

NEW TEMPLE CHAMBERS

BARRISTERS

CONSTRUCTION, CHANCERY & COMMERCIAL

**Construction Law and Dispute
Resolution Barristers**

www.newtemplechambers.com

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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 has significant legal expertise and knowledge in all aspects of construction and engineering law, construction adjudication, arbitration, mediation and construction litigation. Chambers provides expert legal advice, drafting and robust representation in all our practice areas. Members of chambers are committed to providing 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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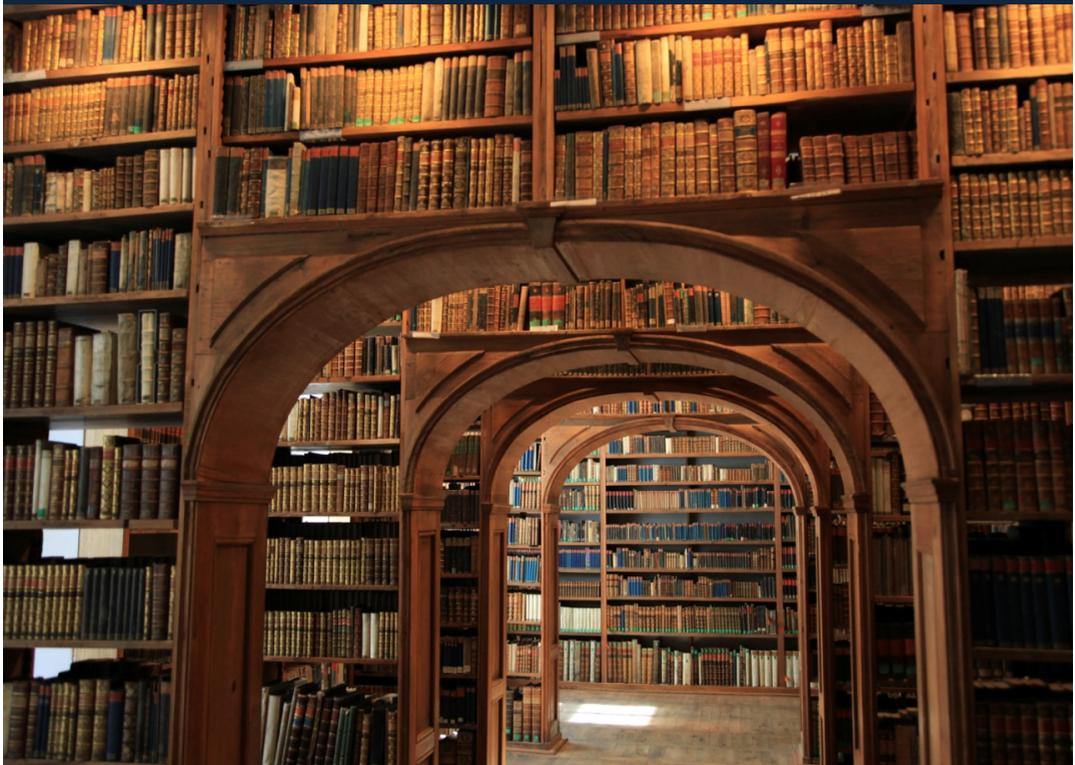
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Why Instruct New Temple Chambers



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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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Sectors



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Sectors

Instructing Members of Chambers

Members of Chambers accept instructions from:

- Construction and Engineering Organisations
- Contractors
- Sub-contractors
- Employers
- Architects
- Consulting Engineers
- Private Quantity Surveyors
- Claims Consultants
- Developers and Investors
- Government Organisations
- Solicitors
- Corporate Clients
- International Organisations
- Financial Organisations and Banks
- Members of the Public

Sectors

- *Building*
- *Civil Engineering*
- *Infrastructure*
- *Mechanical and Electrical*
- *Power/Energy*
- *Education*
- *Residential*
- *Commercial*
- *Sports*
- *Maintenance*
- *Industrial*
- *Rail*
- *Housing*

Construction & Engineering Law



CONSTRUCTION CONTRACT

made this _____ (1) _____ day of _____
_____, by and between _____
(5) _____, herein referred to as "ow"
(7) _____, 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*

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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Construction Litigation



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Construction Litigation

Construction Litigation Experience

High Court – Payment Dispute (Proposed Trial in the TCC)

Drafted statements of case in connection with negligent surveys for the construction of a new industrial building. This involved breach of contract and the failure to exercise reasonable skill and care, non-payment and damages.

High Court (TCC)– Enforcement of an Adjudicator's decision

Advised a proposed claimant on the enforcement of an Adjudicator's decision in the High Court

High Court (TCC) - Enforcement of an Adjudicator's decision

Advised the proposed defendant on resisting the enforcement of an Adjudicator's decision in the High Court (TCC).

County Court– Payment Dispute

Acted in a trial on behalf of a claimant in connection with construction works in central London. This matter involved breach of contract, and defective works.

County Court Trial – Payment Dispute

Advised a defendant in connection with a trial involving a payment dispute on an educational building. This involved advice on pre-action conduct, the merits of the claim, settlement, advice on the evidence, breach of contract and damages.

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 – Payment Dispute

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.

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.

Arbitration – Professional Negligence

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*

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Mediation



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Mediation

Mediation

What is Mediation?

Mediation is an effective method of alternative dispute resolution (ADR). It is an informal, private, non-binding and voluntary process whereby disputes between parties are resolved by a third party neutral commercial mediator. The mediator will assist the parties to reach the agreement.

Mediation of Construction Disputes

Most construction disputes are complex and the use of mediation to resolve construction disputes has increased significantly over the years. The Technology and Construction Court (TCC) actively encourages the use of Alternative Dispute Resolution, which includes mediation for the resolution of construction disputes.

Mediation – Payment Dispute

Advised a Sub-contractor during the pre-action conduct stage of litigation proceedings in connection with a payment dispute. This included advice on the strategy to be adopted in order to achieve the best possible outcome in mediation.

Mediation – Payment Dispute

Advised on a proposed mediation in connection with the non-payment of construction works under a JCT contract, breach of contract, defective works, practical completion and proposed liquidated damages.

Services

- *Legal Advice*
- *Advice on the legal strategy to be adopted in Mediation*
- *Legal advice on the merits of the claim*
- *Advice on selecting an appropriate Mediator*
- *Advising on the Mediation Agreements*
- *Analysis and advice on the evidence*
- *Attendance and advocacy at the mediation hearing*
- *Drafting Settlement Agreements*

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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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Contact Us



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