



Christopher Edwards

Year of Call: 2008

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Overview

Christopher Edwards practiced at 3PB Barristers in London before moving to its Bristol centre in 2016. His practice primarily comprises of Commercial and Construction disputes.

His practice has a particular focus on company and partnership disputes where there is a cross over into the construction sector.

Christopher also has a successful practice in professional indemnity matters, specifically in relation to solicitors, surveyors and architects.

Academic qualifications

- BA (Hons) Philosophy, Politics and Economics, St Peter's College, Oxford
- MPhil International Relations, St Antony's College, Oxford

Professional bodies

- Technology & Construction Bar Association (TECBAR)
- Chancery Bar Association (ChBA)
- Society of Construction Law (SCL)
- Professional Negligence Bar Association (PNBA)

Expertise

Commercial

Christopher has a commercial practice that encompasses the whole spectrum of business and commercial disputes. He regularly advises and represents businesses in both the County and High Court, and also has extensive experience of alternative dispute resolution.

Recent and Notable Commercial Cases

- Representing contractor in dispute over quality of installation of castables in high flue gas ducts in the oil industry.
- Advising a hotel in respect of the liabilities of its franchisor following from the latter's purported termination of its contract due to the COVID-19 pandemic.
- Successfully appealing a judgment that an informal IOU given by a husband to a wife was a promissory note within the meaning of the Bills of Exchange Act 1882.
- Advising and drafting in respect of enforcement of a legal charge given by a third party guarantor to a company's debts. Issues of interpretation of the charge and knowledge of the guarantor.
- Advising and drafting in respect of a claim arising out of loans to a property development company by a private bank. Issues of economic duress and conduct by the bank.
- Representing creditor in personal loan recovery action. Whether payments were loan or gift. Incapacity of Defendant and its effect on evidence and conduct of trial. Subsequent order for sale again raising issues of capacity.
- Representing guarantors under claim for monies due under a personal guarantee arising from hire purchase and hire contracts. Penalty clauses and automatic termination. Interpretation of damages clause in agreements.
- Numerous cases arising from misrepresentations in property purchases.
- Numerous cases arising relating to civil claims arising from bank transfer scams.

Professional Liability

Christopher has experience in professional negligence claims against many different professionals, including solicitors, surveyors, architects and financial advisors. He has particular expertise in respect of claims for professional negligence arising from construction projects.

Recent and Notable Professional Liability Cases

- Solicitor's negligence in respect of correct approach to take in respect of police application for Notification Order
- Architect's negligence in respect of payment provisions under a JCT contract
- Solicitor's negligence in respect of failing to properly draft the escalator clause in a lease.
- Architect's negligence for wrongly designing reservoir situated on farm.
- Architect's negligence for providing wrong advice as to permitted development rights on a residential property in a green belt location.
- Architect's negligence for failure to correctly supervise installation of new heating in a listed church. Issues of contractual and tortious assumption of duty.
- Solicitors' negligence in respect of conveying wrong land in sale of part.
- Numerous claims against surveyors arising from pre-purchase surveys of residential properties.
- Solicitors' negligence in failing to properly advise in respect of quantum in a negligent surveying claim. Issues as to the correct measure of quantum in such claims.

- Limitation in the context of a bank's failure to carry out an annual review of interest rates in a fixed term mortgage.

Company/Partnership law and disputes

Christopher has advised and acted in relation to numerous business disputes, including partnership and shareholder disputes. He has particular experience in respect of disputes relating to companies working in the construction sector.

Recent Company / Partnership Law Cases

- Advising on the construction of share purchase agreements, particularly in relation to the sale of companies in the construction sector.
- Successfully obtaining dissolution of a partnership that ran a licensed premises where the very existence of the partnership was in dispute.
- Winding up a family company on the just and equitable ground on behalf of the minority shareholders after a breakdown of trust and confidence with majority shareholder.
- Winding up petition on the just and equitable ground between two quasi partners in a tech startup.

Property and Estates

Christopher has advised and represented clients on matters ranging from residential possession to boundary disputes and nuisance claims. He has particular experience in respect of claims against property professionals, including surveyors and conveyancing solicitors. Christopher also acts and advises clients in commercial and residential disrepair matters, acting for both landlords and tenants.

Recent and Notable Property and Estates Cases

- Solicitors' negligence in respect of conveying wrong land in sale of part.
- Numerous claims against surveyors arising from pre-purchase surveys of residential properties.
- Solicitors' negligence in failing to properly advise in respect of quantum in a negligent surveying claim. Issues as to the correct measure of quantum in such claims.
- Right of way disputes relating to:
 - Interpretation of a conveyance in respect of a converted farmyard;
 - Right of way for 'boxed in' residential property in new development.
- Acting in proprietary estoppel claim arising from long and complex division of family estate.
- Acting for LPA receivers in complex High Court claim relating to an allegedly fraudulent mortgage charge.
- Mortgage possession case on behalf of mortgagor involving claims of mis-selling, economic duress and misrepresentation by mortgagee.
- Boundary dispute involving witness evidence going back 50 years as well as expert and stereoscopic photographic evidence. Interpretation of conveyances, adverse possession, demarcating boundaries by agreement.

Construction and engineering

Christopher regularly advises and represents clients in respect of a wide range construction and engineering disputes, ranging from residential property disputes to commercial developments to nationwide installation projects. He has a particular expertise in respect of professional negligence claims in the construction field.

Christopher also has extensive experience of company disputes relating to companies in the construction sector and their guarantors.

Recent and Notable Construction and Engineering Cases

- Advising and acting in numerous claims relating to defective building work at residential and other properties.
- Successfully defending significant adjudication claiming professional negligence in respect of a firm of quantity surveyors and costs consultants. Issues relating to the proper valuation of work carried out under an NEC3 Professional Services Short Contracts.
- Advising in respect of the apportionment of liability between contractors and professionals in a claim for the inadequate provision of heating for a restored medieval church.
- Advising and drafting in respect of a claim arising out of loans to a property development company by a private bank. Issues of economic duress and conduct by the bank.
- Advising on the construction of share purchase agreements, particularly in relation to the sale of companies in the construction sector.

Recent and Notable Professional Liability Cases

- Architect's negligence for wrongly designing reservoir situated on farm.
- Architect's negligence for providing wrong advice as to permitted development rights on a residential property in a green belt location.
- Architect's negligence for failure to correctly supervise installation of new heating in a listed church. Issues of contractual and tortious assumption of duty.
- Numerous claims against surveyors arising from pre-purchase surveys of residential properties.

Articles

Commercial barrister Christopher Edwards analyses the Court of Appeal decision in Times Travel (UK) v Pakistan International Airlines Corporation and its impact on the criteria of lawful economic duress and reasonableness in commercial contracts.

[View Article](#)

Christopher Edwards considers the case of First Tower Trustees Ltd and Intertrustees Limited v CDS (Superstores International) Limited [2018] EWCA Civ 1396 and the role of basis clauses in avoiding liability in contracts.

[View Article](#)

Commercial update: Claim notification clauses in SPAs

When notifying a claim under a claim notification clause in a Share Purchase Agreement, what level of detail does the purchaser need to give? Christopher Edwards analyses the Court of Appeal's most recent consideration of the issue (Teoco UK Ltd v Aircom Jersey 4 Ltd [2018] EWCA Civ 23).

[View Article](#)

Christopher Edwards provides an overview of the law relating to the Commercial Agents Directive and its latest developments in Webinar for Lexis Nexis.

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Continuing breach is an area of law that has suffered from a level of uncertainty. In the context of professional risk, it is often important to limitation arguments, in order to determine when a breach of duty has occurred. Christopher Edwards (Call 2008) analyses the most recent contribution of the Court of Appeal, in Capita (Banstead 2011) Ltd v. RFIB Group Ltd [2015] EWCA Civ 310.

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If a contract for work and materials is performed badly, can there be a total failure of consideration? By what 'performance' is that question to be addressed? And can there also be a claim for damages? Christopher Edwards analyses the most recent contribution of the Court of Appeal to the question of total failure of consideration and damages, in *Gartell & Son (a firm) v. Yeovil Town Football & Athletic Club Limited* [2016] EWCA Civ 62, [2016] BLR 206, 164 ConLR 28

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