

Andrew Walker QC

Call 1991

Silk 2011

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Andrew is a commercial chancery QC, and former Chair of the Bar of England and Wales.

He has extensive experience and expertise as both an advocate and an adviser, particularly in the specialist areas set out below. He acts as an advocate before all courts, tribunals and other dispute resolution bodies. He accepts appointments as an arbitrator, legal expert or legal assessor in all of his areas of practice, and has extensive experience in mediations. He is also a member of the panel of adjudicators under the PNBA Professional Negligence Adjudication Scheme.

He advises and assists clients both within the UK and internationally, including in multi-jurisdictional disputes, and has acted both as an expert witness on English law in proceedings abroad, and as an examiner under letters of request to the English courts.

He is known for his strong focus on clients' commercial aims and interests, and the commercial context in which his assistance is sought. His approach is flexible, but will often involve early in-depth analysis of the strengths, weaknesses, risks and opportunities involved; assisting in formulating an appropriate strategy; supporting dispute resolution in the most suitable way (including negotiation, mediation, arbitration and litigation); and providing timely and incisive advice on key issues arising in a dispute or potential transaction.

His breadth of experience lends itself well to cases involving more than one area of practice (including insolvency and asset recovery situations arising within his other areas of practice).

He has experience in a wide variety of business sectors, particularly property investment and development, lending and finance (including private equity, securitisation, and sub-prime mortgage lending), UK and international trade and distribution, leisure sector, auctioneers, agency, transport, public infrastructure, utilities, education, telecommunications and IT. He acts for a wide range of clients, from multinational corporations, investment funds, banks, insurers, and high net worth individuals, to all sizes of businesses, trusts and family companies, public authorities, and private clients at all levels. He also acts pro bono in deserving cases.

Professional directories have recommended Andrew for many years in the areas of property litigation, professional negligence and commercial litigation.

He was an elected member of the Bar Council of England & Wales from 2005 to 2016, Vice-Chair in 2017, and Chair in 2018. He was formerly the Chair of the Bar Council's Ethics Committee and Vice-Chair of its Law Reform and Access to the Bar Committees.

He was awarded the Bar Pro Bono Award in 2009 for some of his work with the homelessness charity, Shelter.

To see video footage of Andrew's contributions to **UK Parliamentary Select Committee hearings** click [here](#) (House of Commons Committee on Standards, 19 April 2016), [here](#) (House of Lords Constitution Committee, 23 November 2016; from 10:54:20), [here](#) (House of Commons Justice Committee, 12 June 2018) and [here](#) (House of Commons Justice Committee, 23 October 2018).

To listen to his interview with the Chicago-based **Legal Talk Network** (September 2018), click [here](#).

To see video footage of Andrew's contribution to a European Parliamentary Group seminar in June 2011 on "**European Union Property Law - Rights and Wrongs**", click [here](#) (from around 1:43:40).

Educated at Trinity College, Cambridge (where he was awarded a Whittaker Scholarship), Andrew was an Inns of Court Scholar, and a Wigglesworth, Wolfson and Hardwicke Scholar of Lincoln's Inn. He was elected as a Master of the Bench of Lincoln's Inn in 2016.

He is also a trustee of two charities. **The Industry and Parliament Trust** seeks to develop mutual understanding between the United Kingdom Parliament and the worlds of business and commerce. **The Conservation Volunteers** wants healthier, happier communities, and works to deliver practical actions with a lasting impact on people's health, prospects and outdoor places.

Areas of expertise

Property issues and disputes of all types, including: contracts for the acquisition, development and management of land; options and conditional contracts; overage claims; project management and similar contracts; mortgages and other security arrangements, including enforcement disputes; planning and other statutory issues connected with property contracts; leases of all types; landlord and tenant disputes (particularly commercial – including retail, leisure and distribution – and residential); rent reviews; Pubs Code disputes; leasehold enfranchisement; rights over land (including easements, covenants and rights of light); trespass and nuisance claims; disputed asset disposals; estate agency; property-related competition law issues; commons and village greens; public law claims concerning land; rating and compulsory purchase.

Negligence claims (including breaches of duty of all sorts) involving a wide range of **professionals and commercial service providers**: including solicitors, surveyors, accountants, barristers, corporate and personal tax advisers, actuaries, valuers of all types, financial intermediaries, and commercial/technology/equipment service providers. He also has broad expertise and practical experience concerning the **regulation and conduct of professionals**, particularly lawyers.

Company, commercial, equity and financial (including civil fraud) disputes, including: business disputes; company and share acquisitions and valuations; shareholder disputes; disputes with and between directors; rights and disputes over corporate assets and opportunities; fiduciary obligations; charges and other security interests; financial transactions; securitisation arrangements; disputed asset disposals; civil and criminal asset recovery claims; general commercial, banking and finance contracts; commercial agency; evidence gathering for claims overseas; joint ventures; and partnerships.

Valuation: disputes and advice about valuations or in situations involving valuation issues, including in relation to properties, other investments, businesses, shareholdings, portfolio assets, pension funds, rent reviews, damages claims, asset disposals, and artworks.

Insolvency: insolvency issues of all sorts arising in his other specialist areas, along with general company, partnership and individual insolvency disputes.

Notable Cases in Public:

Allen v Kent County Council (Planning Inspectorate) (public inquiry into village green application)

Holmes v Evans (Court of Appeal) (claim to a prescriptive right of way over leased land; effect of procedural decisions at first instance)

The Scotts Company (UK) Ltd v Paper Mill Lane Properties Ltd (QBD: Commercial Court) (meaning of contract for sale of development land regarding payments from a retention sum for environmental remediation works; estoppel by convention)

Webb Resolutions Ltd v JV Ltd (t/a Shepherd Surveyors) (QBD: Technology & Construction Court) (alleged negligence by property valuers)

Shah v Shah & Mister Dee International plc (High Court) (family trading company shareholder dispute, including separate trial of property and company valuation issues)

HMV UK Ltd v Retail Plus General Partner Ltd (County Court) (contested retail business tenancy renewal, especially as regards landlord's redevelopment break rights)

Anstruther v Vidas Properties Ltd (Central London CC (Chancery Business)) (disrepair claim in unusual circumstances, involving highly complex property valuation issues)

Earl Cadogan v Panagopoulos (High Court & Court of Appeal) (leasehold enfranchisement claim; wide-ranging issues concerning validity of a caretaker's flat lease)

BDO Stoy Hayward v JJB Sports (High Court)

31 Cadogan Square Freehold Ltd v Earl Cadogan (Upper Tribunal) (two hearings raising a variety of valuation issues in leasehold enfranchisement claims)

Roger Marsh v (1) Simon Marsh (2) Time Critical International Ltd (High Court) (father and son dispute over ownership of transport business)

Clydesdale Bank plc v Beechwood Properties (Pedmore) Ltd (High Court) (asset recovery claim relating to monies lent for property purchase and development)

Prudential Assurance Company Ltd v Exel UK Ltd (High Court) (validity of tenant's attempt to exercise a break clause in lease of substantial warehouse)

Earl Cadogan v Pitts (House of Lords) (hope value and marriage value in enfranchisement claims; human rights)

Slattery v Moore Stephens (High Court) (professional negligence claim by high net worth individual against personal tax advisers)

BHP Petroleum Great Britain Ltd v Chesterfield Properties Ltd (High Court & Court of Appeal) (liability of landlord and tenant for statutory obligations, and status of tenant's personal covenants)

Meftah v Lloyds TSB Bank plc (High Court) (guarantor's claim that bank/receiver sold drag racing circuit at an undervalue)

Platform Home Loans Ltd v Oyston Shipways Ltd (House of Lords) (correct approach to contributory negligence in professional negligence claims)

Courage Ltd v Crehan; Walker Cain Ltd v McCaughey (Court of Appeal) (issues of competition law and rights of set off in connection with leases of tied pubs)

Electricity Supply Nominees Ltd v The National Magazine Company Ltd (High Court) (correct approach to damages in a commercial lease claim involving failure of air conditioning and other services)

Signet Group PLC v Hammerson UK Properties plc (Court of Appeal) (validity of notice seeking a new business tenancy of retail premises)

Dukeminster (Ebbgate House One) Ltd v Somerfield Property Company Ltd (High Court & Court of Appeal) (rectification of lease and construction of complex rent review clause in lease of distribution warehouse)

UCB Bank plc v Beasley (Court of Appeal) (rights of mortgagee against unpaid seller of leisure business)

Memberships

Chancery Bar Association

Property Bar Association

Professional Negligence Bar Association

COMBAR

Financial Services Lawyers Association

Qualifications

Trinity College, Cambridge (MA)

Terms of Business and Other Information for Clients

The areas of practice in which Andrew most commonly provides legal services, and the legal services that he most commonly provides, are outlined above. These include acting as an advocate, providing legal advice, and drafting documents in connection with disputes and in other legal situations.

For instructions from solicitors and other legal professionals (listed [here](#)), Andrew Walker QC's standard terms of business are the Standard Conditions of Contract for the Supply of Legal Services by Barristers to Authorised Persons 2012, which may be found [here](#), subject to what follows as regards fees. He usually charges on the basis of the time spent at his applicable hourly rate (particularly for advising and drafting work) or an agreed fixed fee (particularly for hearings). A fixed fee for a hearing ('brief fee') will usually include the preparation required for that hearing; and if the hearing is for longer than a day, then in addition to the brief fee, a fixed additional fee ('refresher') will usually be charged for each day or part day after the first day (including any days required to prepare written submissions in relation to the hearing). Expenses may be charged in addition. Each piece of work in relation to a case is charged for separately, and he reserves the right to require that fees for specific tasks are agreed separately. He also reserves the right to require payment of his fees before he accepts any particular instructions.

For instructions from non-legal professionals and others who are entitled to instruct barristers under the Licensed Access Scheme (explained [here](#)), and for instructions directly from clients (under the Public Access Scheme), Andrew Walker QC has different terms of business, which depend on the nature and circumstances of the instructions.

His usual basis of charging under the Licensed Access Scheme is the same as for instructions from solicitors (see above).

His usual basis of charging under the Public Access Scheme is a fixed fee, paid in advance before he accepts the instructions. Each piece of work in relation to a case is charged for separately. Expenses may be charged in addition.

For all types of instructions, other pricing models may be available by separate negotiation in individual cases.

Factors affecting the price for Andrew's services include his availability, the availability of the client or relevant third parties, the complexity of the case, the amount at stake, the types of issue involved, the importance of the case, the urgency of the case, the amount of information that needs to be reviewed or considered (including the number of documents), the need for

additional information or documents, the approach taken by any other parties in the case, the amount of any travel and additional expenses involved, court delays and waiting times, and changes in information or circumstances.

Professional, licensed access and/or lay clients (as appropriate) may contact chambers to obtain an estimate or quotation for Andrew's legal services. Contact details are set out on the 'Contact' page.

If you wish to appoint Andrew as an arbitrator or adjudicator, please contact the clerks for further information. Contact details are set out on the 'Contact' page.

Andrew Walker QC is regulated by the Bar Standards Board.



Recommendations

Chambers UK

Real Estate Litigation

"Fantastically commercial in his application of the law." "He drafts brilliantly." (2020)

"Phenomenally intelligent and extremely commercial." (2019)

"He has a great eye for detail, and he's analytical with a commercial spin." (2018)

"Good attention to detail and commercially minded." "First choice for heavyweight matters requiring more seniority." (2017)

"Provides first-rate advice on extremely complex matters in a very user-friendly way", "a high degree of commercial awareness", "broad chancery expertise and ... well thought-out advice." (2015)

"A gifted real estate litigator, he routinely acts for high-profile companies and investors." (2014)

"Very pleasant and very approachable, he has a wonderful mind and a tremendous grasp of the law. He is highly technical but is excellent at tuning into the client." (2014)

"Incredibly smart and very good on his knowledge of the detail of a judgment." (2013)

"Detailed advice that is very much in demand." (2012)

Chambers UK

Professional Negligence

"Decent and honourable opponent," "richly deserved his appointment to silk this year." (2012)

"Held in high esteem" (2011) "strong intellect," "tough opponent who will fight his corner."

UK Legal 500

Property Litigation

"He has an experienced grasp of the commercial imperatives." (2020)

"Very intelligent and yet exceptionally commercial." (2018/19)

"He has a forensic approach, combined with a clear understanding of the commercial context." (2017)

"Good at mining every possible argument and very easy to get on with." (2016)

"He has immense energy and is one of the most thorough analysts." (2014)

"Approachable and very knowledgeable." (2011)

UK Legal 500

Professional Negligence

"Very personable." (2011)

"Well prepared and robustly effective in his advocacy." (2010)

Legal Experts, 2012

Commercial litigation, Property, Professional Negligence