



Christopher Edwards

Year of Call: 2008

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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.

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.

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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.

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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).

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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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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)