

# Gideon Scott Holland

Call: 1999

*"Gideon is a very calm and thoughtful barrister. He never wastes a word - you can always be confident in his judgement."*

Legal 500 UK Bar 2024



## Practice Areas

- Adjudication
- Advisory
- Arbitration
- Dispute Boards
- International Arbitration
- Litigation
- Mediation
- Professional Negligence
- Property
- Construction & Engineering
- Energy & Natural Resources

## Clerk details

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## Practice Overview

Recommended for his thorough approach and ability to get on well with clients and solicitors alike, Gideon's practice covers a wide range of advisory, drafting and advocacy work relating to standard form and bespoke construction contracts (including JCT, NEC3, ICE, FIDIC and ICHEME standard forms). He has advised and acted in professional negligence claims (including architects, engineers, surveyors and valuers) and in cases concerning process engineering, energy, PFI contracts, public procurement and nuisance. Gideon undertakes environmental work in civil and criminal jurisdictions, including statutory nuisance under the Control of Pollution Act 1974 and similar legislation. He has particular experience of PFI contracts and cladding disputes.

Gideon regularly acts in domestic and international arbitrations (including those administered by the ICC) and in the High Court and county courts for both residential and commercial clients. He is regularly appointed as both sole and junior counsel. He has also acted for clients at all stages of the adjudication process: advising, drafting and representation at both adjudication hearings and in court for injunctions or enforcement. He also has substantial experience representing clients in the mediation of construction, engineering and energy disputes.

Gideon welcomes instructions via licensed access. He is familiar with working with electronic documents both in the disclosure process and in trial and is happy to receive instructions electronically.

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## Practice Areas

### Construction & Engineering

- Acted for specialist sub-contractors in relation to allegedly defective cladding and high rise building fire strategy.
- Acted for rail contractor in relation to dispute over rights under framework agreement with rail infrastructure body.
- Acted for householders in TCC professional negligence trial against contractor and engineer in relation to the collapse of a domestic property due to defective basement construction.
- Acted for Claimant/Respondent in TCC preliminary issue and Court of Appeal hearing relating to capacity of contracting party and agency.
- Appeared in TCC trial in relation to termination of contract for lack of due diligence in the design and construction of a low density polyethylene plant. Legal issues included identifying the test for breach of due diligence and the meaning and effect of bonds and guarantees.
- Acted for a main contractor in Part 8 proceedings in the TCC concerning payment provisions under the Housing Grants Act 1996 and the Late Payment of Commercial Debts (Interest) Act 1998.

- Acted in TCC and Court of Appeal litigation relating to the design, construction and process engineering of a waste water treatment plant.

#### International Arbitration

- Acted in two ICC arbitration proceedings held in the UK relating to flue gas desulphurisation plants in UK power stations. Instructed on a direct professional access basis by a large Danish engineering firm.
- Acted for a local authority in an arbitration relating to the installation of a defective Audio Visual System.
- Acted in a long-running but confidential arbitration instructed by the Government Legal Department on behalf of a Government department.

#### Professional Negligence

- Acted for the claimant in relation to the formation of a contract and the incorporation of particular terms, including a limitation of liability provision.
- Acting for engineering firm in relation to TCC dispute over the design and construction of a car park.
- Acting for employer in dispute with civil engineer over defective construction of residential property.
- Acted for householders in TCC professional negligence trial against contractor and engineer in relation to the collapse of a domestic property due to defective basement construction.
- Appeared in TCC trial in relation to termination of contract for lack of due diligence in the design and construction of a low density polyethylene plant. Legal issues included identifying the test for breach of due diligence and the meaning and effect of bonds and guarantees.
- Acting for Primary Care Trust in relation to defective piling claim against engineer.

#### Energy & Natural Resources

- Acted in two ICC arbitration proceedings held in the UK relating to flue gas desulphurisation plants in UK power stations. Instructed on a direct professional/licensed access basis by a large Danish engineering firm.
- Acted for a UK water company in a TCC dispute relating to the performance of a new BAFF water treatment plant.
- Appeared in TCC and Court of Appeal litigation relating to the design, construction and process engineering of a waste water treatment plant.
- Acted for sub-contractor in relation to referral of dispute over unpaid sums and lack of pay less notice on project for the construction of a biomass plant.
- Acted for solar energy contractor in relation to a dispute concerning the Renewable Energy Consumer Code and the Microgeneration Certification Scheme.

- Acted for the Secretary of State for Defence in a high value (£100m+) and long running dispute in relation to a nuclear submarine jetty.

#### PFI/PPP

- Acted in a dispute relating to the termination of a PFI contract in the healthcare industry and the estimated fair value of the project agreement.
- Advised in relation to dispute on meaning and effect of contract between rail operator and contractor.

#### Property

- Acting for householder in relation to neighbour dispute over alleged easements, trespass and party wall infringements.
- Acted for householder in relation to dispute under Party Wall Act 1996.
- Advising restaurant in relation to nuisance (vibration and noise) issues, alleged breach of terms of lease and enforcement of alleged planning control breach under the Town and Country Planning Act 1990.
- Advising householder in relation to claim for damages for exposure to asbestos and for an abatement notice under the Environmental Protection Act 1990.

#### Adjudication

- Acting for sub-contractor in relation to referral of dispute over unpaid sums and lack of payless notice on project for the construction of a biomass plant.
- Acted for contractor in an application in the TCC and CA for an injunction to restrain adjudication proceedings on the grounds that (i) the Referring Party had failed to comply with a previous adjudicator's decision; and (ii) the Referring Party was attempting to refer a dispute that was substantially the same as one previously referred and decided.
- Acted for employer in adjudication referral relating to defective construction work on residential property.
- Acted for contractor in a Part 8 action in the TCC for a declaration raising questions relating to the Unfair Contract Terms Act and whether a party's standard terms complied with the requirements of the Construction Act.
- Acted for employer in resisting enforcement proceedings in the TCC on the grounds of failure to serve the Notice correctly and breach of natural justice.
- Acted in TCC enforcement proceedings concerning allegations of bias and appointment of the same adjudicator in multiple adjudications without consent.

#### Infrastructure and Utilities

- Acted for rail contractor in relation to dispute with rail infrastructure body.
- Acted in TCC and Court of Appeal litigation relating to the design, construction and process engineering of a waste water treatment plant.

- Acted for a UK water company in a TCC dispute relating to the performance of a new BAFF water treatment plant.

### Dispute Boards

- Advised developer of the Shard and London Bridge Place in relation to issues arising during construction process.
- Acted for Secretary of State for Defence in relation to long-running dispute with contractor before dispute board.

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## Reported Cases

- Surgo Construction Limited v PlanET Biogastechnik GMBH [2019] EWHC 2310 (TCC)
- Surrey and Sussex Healthcare NHS Trust v Logan Construction (South East) Limited [2017] EWHC 17 (TCC)
- Arcadis Consulting (UK) Ltd v AMEC (BSC) Ltd [2016] EWHC 2509 (TCC)
- Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd BLR 395 CA
- Tombs v Wilson Connolly 98 Con LR 44 TCC
- Yorkshire Water Services Ltd v Taylor Woodrow Construction BLR 409 TCC
- Home of Homes Ltd v Hammersmith and Fulham LBC 92 Con LR 48 TCC
- Pring & St. Hill Ltd v CH Hafner Con LJ Vol. 20 No. 7 p.402 TCC

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## Other information

### Education & Professional Career

- TECBAR Adjudicator, 2013
- Trained Mediator, 2006
- Public Access Training, 2004
- Keating Chambers, 2000
- Pupillage, Keating Chambers, 1999-2000
- Called to the Bar (Lincoln's Inn), 1999
- Diploma in Law, City University, 1998
- MA in Classics, Wadham College, Oxford 1996

### Additional Information

Amongst other interests, Gideon enjoys rock climbing, travel and the theatre.

### Memberships

- Technology and Construction Bar Association (TECBAR)
- Society of Construction Law
- Commercial Bar Association (COMBAR)
- South Eastern Circuit
- Procurement Lawyers Association

### Seminars & Publications

- Gideon Scott Holland has led seminars for major solicitors firms in London, in particular delivering papers on the contractor's duty to warn, adjudication and costs issues. He has also lectured on the changes to be implemented by the Local Democracy, Economic Development and Construction Act 2009 and delivered a webinar for Sweet & Maxwell on termination for lack of due diligence.
- Contributor, Income Taxation (Sub-contractors in the Construction Industry), Vol.58 of Halsbury's Laws of England, 5th Edition (2014) with Tom Owen.
- Contributor, Keating on Construction Contracts, First Supplement to the 9th Edition (2013).
- Contributor, Keating on Construction Contracts, 9th Edition (2012).
- Consultant editor, Energy and Climate Change, Vol . 42-44 of Halsbury's Laws of England, 5th edition (2011) with Ian Pennicott QC.
- Contributor, Keating on Construction Contracts, First Supplement to the 8th Edition (2008).
- Author, Contract Administration – RICS Case in Point Series (2007)with Calum Lamont.
- Researcher, Keating on Construction Contracts – Eighth Edition (2006).
- Researcher, Keating on Building Contracts, First Supplement to the 7th Edition (2003).
- Contributor, Building Contracts, Vol.4(3) of Halsbury's Laws of England, 4th Edition (2002) with Ian Pennicott QC and Adrian Williamson QC.

### Recommendations

"Gideon has exceptional drafting skills. He is very thorough and persuasive."

*Professional Negligence, Legal 500 UK Bar 2025*

"Gideon is an extremely reliable and responsive barrister, with unrivaled expertise and ability in handling PFI related disputes. He is easy to work with, and a great team player."

Construction, Legal 500 UK Bar 2025

"Gideon is a very calm and thoughtful barrister. He never wastes a word - you can always be confident in his judgement."

Professional Negligence, Legal 500 UK Bar 2024

"An exceptionally safe pair of hands."

Construction, Legal 500 UK Bar 2024

"Gideon understood the technical detail well, and his excellent understanding translated into well-drafted pleadings."

Professional Negligence, Chambers & Partners UK Bar 2024

"A very strong all-rounder who always provides an excellent level of service and is quick to grasp complex matters. He is easy to approach and discuss difficult matters with."

Construction, Chambers & Partners UK Bar 2024

"Gideon is very responsive, client-focused and quick to grasp facts. He thinks matters through and takes a clear and thoughtful approach."

Construction, Chambers & Partners UK Bar 2024

'He is very approachable and level-headed, and he can absorb a vast amount of technical information, get to grips with it and explain it to a layperson in easy, understandable terms.'

Chambers & Partners UK Bar Guide 2023

'Very approachable and a very good communicator. He is understated but not to be underestimated.'

Legal 500 UK 2023

'Gideon is a vastly experienced junior who brings calm and authority to any case. He sees all angles and works out the best way forward.'

Legal 500 UK 2023

He always has a very quick grasp of matters and a good understanding of the key issues involved. He is very approachable and a very good communicator.

Legal 500 UK 2022

"He provides good strategic input in the early stages of disputes."

Chambers & Partners UK Bar Guide 2022

"He's excellent. He has a great eye for detail and is very thorough and extremely user-friendly."

Chambers & Partners UK Bar Guide 2022

"Provides clear, succinct advice and gets on top of technical issues very quickly. Approachable, user-friendly and very responsive."

Legal 500 UK 2021

"He is a consummate professional, careful with his work, thorough with the detail and able to explain the case to a lay client in clear terms."

Chambers & Partners UK Bar Guide 2021

"I would rate him highly – he is very good technically, responsive and easy to deal with."

Chambers & Partners UK Bar Guide 2020

"He provides excellent pragmatic advice."

Legal 500 UK 2020

"He is very bright and able to pick up complex construction disputes and get through the nitty gritty with ease and work his way around complicated contracts and documents. He's very commercially minded."

Chambers & Partners UK Bar Guide 2020

"He is incredibly bright and his unassuming and collaborative approach make him a delight to work with."

Chambers & Partners UK Bar Guide 2019

"An effective barrister: calm, analytical and thoughtful."

Chambers & Partners UK Bar Guide 2019

"Thoughtful and thorough, with very good all-round knowledge."

Legal 500 UK 2018

"He's got an ability to get on top of very complicated construction disputes. I was very impressed with him."

Chambers & Partners UK Bar Guide 2018

"Excellent junior who is calm and collected under pressure."

Chambers & Partners UK Bar Guide 2018

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