

**NEW TEMPLE CHAMBERS**

BARRISTERS

CONSTRUCTION, CHANCERY & COMMERCIAL

**Construction & Engineering Law**  
**Construction Adjudication**  
**Commercial Litigation**  
**Arbitration**  
**Commercial Law**  
**Property Law**  
**Planning Law**  
**Professional Negligence**



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# About Us



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# About Us

## Welcome

New Temple Chambers is a specialist set of Barristers chambers located in the heart of Mayfair, London. Our office is situated in Berkeley Square House and has outstanding facilities which enables us to provide a first class legal service. Chambers specialises in construction and engineering law, construction adjudication, commercial litigation, arbitration, commercial law, professional negligence, property law and planning law. Chambers provides expert legal advice, drafting and robust representation in all our practice areas. Chambers has significant legal expertise and knowledge in all aspects of construction and engineering law, construction adjudication, commercial litigation, arbitration, commercial law, professional negligence, property law and planning law. Members of chambers provide an outstanding service to clients. Chambers accepts instructions directly from companies, businesses, individuals and firms of solicitors.

## Team

New Temple Chambers is led by the Head of Chambers, Charles Edwards, who is a first class Construction, Chancery and Commercial Barrister, an accredited TECBAR Adjudicator and a TECBAR Dispute Board Member on TECBAR's panel of Adjudicators and Dispute Boards. Charles was called to the Bar of England and Wales in 2002 by the Honourable Society of the Middle Temple, is a member of the Technology and Construction Bar Association, a member of the Chancery Bar Association, has a Master's Degree from King's College London in Construction Law and Arbitration and a Master's Degree from the University of Cambridge (Departments of Engineering and Architecture).

**Charles Edwin Edwards MSt(Cantab) MSc(Lond)**  
**Head of Chambers**  
**Barrister | TECBAR Adjudicator | TECBAR Dispute Board Member**

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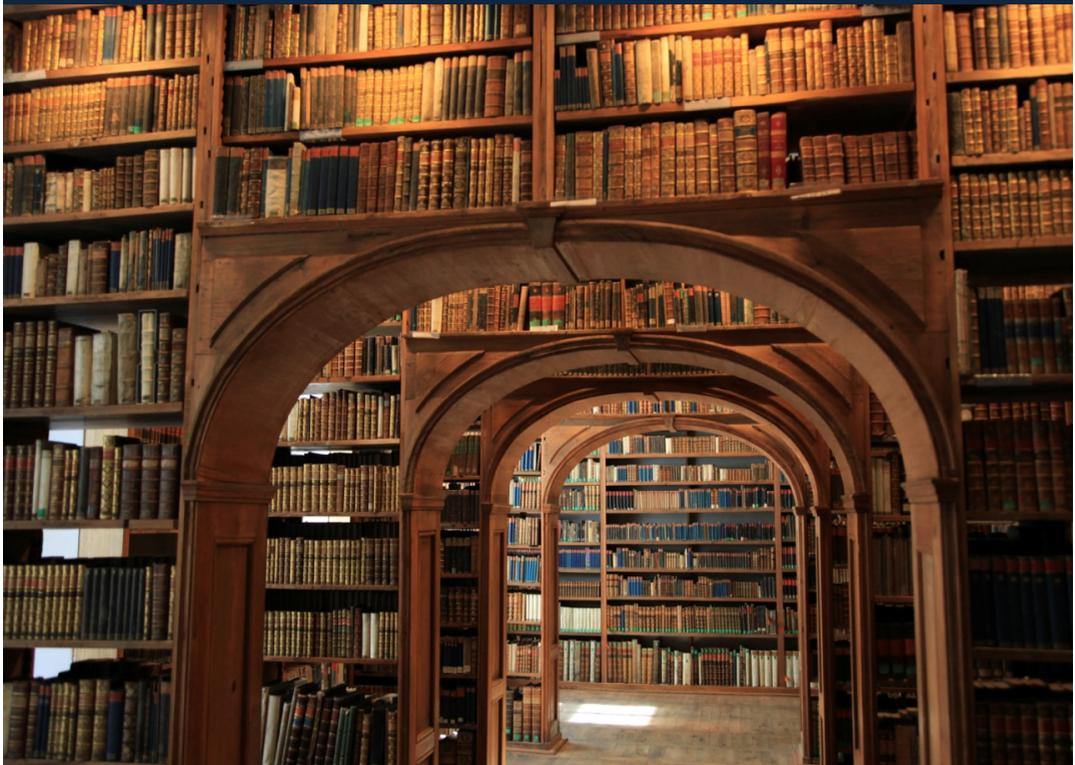
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# Why Instruct New Temple Chambers



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# Why Instruct New Temple Chambers

All barristers at New Temple Chambers are specialist and highly skilled legal experts in their respective areas of practice. Members of chambers are committed to providing the highest quality legal advice and representation together with outstanding client care.

## **Why instruct New Temple Chambers?**

- High quality legal advice and robust representation
- Barristers specialising in Construction and Engineering, Chancery and Commercial Law
- Barristers with particular expertise to present cases by written submissions or orally before Courts, Arbitrators, Adjudicators and Tribunals

Members of chambers accept instructions from companies, partnerships, organisations, individuals and professional clients such as solicitors. The Direct Public Access Scheme allows companies, partnerships, sole traders and professionals to instruct members of chambers directly without having to instruct a solicitor in the first instance, if the matter is suitable to be instructed under the Public Access Scheme.

The three main ways of instructing Barristers at New Temple Chambers are:

- Public Access Scheme
- Licensed Access
- Professional Client Access

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# Construction & Engineering Law



**CONSTRUCTION CONTRACT**

made this \_\_\_\_\_ (1) \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, by and between \_\_\_\_\_ herein referred to as "ow  
\_\_\_\_\_, herein ref

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# Construction & Engineering Law

## Construction Law Experience

### NEC3 Contract - Payment Dispute -

#### Compensation Events

Advised on Compensation Events under an amended NEC3 Contract and the strategy to be adopted in order to recover the outstanding payments on a major national project.

### High Court Proceedings - Payment

#### Dispute/Winding-up Petition - Insolvency

Advised on a payment and valuation dispute, the interpretation of contract terms and conditions, a proposed winding-up petition in the High Court and the best strategy to be adopted in order to achieve the client's objectives and recover the outstanding payment.

### JCT Design and Build Contract – Drafting Guaranteed Maximum Price Contract

Advised and drafted amendments to a JCT Design and Build Standard Form of Contract for use on a major new build city centre residential development in order to achieve a Guaranteed Maximum Price Contract (GMP). With these amendments, it was found by the High Court on appeal of the Arbitrator's award to be a Guaranteed Maximum Price Contract. The High Court Judge stated:

*"...The provisions of art 10 in my judgment very clearly allocate the burden of unforeseen or unknown risks ..."*

## Services

- *Legal advice*
- *Contract Review (including NEC3/NEC4/JCT/FIDIC/ACA or bespoke contracts)*
- *Payment and valuation disputes*
- *Final account disputes*
- *Extensions of Time/Loss and Expense disputes*
- *Variations or Compensation Events disputes*
- *Liquidated and ascertained damages*
- *Defective work disputes*
- *Design liability disputes*
- *Practical Completion disputes*
- *Drafting construction contracts and all ancillary documentation*
- *Adjudication*
- *Arbitration*
- *Mediation*
- *Enforcement and/or resisting the enforcement of an Adjudicator's Decision*
- *Representation in the High Court (Technology and Construction Court)*
- *Representation in the Court of Appeal and the Supreme Court*

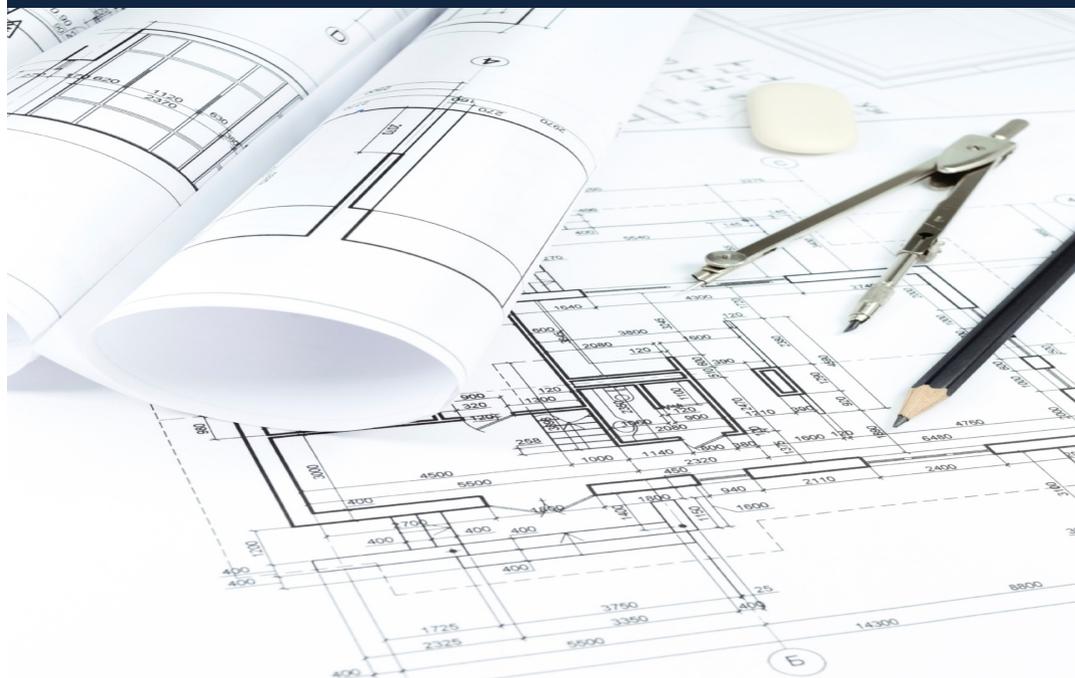
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# Construction Adjudication



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# Construction Adjudication

## Construction Adjudication Experience

### Adjudication – Infrastructure (Top 5 UK Contractor) – Payment Dispute

Acted for the Referring Party (a top 5 UK Construction Company) in adjudication proceedings against a large multi-national plc. This involved setting out the overall legal strategy to be adopted based on a sound understanding of the client's objectives and implementing the same in what proved to be a successful adjudication.

### Adjudication – Final Account & Payment Dispute

Acted for the Referring Party (main contractor) in adjudication proceedings in connection with a payment dispute with regard to a new build restaurant, offices and industrial buildings. This matter involved breach of contract, alleged defective works, non-payment, extension of time disputes and the unlawful deduction of liquidated damages.

### Adjudication – Payment Dispute Mechanical & Electrical Works

Acted for the Responding Party (main contractor) in adjudication proceedings in connection with complex mechanical and electrical works, breach of contract, non-payment, alleged variations, extension of time issues, defective works and damages.

## Services

- *Setting out the overall strategy to be adopted in order to obtain the best possible outcome in Adjudication*
- *Preparation of Notice of Adjudication*
- *Preparation of submissions on Jurisdiction*
- *Preparation of Referral*
- *Preparation of Response*
- *Preparation of Reply*
- *Preparation of any further submissions*
- *Advocacy at hearing*
- *Analysis of documentary evidence*
- *Drafting Witness Statements*
- *Enforcement of an Adjudicator's Decision in the High Court (TCC)*
- *Resisting the enforcement of an Adjudicator's Decision in the High Court (TCC)*
- *Applications in the High Court*
- *Representation at Trial in the High Court (TCC)*
- *Representation in the Court of Appeal and the Supreme Court*

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# Commercial Litigation



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# Commercial Litigation

## Commercial Litigation Experience

### Insolvency – High Court Proceedings

Acted in a cross border insolvency matter before the Bankruptcy and Companies Court (High Court) involving judgment, costs issues and seeking Leave to Appeal.

### Professional Negligence – Permission to Appeal (County Court Proceedings)

Advised and acted in an application for Permission to Appeal in the County Court against a firm of solicitors for breach of their fiduciary duty, failure of the solicitors to account for monies received, breach of contract and damages.

### Company - County Court Proceedings

Advised and acted for a company director regarding a dispute between the directors over the company's assets.

### Partnerships – County Court Proceedings

Advised and acted in a partnership dispute for a business owner in the County Court involving ownership of two different businesses. This matter involved disputes over the terms of the partnership agreement, breach of contract and loss of profits.

### Insolvency – High Court (Chancery Division)

Advised on insolvency and proposed winding-up petition in the Chancery Division (Companies Court) against a large UK public limited company.

## Services

- *Legal advice*
- *Advice on legal strategy to be adopted*
- *Advice on Pre-Action Conduct*
- *Advice on Settlement, Part 36 offers and ADR*
- *Drafting statements of case*
- *Drafting witness statements*
- *Advice on instructing an expert witness*
- *Applications for interim remedies*
- *Application for summary judgment and strike out*
- *Representation at the case management conference*
- *Representation at the Pre-trial review*
- *Representation in the County Court*
- *Representation in the High Court (including the Technology and Construction Court, Chancery Division, Queen's Bench Division and the Commercial Court)*
- *Representation in the Court of Appeal and the Supreme Court*

# Arbitration



# Arbitration

## Arbitration Experience

### Arbitration - High Court Proceedings - Section 9 of the Arbitration Act 1996

Acted for an international company with regard to Applications in the High Court (Queen's Bench Division) under section 9 of the Arbitration Act 1996 to stay legal proceedings commenced against the company in the High Court. This matter involved the oil and gas industry, international commercial law, the validity of an arbitration agreement, breach of contract and the jurisdiction of the High Court in England and Wales.

### Construction Dispute – Arbitration Agreement

Advised an Employer in connection with an Arbitration agreement included in a JCT Building Contract on a major new build development and the interpretation of the dispute resolution provisions included within the building contract between the parties.

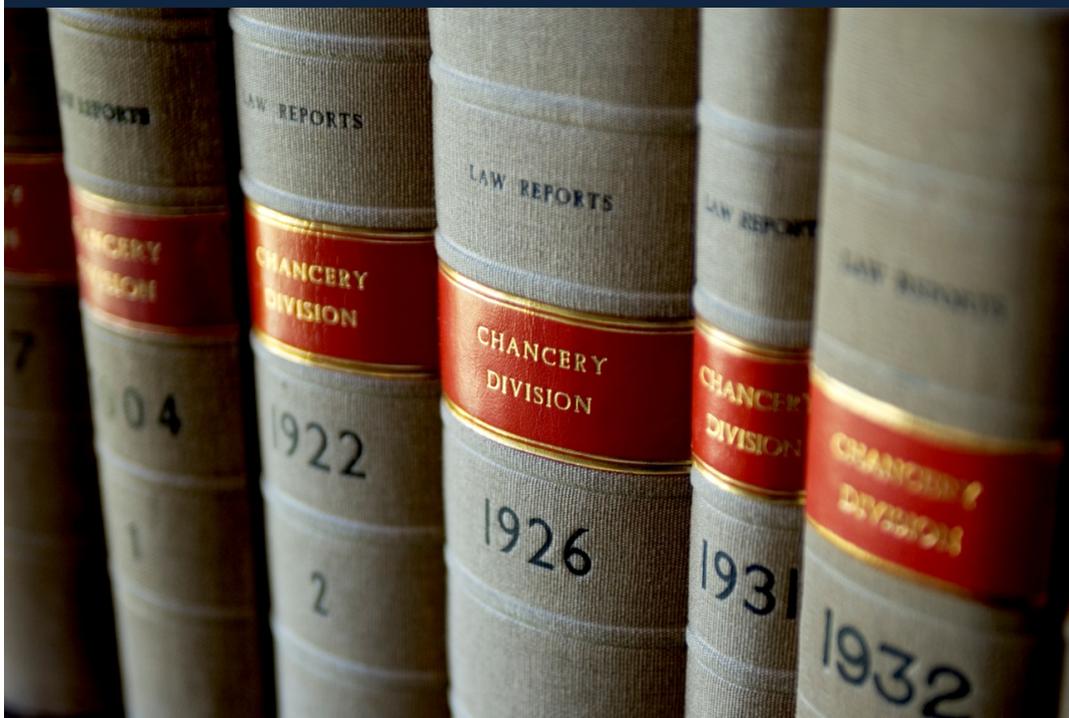
### Insurance – Proposed Arbitration

Acted for a firm of solicitors in a proposed arbitration involving an insurance dispute against the firm. This matter involved advising on the arbitration agreement, material non disclosure, interpretation of the terms and conditions of the insurance policy and the circumstances in which the policy holder may be denied cover by the underwriters.

## Services

- *Legal Advice*
- *Setting out the overall strategy to be adopted in order to obtain the best possible outcome in Arbitration*
- *Legal advice on the merits of the dispute*
- *Analysis of the evidence*
- *Advising on the evidence*
- *Drafting statements of case*
- *Attendance and advocacy at the arbitration hearing*
- *Presenting written and oral arguments*
- *Advising on the enforcement of an Arbitrator's Award*
- *Advising on appeal of an Arbitrator's Award*
- *Applications to the High Court in support of the arbitration process (if necessary)*
- *Representation for appeals in the High Court, Court of Appeal and the Supreme Court*

# Commercial Law



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# Commercial Law

## Commercial Law Experience

### Company Law – Dispute between Directors

Advised and acted for a company director regarding a dispute between the directors over the company's assets.

### Partnership Dispute

Advised and acted in a partnership dispute involving ownership of two businesses, terms of the partnership agreement, breach of contract, loss of profits and a forensic expert accountant's report.

### Insolvency – High Court (Chancery Division)

Advised in insolvency and proposed winding-up petition in the Chancery Division (Companies Court) against a large UK public limited company.

### Costs proceedings – Court of Appeal

Advised the Appellant on cost proceedings in the Court of Appeal against an order made in the High Court.

### Insurance Dispute

Advised and acted in an insurance dispute involving material non disclosure, interpretation of the terms and conditions of the insurance policy and the circumstances in which the policy holder may be denied cover by the underwriters.

## Services

- *Company law*
- *Partnership*
- *Joint venture*
- *Agreements in connection with the supply of goods and services*
- *Corporate Insolvency*
- *Personal Insolvency*
- *Insurance*
- *International commercial law*

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# Property Law



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# Property Law

## Property Law Experience

### Commercial Property – High Court (Chancery Division) Injunctions

Acted in the High Court (Chancery Division) on behalf of two commercial tenants in order to obtain emergency injunctions against the landlord of a farm from taking possession.

### Landlord & Tenant - County Court Proceedings

Acted in a trial in the County Court involving claims of unlawful eviction, non payment of rent, surrender of the tenancy agreement, damage to property and unlawful subletting by a residential tenant.

### Commercial Property – County Court Trial

Acted in a commercial property trial in the County Court involving the ownership of a number of commercial property buildings, the terms of a partnership agreement between the parties, breach of contract and damages.

### Commercial Property – County Court Trial

Acted in a commercial property trial in the County Court involving the unlawful eviction of a business tenant, breach of contract, damages and loss of profits.

## Services

- *Business leases*
- *Renewal of commercial leases*
- *Determination of commercial leases*
- *Commercial landlord and tenant disputes*
- *Leasehold disputes*
- *Residential landlord and tenant disputes*
- *Co-ownership disputes*
- *Trusts of Land*
- *Actions for the recovery of land*
- *Service charges*
- *Breach of covenants*
- *Assignment of leases*
- *Party wall disputes*
- *Land registration*
- *Boundary disputes*
- *Rights of way/ Easements*
- *Representation in the First Tier Tribunal (Property Chamber) and the Upper Tribunal (Lands Chambers)*
- *Representation in the County Court*
- *Representation in the High Court, Court of Appeal and the Supreme Court*

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# Planning Law



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# Planning Law

## Planning Law Experience

### Planning Law – High Court

Acted in the High Court in connection with disputed planning permission and a Local Authority's application for summary judgment arising out of the Defendant's failure to complete the development of land within a contractual date by reason of delayed planning permission.

### Planning Law – High Court

Acted in the High Court in connection with certificates of lawful use, development and material change of use with regard to retail premises.

### Planning Law - Appeal

Acted for the Appellant against a Local Authority in connection with an enforcement notice in relation to unauthorised extension to property.

### Planning Law – Appeal

Acted for the Appellant against a Local Authority in connection with an enforcement notice in relation to a one bedroom residential apartment.

### Costs relating to a Planning Dispute –

#### Court of Appeal

Appeal in connection with costs arising from a planning dispute in a High Court with regard to commercial property.

## Services

- *Legal advice*
- *Commercial Developments*
- *Residential Developments*
- *Infrastructure*
- *Regeneration*
- *Development Plans*
- *Highways and Rights of Way*
- *Planning and Enforcement Appeals*
- *High Court Litigation*
- *High Court Planning Challenges*
- *Court of Appeal*

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# Professional Negligence



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# Professional Negligence

## Professional Negligence Experience

### Professional Negligence – Solicitors Firm -

#### Proposed Arbitration

Acted for a firm of solicitors in a proposed arbitration involving professional negligence an insurance dispute against the firm. This matter involved advising on the arbitration agreement, material non disclosure, interpretation of the terms and conditions of the insurance policy and the circumstances in which the policy holder may be denied cover by the underwriters.

### Professional Negligence – Permission to

#### Appeal - Solicitors Firm

Advised in connection with a Permission to Appeal matter in the County Court against a firm of solicitors in connection with professional negligence for breach of fiduciary duty, failure of the solicitors to account for monies received, breach of contract and damages.

### Professional Negligence – Proposed Trial in the Technology and Construction Court

Drafted statements of case in connection with negligent surveys for the construction of the new industry building. This involved breach of contract and failure to exercise reasonable skill and care.

## Services

- *Legal advice*
- *Advice on legal strategy to be adopted*
- *Advice on Pre-Action Conduct*
- *Advice on Settlement, Part 36 offers and ADR*
- *Drafting statements of case*
- *Drafting witness statements*
- *Advice on instructing an expert witness*
- *Applications for interim remedies*
- *Application for summary judgment and strike out*
- *Representation at the case management conference*
- *Representation at the Pre-trial review*
- *Representation in the County Court*
- *Representation in the High Court (including the Technology and Construction Court, Chancery Division, Queen's Bench Division and the Commercial Court)*
- *Representation in the Court of Appeal and the Supreme Court*

# Testimonials & Comments



# TESTIMONIALS & COMMENTS

## **Director (Top 5 UK Contractor)**

*"...in a recent adjudication conducted against a large multi-national corporation...Charles was instrumental in putting together the adjudication documents and dealing with all correspondence from the opposing side's solicitors...in an adjudication that proved to be very successful in its conclusion...I have no hesitation in recommending Charles to others and...look forward to working with him in future..."*

## **Commercial Director**

*"...I worked with Charles on a number of complex construction disputes and found his grasp and in-depth knowledge of construction, construction law and dispute resolution to be second to none..."*

## **Partner (LLP)**

*"We have known and worked with Charles on a regular basis over several years. We have found Charles to not only be friendly, approachable and professional, but his advice is considered, diligent and thorough. Our relationship with Charles has evolved to a point where he is our first port of call in litigious matters, with our supply chain also specifically requesting his services"*

## **High Court Judge, Queen's Bench Division**

*"...Counsel for the Claimant's skeleton argument was excellent..."*

## **Director (UK multidisciplinary practice)**

*"Having had the privilege of working with Charles I can say he is extremely dedicated, precise and utterly relentless. A leading thinker in the construction law field, and an advocate you most certainly want on your side."*

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