

## Andrew Bowen KC (Scot)

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Andy read law at Keble College, Oxford (2:1) and took an LLM (1st) at London University specialising in commercial law.

He qualified as a solicitor (1989) and barrister (1993) in England and Wales before calling to the Scottish Bar in 1997, taking silk in 2012.

He became a Fellow of the Chartered Institute of Arbitrators in 2015.

He has an established practice which includes commercial and regulatory litigation and arbitration. His dual-qualification and international experience offers a relatively unique perspective on commercial and arbitration disputes.

### Commercial / Company Law

- Representing partner of a garage business in commercial action over breach of warranty of **SPA claim** brought by former partners;
- Representing shareholder in a **derivative action** against director of 'on-line' business who had failed to account for investment funds/breach of duty;
- Representing a development company in a commercial action in quantum meruit claim for 'stolen' planning permission for an airport hotel where company had an option to buy;
- Advising development company on defending claim for breach of contract on purchase of commercial property on basis of **misrepresentation**;
- Advising UK **factoring** company on recoverability of debt assigned by 'related' company;
- Advising partners on enforceability of '**finder's fee**' for sale of aircraft;
- Advising **wind farm owners** on construction of agreement to share grid rights;
- Advising company on **construction of contract** with DWP for provision of employment services;
- Advising director of UK company on enforceability of **guarantee** in claim brought by liquidator;
- Advising directors on '**hive out**' of assets of company in liquidation, on adjustment of prior transaction/directors' personal liabilities;
- Advising and representing a director facing maximum **disqualification** term for transferring assets of company shortly before liquidation;
- Advising trustees/shareholders of major plc on relocation of **trusts**;
- Advising owners of Marina on shareholder dispute.

## Property, Insurance, Partnership

- Acting for claimant **partnership** in claim for negligent drafting of contract for sale of land and consequent loss of back-to-back sale;
- Advising liquidator on 'insurable interest' on **insurance** for commercial property damaged in fire;

## Construction

- Acting for sub-contractor in variation claims against main contractor arising out of **construction** of major concert venue in Glasgow, 2 week commercial trial end of April/May 2016.
- Acting for sub-contractor in cascade litigation arising from construction of a major Scottish NHS hospital

## Professional and Construction Negligence

- Acting for claimant director/shareholder/company assignee in claim against solicitors for **negligent advice on company re-structuring**;
- Acting for property developers in claim against solicitors for failure to complete contract for sale of land.
- Advising **solicitors' partnership** on professional negligence claim against estate agency subsidiary.
- Acting for **architects** in Part 20 additional claim arising out of 'façade retention' redevelopment of former hospital.

## Professional Regulation and Discipline

- Prosecution/presentation and defence before regulatory bodies including the Police Appeals Tribunal (Scotland), Health and Care Professions Council and Architects Registration Board.

## Commercial Arbitration (Domestic and International)

- Advising Libyan facilities company on claim against multinational oil company for **breach of contract** under ICC arbitration.
- Advising Libyan oil company on charterparty claim
- Acting as arbitrator in domestic solicitors' partnership dispute.
- Arbitration under 1996 Act on **breach of contract** in performance of port electric lock gates.
- Arbitration under Stockholm Chamber of Commerce Rules on **pension** obligations arising from SPA.

- Arbitration under London Centre for International Arbitration on Turkish **distribution agreement**.
- Arbitration in Scotland on dissolution of **partnership**.