an excellent advocate.' 'He has carved out a very strong niche for himself in the South West for estoppel and contentious trusts and probate work.' "

CHAMBERS UK , 2020

AGRICULTURE & RURAL AFFAIRS

"Outstanding junior recognised for his impressive traditional chancery practice. 'Alex has a well-deserved, excellent reputation in the area of trust and estates disputes. He immediately builds a rapport with clients, quickly identifies the key issues and gives practical, no-nonsense advice.' 'He is an excellent and commanding advocate. He is able to make complex legal argument in a succinct and persuasive manner.' 'His knowledge is second to none and his gravitas and his authority are way beyond his years.' "

CHAMBERS UK , 2020
CHANCERY

"He's a very good advocate and he gets his point across very well and is really knowledgeable."

CHAMBERS UK , 2020
REAL ESTATE LITIGATION

"A skilled advocate who is really good on his feet."

LEGAL 500 , 2020
COURT OF PROTECTION

"Particularly recommended for high value or complex proprietary estoppel cases."

LEGAL 500 , 2020
PROPERTY

"Highly regarded chancery barrister who specialises in property litigation, but also remains active in contentious trusts and probate matters. 'Always pleasant to deal with and thorough.' 'Vivacious and authoritative, his manner standing up in court is one which the judges warm to.' 'Sharp as a tack and incredibly nice.' 'An excellent technician who provides clear, reliable advice and excellent pleadings.'"

CHAMBERS UK, 2019
REAL ESTATE LITIGATION

"Chancery barrister handling cases affecting the farming community, including proprietary estoppel claims, trusts and inheritance matters. 'Alex is quick to earn the trust of both sides and he's sensible to deal with; if something's not going to work, he pulls the plug on it and doesn't waste your time.' "

CHAMBERS UK, 2019
AGRICULTURE & RURAL AFFAIRS

"An exceptional chancery barrister who is adept at handling Court of Protection work. He excels in cases concerning statutory wills, contested deputyship applications and lifetime gifts. He uses his extensive experience to assist deputies and family members. 'A very good advocate.' "

CHAMBERS UK, 2019
COURT OF PROTECTION: PROPERTY & AFFAIRS

Qualifications & awards:

- ▶ MA (Oxon) Literae Humaniores, William Shaw Scholarship and Karmel Award (both Grays Inn)

Professional memberships:

- ▶ Chancery Bar Association
- ▶ Western Chancery & Commercial Bar Association
- ▶ Association of Contentious Trust And Probate Specialists (ACTAPS)
- ▶ The Society of Trust and Estates Practitioners (STEP)
- ▶ Committee member of STEP Bristol Branch.

Contact Alex:

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