

## Ed Ross

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### General Information

A specialist commercial and property practitioner, Ed has a busy court practice, appearing in the High Court, County Court and various Tribunals on a near daily basis. He provides advice and drafts legal documents in all his practice areas.

Licensed to act for members of the public and SMEs directly, Ed is also authorised to conduct litigation. This litigation "ticket" is particularly useful for urgent applications when instructed by both solicitors or members of the public. He is also an ADRg Accredited Mediator.

Ed has recently been awarded an overall Distinction for the prestigious King's College London MSc in Construction Law and Dispute Resolution. This included achieving distinctions in "Construction Technology for Lawyers" and his dissertation "Transparency in International Commercial Arbitration: How Far Has it Come and Should it go Further?"

### Areas of law

- Bankruptcy & Insolvency
- Professional Negligence
- Energy & Utilities
- Property
- Commercial
- Construction

### Bankruptcy & Insolvency

Ed has advised and appeared in court on behalf of businesses and individuals on a diverse range of matters, including:

- Setting aside statutory demands
- Petition hearings
- Annulments pursuant to s.282(1)(a) and s.282(1)(b)
- Injunctions to restrain presentation of a petition
- Injunctions to restrain advertisement of a petition
- s.216 applications
- Actions by liquidators
- Applications in respect of remuneration of trustees
- Applications to extend automatic discharge of bankruptcy
- IVA proposals and implementation

His practice includes advising, drafting documents and representation at hearings in the High Court and County Court.

### Professional Negligence

Predominantly acting in claims for and against professionals involved in property transactions or development (solicitors, architects, surveyors etc.), Ed has advised and acted in cases arising from:

- Failure to advise as to the presence of a public right of way
- Failure to advise on the presence of a cesspit
- Solicitor's negligence in conjunction with misrepresentations by a vendor
- Failure to undertake an adequate survey
- Failure to advise on the presence of defects in a property
- Failure to advise on necessary easements required for re-development of a £million+ residential property site
- Failure to advise on the presence of various natural risks
- Allegations of negligence in the completion of a Tomlin Order settling a boundary dispute
- Riparian ownership and, following a flood, remedies available against the vendor, solicitor and surveyor involved with the purchase of the property

Ed also has experience of solicitors' negligence in respect of personal injury claims, including:

- Failing to issue proceedings within the limitation period
- Failing to advise, or advising inadequately, on quantum/settlement

### **Energy & Utilities**

Acting on behalf of both providers and consumers in relation to energy and telecommunications contracts, Ed has dealt with claims involving:

- Deemed contracts
- Erroneous transfers
- Backbilling
- Agency
- Alleged mis-selling
- Misrepresentation
- The Direct Debit Guarantee scheme
- Data Protection Act breaches
- The sale and installation of renewable energy technologies
- Proceedings under the Torts (Interference with Goods) Act 1977

His previously wide civil practice, encompassing insolvency, personal injury, property and commercial matters, means he is excellently placed to deal with energy and utility claims involving multiple legal aspects.

### **Property**

With extensive property law experience, Ed acts in a range of cases, including:

- Landlord and Tenant (residential and commercial)
- Charging orders
- Orders for sale
- Vesting orders (including bona vacantia)
- Possession (including defending possession on human rights grounds)
- Forfeiture
- Service charge disputes (First Tier Tribunal and County Court)
- 1954 Act matters
- Dilapidations
- Tenancy deposit disputes
- Adverse possession
- Restrictive covenants
- Easements
- Riparian rights
- Boundary disputes
- Trespass and nuisance

### **Commercial**

Ed acts in a range of general contractual matters regarding the sale of goods, supply of services, consumer credit and debt recovery. He regularly conducts claims involving issues such as agency, construction/interpretation of contracts, misrepresentation, conflict of laws and arbitration or mediation clauses. Ed also has experience of partnerships, limited liability partnerships and acts for petitioners and debtors in commercial and personal insolvency actions. He has an extensive understanding of credit hire and subrogated claims on behalf of insurers, with an in-depth knowledge of the relevant statutes and case law.

### **Construction**

Regularly instructed on residential construction disputes, Ed is looking to expand his practice into commercial construction work. Previous cases include:

- Disputed payments to architects under a development scheme and conditional sale agreement
- Alleged breach of contract/negligence with respect to ground/piling works, design and fabrication of the steel framework for a residential property, renovation and extension of a residential property and construction of a new build residential property
- Battle of the forms claims
- Advising an architect with respect to work done under a letter of intent
- Mediation advocate for a company alleged to have been negligent in the design for tying in the front elevation of a £multi-million block of flats in London

Ed has also successfully mediated residential construction disputes.

### **Education**

- MSc (Construction Law and Dispute Resolution), King's College London – Distinction
- BVC, Bristol Institute of Legal Practice – Very Competent
- LL.B (Hons), The University of Manchester – 2:1
- LL.M (Advanced Legal Practice), University of the West of England

**Awards**

- The Churchill Scholarship, Gray's Inn
- The Holt Award, Gray's Inn
- The Manchester Leadership Award, The University of Manchester

**Personal Interests**

Outside of work, Ed enjoys obstacle course racing and triathlon. He has been a Tough Mudder season pass holder, has completed numerous open water swims including the Strait of Gibraltar and now concentrates on the Ironman 70.3 distance. He is President of the Oxford Young Professional Society and is passionate about music, playing double bass and piano.

Email: [mediation@clerksroom.com](mailto:mediation@clerksroom.com)

Clerksroom, Equity House, Blackbrook Park Avenue, Taunton TA1 2PX