

## Andrew Williams

Call 1994



### Clerks' Details

Joe Mawson  
0161 817 2753

Tom Gornall  
0161 817 7139

### Memberships

- Northern Circuit Commercial Bar Association (former committee member)
- Professional Negligence Bar Association
- Property Bar Association
- Chancery Bar Association
- Northern Chancery Bar Association

### Education

- Inns of Court School of Law (1993-94) (Entrance Scholar)
- Birmingham University (1990-93)
- Liverpool Blue Coat School (1983-90)

### Professional Negligence CV

#### Overview

Andrew is a property and commercial litigator who has appeared in courts and tribunals at all levels all the way up to the House of Lords. As a former university lecturer in land law and with 20 years' experience at the chancery bar, he is frequently involved in complex property and professional negligence litigation.

He is instructed on behalf of claimant and defendant firms. Some of his solicitors' negligence litigation has attracted considerable media attention. He has been instructed in many solicitors and surveyors negligence claims especially arising out of purchases of land and the conduct of litigation.

Recently, Andrew has lectured on:

- Limitation periods in solicitors' negligence claims
- Damages recoverable in solicitors' negligence claims arising out of conveyancing transactions. (Liverpool Law Society Property Conference)
- Professional negligence claims arising out of defective purchases: surveyors, solicitors, SRA issues (Annual Property Law Conference)

## Recommendations

“He gets to grips with complex issues very quickly and speaks to clients on their level.”

“He has profound knowledge of the property sector.”

**Chambers and Partners, 2021**

“He is an “on the ball” and modern barrister.”

“Diligent, personable and tenacious. A very pleasant opponent but a very tough one.”

**The Legal 500, 2021**

“Experienced in contract and partnership disputes.”

“He has a great academic understanding of the law.”

**The Legal 500, 2020**

“Diligent and meticulous.”

**The Legal 500, 2018/19**

“Recommended for a broad range of property matters.”

**The Legal 500, 2017**

“Extremely knowledgeable and proactive.”

**The Legal 500, 2016**

## Cases

The following are examples of cases in which Andrew has been recently instructed and/or are ongoing:

A claim involving intricate questions of quantum arising out of a firm's alleged failure to identify that the land their client was purchasing was subject to rights of common;

A complex claim in which a firm of solicitors is alleged to have failed to advise their client of the consequences of entering a contract to sell land to which she lacked title;

A claim that a firm's alleged failure to identify the significance of a bankruptcy order against their client resulted in his failing to obtain an assignment of the cause of action with the result that his potential claim was lost;

A claim arising out of a firm's alleged failure to inform its developer client of a warning provided in a coal and mining search.

A claim in which a purchasing solicitor failed to ensure that the land her client was purchasing was accessible by way of an easement.

A claim alleging that a solicitor negligently handled a complex and high profile piece of litigation resulting in it being discontinued.

Andrew appeared in *Bromilow v. Linskills*, which received national TV and newspaper coverage. Peter Bromilow had attended the Hillsborough Stadium disaster and instructed solicitors who achieved a £3,000 settlement for PTSD. Andrew represented him in a solicitors' negligence claim against that firm and recovered £50,000. This led to a couple of hundred claimants coming forward and bringing similar solicitors' negligence claims arising out of the Hillsborough disaster, with Andrew appearing as lead counsel.

A claim that a solicitor's handling of a high profile defamation claim was negligent.

A claim arising out of a purchasing solicitor's failure to ensure that her client's property had the benefit of a right of way.

## REPORTED AND INTERESTING CASES

***Daniel James Adams v Thomas James Cecil Jones [2021]*** UKUT 9 (LC) [2021] 1 WLUK 138: leading case on applications for succession tenancies under the Agricultural Holdings Act 1986

***Dowse v Bradford Metropolitan Borough Council* [2020] UKUT 202 (LC), [2020] 6 WLUK 505:** adverse possession leading case involving the construction of the para 5(4) condition of sched 6 Land Registration Act 2002.

***Anaghara v Anaghara* [2020] EWHC 3091 (Ch), [2020] 11 WLUK 197 (Zacaroli J):** proprietary estoppel and probate

***Palmer v Rowbottom* [2020] HHJ Kramer as s. 9 judge, 4-day trial:** implied easements, proprietary estoppel, electricity supply

***Bruckfern Ltd v Gillian Whalley (HHJ Hodge QC (s. 9) Ch Div, 2018):*** trial and appeal on the construction of an option to purchase land with unusual time provisions

***Stephanie Brennan v Lawrence Oliver (HHJ Mark Raeside QC (s. 9) 2017):*** trial of high value Inheritance Act claim

***The Croft (Bickershaw) Ltd v Brian Smith and others* [2017] UKUT 339 (LC) [2017] 8 WLUK 303:** application to discharge restrictive covenants. Burden of proving entitlement to object

***Paul Dickson v NFU Mutual Insurance Services Ltd and others* [2017] 6 WLUK 175:** solicitors' liability for costs of litigation between 2 parties whose dispute arose out of the fraud of a former employee of the firm

***Black & White v Measures* [2016] Ch D (HHJ Bird) 5 day trial:** easements, nuisance, development agreement, economic torts, slander of title

***Williams & Williams v Blundell, Blundell & Malthouse* [2016] MAN/ooCA/OAF/2015/002:** imposition of restrictive covenants on purchases of freehold interest under Leasehold Reform Act 1967

***District & Urban Housing Ltd v. Persons Unknown* [2015]:** TV and news coverage (claim against "Love Activists" who took over former Bank of England building, Liverpool)

***Morgan v. Arriva Northwest and Dures* [2015] [QBD] Simler J, PILJ 140, Westlaw 2015 WL 474488:** conflicts of interest, strike out

***Lafarge Aggregates Ltd. v. Ronald Davies & another* [2012] Ch D:** option to purchase land, overage

***Nick Griffin, British National Party and Simon Darby v. Kenneth Smith* [2012] QBD,** national newspaper and TV coverage: injunctive relief re BNP membership list

***Wirral M.B.C. v. Leighton* [2006]** national radio and newspaper coverage: residential landlord and tenant, ASBO possession claim

**Wirral M.B.C. v. Boden [2003]** national newspaper coverage: residential landlord and tenant, ASBO possession claim

**Bromilow v. Linskills [2000]** QBD – extensive national newspaper and TV coverage: Solicitors negligence, Hillsborough

**Re Higham (a bankrupt) [1997]** B.P.I.R. 349: insolvency, transfer of title to property

**State Bank of India v. Sood [1997]** 1 W.L.R. 1568 (House of Lords), [1997] Ch 276, [1997] 2 W.L.R. 421, [1997] 1 All E.R. 63 (Court of Appeal): overreaching of beneficial interests in land

## Publications

Misfeasance in public office: the need to plead (Local Government Lawyer, May 2018)

Commercial landlord & tenant: Remedies for tenant disrepair during the currency of the term (Property Law Journal, October 2016)

Local authorities' powers to obtain possession of land (Local Government Lawyer, October 2015)"

Evicting squatters (Manchester Evening News, Business Section, October 2015)

Damages in private nuisance claims (Property Law Journal 334, July 2015)

Flooding Claims (Property Law Journal 326, November 2014)

Positive freehold covenants and Goodman v. Elwood (Property Law Journal 318, February 2014)

Solicitors undertakings and Clark & Clark v. Lucas (Property Law Journal 237, 5 October 2009)

Failure to complete land transactions (Property Law Journal 217, October 2008)

Terminating Assured Shorthold Tenancies (New Law Journal, Vol. 156 No. 7244, 13 October 2006)

Resiling from admissions (New Law Journal, Vol. 156 No. 7218, 31 March 2006)

Surrenders of leases and Belcourt Estates v. Adesina (Solicitors Journal, Vol. 149 No. 38, 7 October 2005)

Public Rights of way and McGeown v. Northern Ireland Housing Exec (New Law Journal, Vol. 153 No. 7096, 19 Sep 03)

Andrew has also been invited to write book reviews for the New Law Journal on the following texts:

Maudsley & Burn's Land Law Cases and Materials (New Law Journal, Vol. 155 No. 7172, 15 April 2005)

Boundaries Walls & Fences: Alldridge (New Law Journal, September 2004)

Charging Orders Against Land: Law, Procedure and Precedents: Walker and Buckley (New Law Journal, Vol. 154 No. 7137, 16 July 2004)