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Simon Taylor



Call: **1987, returned to Bar 2012 (2025 Northern Ireland)**

"Simon is always my first choice for procurement challenges. He is very detailed, great on his feet and good at steering clients to sensible decisions."

Chambers & Partners UK Bar 2027

Clerk Details

Will Shrubsall
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Practice Overview

Simon Taylor is an experienced competition and procurement specialist, with a background in EU law. He was originally called to the Bar in 1987 but left to study in Brussels and re-qualified as a solicitor. After 20 years or so practising in Brussels and London, including 7 years as a partner in a leading law firm, he returned to the Bar in 2012 and joined Keating Chambers.

His career has been based on the regulation of public bodies and network industries, subsidies/state aid and the competition rules. These rules have historically been based on EU Treaty provisions and directives, but remain in modified form in UK law post Brexit. Simon was involved in 2001 in one of the first UK public procurement cases, Severn Trent v Dwr Cymru and has since been at the forefront of development of procurement law. He has published and spoken widely on the area and has a busy contentious practice, acting both for bidders and buyers in public procurement disputes. He has acted in some of the most high-profile procurement cases in recent years, including acting for HS2 in Bechtel Ltd v HS2 Ltd (construction of Old Oak Common) and Siemens Mobility Ltd v HS2 Ltd (rolling stock) and also provides strategic advice on the conduct of tenders. He has also acted as a mediator on procurement disputes.

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He advises companies, utilities and public bodies on competition, subsidy control and regulatory issues arising from disputes, transactions such as mergers or joint ventures and commercial agreements or conduct. He has specific expertise in regulated sectors such as healthcare, communications, rail and water and also acts on commercial disputes and public law cases, particularly in these areas.

Practice Areas

Procurement

- Acting for NRS, the successful bidder in relation to an application to lift the automatic suspension; ***Millbrook Healthcare Ltd v Devon County Council*** [2025] EWHC 744 (TCC).
- Acting for One Primary Care in a procurement claim relating to the award of a contract to run an urgent care centre, application to lift the automatic suspension: ***One Medicare T/A One Primary Care LLP v NHS Northamptonshire Integrated Care Board*** [2025] EWHC 63 (TCC).
- Acting for various healthcare service providers in bringing complaints under the provider selection regime and to the NHS Choice Team.
- Acting for AJM Mobility against NHS Derby ICB in an ongoing case relating to a tender for wheelchair services, CMC in March 2025.
- Acting for the Ministry of Defence on two claims relating to facilities management services in overseas locations.
- Advising a Government Department on the application of the exclusions regime under the Procurement Act 2023 in relation to prior poor performance.
- Acting for the successful bidder on confidentiality ring issues at a PTR for Air Liquide Healthcare v NW London ICB.
- Acting for the Lord Chancellor on defending various claims brought challenging the 2024 round of legal aid services tenders.
- Advising on strategic procurement issues arising in the course of a major infrastructure tender in the nuclear sector.
- Advising a local authority on procurement issues arising from the proposed redevelopment of an urban site.
- Acting for the claimant at a disclosure hearing in a procurement case relating to a technology solution. ***Excelerate Technology Ltd v West Midlands Ambulance Service and NHS England*** [2024] EWHC 177.
- Acting for Eckoh in a procurement claim against DWP relating to the G Cloud framework, CMC in February 2023.
- Acting for HS2 in successfully defending a challenge brought by Siemens to the outcome of its high-speed rolling stock procurement. ***Siemens Mobility Ltd v High Speed Two (HS2) Ltd*** [2022] EWHC 2190 TCC (expert evidence), ***Siemens Mobility Ltd v High Speed Two (HS2) Ltd*** [2022] EWHC 2451 TCC (strike out, limitation) and ***Siemens Mobility Ltd v High Speed Two (HS2) Ltd*** [2023] EWHC 2768 (TCC) (trial).

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- Acting for HS2 in successfully defending the challenge brought by Bechtel Limited to the procurement for the construction of Old Oak Common station. ***Bechtel Limited v High Speed Two (HS2) Limited***[2021] EWHC 458 TCC.
- Acting for NHS England in a challenge brought to a dental services tender by Accessible Orthodontics. Application to amend and for security for costs. ***Accessible Orthodontics (O) Ltd v National Health Service Commissioning Board*** [2020] EWHC 785 (TCC).
- Acting for MSI-Defence Systems Ltd in a challenge brought against the procurement of maintenance services of Naval gun systems by the MOD. Successfully resisted a strike out application. ***MSI-Defence Systems Ltd v Secretary of State for Defence*** [2020] EWHC 164 (TCC).
- Acting for Circle Nottingham Ltd in its challenge against NHS Rushcliffe CCG in relation to the elective services contract for the Nottingham Treatment Centre, including on the application to lift, ***Circle Nottingham Ltd v NHS Rushcliffe CCG*** [2019] EWHC 1315 (TCC). Acted also on Circle's application for expert evidence. [2019] EWHC 2358 (TCC) and [2019] EWHC 3635 (TCC).
- Acting for HS2 in separate challenges brought by Construcciones y Auxiliar de Ferrocarriles SA and Patentes Talgo SLU to the pre-qualification stage of the HS2 procurement for rolling stock.
- Acting for Epsom and St Helier University Hospitals NHS Trust as interested party in ***Central Surrey Health Ltd v NHS Surrey Downs CCG*** [2018] EWHC 3499 (TCC).
- Acting for the successful defendant in ***R (Hersi & Co Solicitors) v The Lord Chancellor (as successor to the Legal Services Commission)*** [2017] EWHC 2667 (TCC), a claim relating to the 2010 round of legal services tenders.
- Acting for Healthcare Environment Services ("HES") in a third party disclosure application in ***SRCL v NHS England***.
- Acting for Virgin Care Services in a procurement dispute with a various Surrey-based CCGs in relation to a community health care services tender.
- Acting for NHS Dartford, Gravesham and Swanley Clinical Commissioning Groups in successfully lifting an automatic suspension: ***Kent Community Health NHS Foundation Trust v NHS Swale Clinical Commissioning Group and NHS Dartford, Gravesham and Swanley*** [2016] EWHC 1393 (TCC).
- Acting for Sunderland City Council in a challenge to a tender for substance misuse services, including representing the Council on an application to lift: ***Counted4 CIC v Sunderland City Council*** [2015] EWHC 3898 (TCC).

Competition (including subsidy control)

- Advising a not for profit health sector body under subsidy control law and whether grant funding should be treated as a subsidy, based on constitutional documents and company objects.
- Advising a rail sector body on whether it is an enterprise for the purposes of the Subsidy Control Act 2022.
- Advising a Government Department on the application of the competition exemption for utility activity under the Procurement Act 2023.

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- Advising a Government Department on the application of the Subsidy Control Act 2022 to a potential equity investment in a company.
- Advising a defence contractor on a potential subsidy under the Subsidy Control Act 2022.
- Advising a Welsh public body on the application of procurement and competition law to the renegotiation of a contract for software services to schools.
- Advising a recipient of local authority funding for the development of an innovation hub under state aid law and the Subsidy Control Act 2022.
- Advising a retailer on franchise agreements and the competition implication of potential merger scenarios.
- Advising a public sector provider of framework services on the competition implications of forming a joint venture with another provider of similar services.
- Advising BRE Group and other clients on a range of state aid matters relating to ERDF and other grant funding applications.
- Assisting Basildon & Thurrock University Hospitals NHS Foundation Trust and Southend University Hospital NHS Foundation Trusts on gaining CMA Phase 1 approval for their pathology joint venture with IPP.
- Acting for InHealth on a challenge to a national tender for the provision of PET-CT scanning services under the EU and NHS procurement rules and EU competition law.
- Advising a R&D company on the treatment of eligible costs for the purposes of the state aid General Block Exemption Regulation.
- Advising a development company on the state aid implications of a regeneration project.
- Advising a coffee retailer on the competition law implications of franchising and other distribution methods, on pricing and marketing and the implications of mergers in related sectors.
- Advising the Labour Party on the public interest exemption for mergers under UK and EC law and its application to the proposed Pfizer/Astrazeneca merger and on options for reforming the rail regulatory structure (pro bono).
- Advising an English university on the state aid implications of ERDF grant funding for the construction of a science park.
- Advising an English university on the state aid and competition implications of a joint venture with a private provider of higher education services.

Mediation

- Successfully mediating a procurement dispute relating to a construction contract.
- Co-mediating a multi-party competition dispute in the pharmaceuticals sector.
- Representing clients in several mediations relating to procurement claims and NHS commercial disputes.
- Acting as assistant mediator on a competition damages follow on claim involving multiple parties.

Judicial review

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- Acting for the claimant in ***Amentum Clean Energy Limited v UK Atomic Energy Authority***, a case relating to the imposition of 'special measures', since revoked and costs outstanding.
- Acting for the Lord Chancellor in a number of judicial reviews brought by law firms challenging the 2024 round of legal services tenders.
- Advising various healthcare companies on potential judicial review challenges under the provider selection regime.
- Acting for NHS England on a challenge to an urgent clinical commissioning statement relating to pectoral surgery. Permission refused by order of 8 February 2024. R (Bobby Blount) v NHS England.
- Acting for HS2 in successfully defending various judicial review claims brought by Siemens Mobility Limited in relation to the HS2 rolling stock procurement.
- Advising a rail franchise operator on a possible judicial review of a decision by the ORR on a recalibration request further to Schedule 8 of the Track Access Contract.
- Acting for the Lord Chancellor in a procurement claim brought by Dylan Conrad Kreolle Solicitors in the Administrative Court (permission refused). ***R (Dylan Conrad Kreolle Solicitors) v Lord Chancellor*** [2019] EWHC 3334.
- Acting for British Orthodontic Society as interested party in ***British Dental Association v NHS England***, a judicial review relating to a decision to start a tender for NHS orthodontics services using a dynamic purchasing system and without engaging first in a consultation process.
- Acting for Transport for London as interested party in ***Heathrow Airport Ltd v Office of Rail And Road***[2017] EWHC 1290 (Admin) (26 May 2017), a case relating to charges payable by the Crossrail service for accessing the Heathrow spur.
- Acting for NHS England on successfully defending an application for judicial review on a market access case – a decision not to contract with a provider of stereotactic radiosurgery services (SRS) during an interim period pending a national procurement for SRS. Judgment is the first case based on the NHS (Competition, Procurement and Patient Choice) No 2 Regulations 2013: ***QSRC v NHS England*** [2015] EWHC 3752 (Admin).
- Acting for the Legal Aid Agency in successfully resisting a strike out application in the Administrative Court brought by Mr Hersi challenging the 2010 tender for legal aid services: ***Hersi v Legal Aid Agency***(unreported).

Commercial and regulatory

- Advising a rail company on contractual issues arising from their National Rail Contract.
- Advising a local authority on contractual issues arising under a waste management services contract.
- Advising a defence contractor on enforcing a reasonable endeavours clause under a settlement agreement following a procurement dispute.
- Acting as an expert in providing a determination of a dispute relating to the NHS Standard Terms.
- Advising a major IT services company on disputes relating to a Government contract following a tender procedure.
- Advising a Commissioning Consortia Group on a contractual dispute and mediation relating to a 5 year Community services contract.

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- Advising a local council on disputes arising under a theatre management contract.
- Advising a GP practice on restrictions relating to the sale of goodwill.
- Advising an NHS commissioning body on the contractual and regulatory implications of the 2014/15 Monitor tariff changes.

Pro Bono work

- Advising Co-locate Velindre on procurement issues relating to exclusion criteria arising in the procurement of the new Velindre Cancer Care unit in Cardiff.
- Advising Hestia (women's refuge charity) on a potential procurement challenge.
- Advising an Advocate client on a potential appeal to the Court of Appeal relating to the strike out of his claim on limitation grounds and refusal of permission to bring a judicial review.
- Representing a buy to let tenant in a dispute with a local authority over service charges and on a successful counterclaim for damage caused by breach of repair covenant. Case included notable Housing Act issues as well as a significant distress and inconvenience award. (*Camden v Elshami* – for Bar Pro Bono Unit).
- Representing company directors in a two day unfair dismissal hearing before the employment tribunal, including preparation of witness statements and settlement negotiations (Free Representation Unit).
- Advising the Labour Party on a range of matters in the run up to the 2015 election including the EU free movement law implications of changes to welfare laws and policy, the use
  of strategic and social criteria in public procurement and the options for changes to rail franchising policy.

Selection of previous experience

- Acting for a major UK plc on gaining OFT approval for the acquisition of a global airport noise monitoring systems operator.
- Acting for a rail franchise company (MTR Laing) on gaining OFT approval for its bid for the Thameslink/Great Northern Rail Franchise.
- Advising the Department of Health on the competition law and policy implications of opening up NHS provision to free choice and competitive from independent sector providers, including the Ofcom investigation under the Competition Act 1998 into agreements between NHS Trusts and providers of bedside communication systems.
- Advising Cemex on its appeal to the Court of First Instance in relation to the EU Commission's decision adopting the UK carbon training plan.
- Acting for an electricity supply business in gaining OFT approval for the acquisition of a street lighting business.
- Advising the Strategic Rail Authority in a range of rail regulatory matters, including implementation of EU Directives, state aid and competition.
- Advising Western Power Distribution on the regulatory, competition and procurement issues arising out of the take-over of Hyder plc and the establishment of Dwr Cymru.

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- Advising Cable & Wireless Communications on a range of competition investigations by European Commission, OFT and OFTEL.
- Acting for Iberia and Olympic Airways on European Commission investigations into airport ground handling services.
- Acting for Stena Sealink on Commission investigation into access to port facilities at Holyhead.

Reported Cases

- Millbrook Healthcare Ltd v Devon County Council [2025] EWHC 744 (TCC)
- One Medicare t/a One Primary Care LLP v NHS Northamptonshire Integrated Care Board [2025] EWHC 63 (TCC)
- Excelerate Technology Ltd v West Midlands Ambulance Service NHS University Foundation Trust [2024] EWHC 177 (TCC)
- Siemens Mobility Limited v High Speed Two (HS2) Limited [2023] EWHC 2768 (TCC)
- Bechtel Limited v High Speed Two (HS2) Limited [2021] EWHC 458 (TCC)
- Accessible Orthodontics (O) Ltd and Accessible Orthodontics LLP v National Health Service Commissioning Board [2021] EWHC 44 (TCC)
- MSI-Defence Systems Ltd v Secretary of State for Defence [2020] EWHC 164 (TCC)
- Accessible Orthodontics (O) Ltd and Accessible Orthodontics LLP v National Health Service Commissioning Board [2020] EWHC 785 (TCC)
- Circle Nottingham Limited v NHS Rushcliffe Clinical Commissioning Group [2019] EWHC 3635 (TCC)
- Circle Nottingham Limited v NHS Rushcliffe Clinical Commissioning Group [2019] EWHC 2358 (TCC)
- Circle Nottingham Limited v NHS Rushcliffe Clinical Commissioning Group [2019] EWHC 1315 (TCC)
- R (Hersi & Co Solicitors) v The Lord Chancellor (as Successor to the Legal Services Commission) [2017] EWHC 2667 (TCC)
- Heathrow Airport Limited v Office of Rail and Road [2017] EWHC 1290 (Admin)
- Kent Community Health NHS Foundation Trust v NHS Swale Clinical Commissioning Group and NHS Dartford, Gravesham and Swanley ([2016] EWHC 1393 (TCC))
- QSRC v NHS England [2015] EWHC 3752 (Admin)
- Counted4 CIC v Sunderland City Council [2015] EWHC 3898 (TCC)
- Geodesign Barriers Limited vs The Environment Agency [2015] EWHC 1121 (TCC)
- NATS (Services) Limited v Gatwick Airport Limited [2014] EWHC 3133 (TCC)(, [2014] WLR(D) 416, [2015] PTSR 566
- Covanta Energy Ltd v Merseyside Waste Disposal Authority EWHC 2922 (TCC)

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Other information

Education & Professional Career

- Keating Chambers 2012
- Wragge & Co LLP – Antitrust Partner 2004-2011
- Allen & Overy LLP – Associate 2000-2004
- Enrolled as a Solicitor 1999
- Cable & Wireless Communications – Regulatory counsel 1996-2000
- Norton Rose (Brussels) – Associate 1992-1996
- Squire Sanders & Dempsey (Brussels) – Associate 1990-1992
- Université Libre de Bruxelles (Licence Spéciale in EU law) 1989-90
- Pupillage, 2 Temple Gardens 1987-1988
- Called to the Bar 1987
- University of Oxford (BA Hons Jurisprudence), Magdalen College 1983-1986

Additional Information

Simon enjoys theatre, travel, hillwalking, skiing, rugby, food and wine.

Memberships

- Competition Law Association
- Procurement Lawyers Association
- Royal Society of Arts
- Society of Labour Lawyers
- Association of London Welsh Lawyers
- Bar European Group
- UKAEL

Seminars & Publications

- Construction Law Reports – Editor

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- Keating on Construction Contracts Eleventh Edition – Procurement Contributor
- Public Procurement in the UK – Practical Law Practice note (February 2025)
- Remedies in public procurement law – Practical Law Practice note (December 2024)
- Procurement Act 2023: Scope. Procurement Lawyers Association, May 2024
- Tilting at Windmills: Siemens v HS2. Keating, November 2023
- Legal Training Consultancy Procurement seminar – Moderation. September 2023
- Legal Training Consultancy Competition seminar – competition and public bodies. September 2023.
- When is Public Procurement Subject to Competition Law? Keating, June 2023
- Whitepaper London conference – How do you enforce social value obligations? September 2022
- Webinar for Legal Training Consultancy – Re-running a procurement process, June 2022
- Apparent Bias in Award of Procurement Contract. Keating, June 2021
- Challenge to HS2's £1bn procurement defeated on multiple fronts. Keating, April 2021
- Public Procurement After Brexit. Keating, April 2021
- Various 2020 Keating Virtual Procurement Surgeries and Webinars
- JCN Webinar May 2020 – Procurement and Covid
- Abandonment after Amey v West Sussex – Practical Law, October 2019
- April 2019 Society of Construction Lawyers – Brexit and Procurement
- October 2018 Lawyers in Local Government Seminar – the Lancashire case
- Paper on Procurement in the Health Sector , Judge on Community Benefits for Welsh National Procurement Awards – Wales Procurement Week, Bangor June 2016
- NHS Procurement and Competition: An obligation to tender NHS services? – Nottingham University, Global Revolution VII, June 2015
- Challenges and Opportunities of the New Procurement Directive – Wales Procurement Week, March 2015
- Socially Responsible Procurement – Co-authored Report by the Labour Finance and Industry Group/Society of Labour Lawyers Task Force on Public Procurement, March 2015
- The New Procurement Directive – Bangor University, December 2014
- Chapter on Public Procurement in "Law Reform 2015 – A Manifesto for Change" (with Samuel Townend)
- Chaired and spoke at the CLT Procurement and Competition Issues in the Health Sector Conference June 2014
- New procurement regulations for NHS healthcare services: big bang or evolutionary competition? – PLC, June 2014
- Giving procurement the competition law treatment: Arriva v Luton – Practical Law, March 2014

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- The challenge of competitive neutrality in public procurement and competition policy: the UK health sector as case study – Competition Policy International, July 2011
- Cloud computing: challenges from a competition law perspective – Computers and Law Magazine, October/November 2011

Recommendations

"Simon Taylor has been excellent on public procurement matters. He is very quick and responsive when taking on new instructions, always suggesting additional angles to explore. He is also very good with clients."
Public Procurement, Chambers & Partners UK Bar 2027

"Simon Taylor is a thought leader."
Public Procurement, Chambers & Partners UK Bar 2027

"Simon is a man with a really good brain who is really committed to getting a good result for clients. He has made the procurement niche his own."
Public Procurement, Chambers & Partners UK Bar 2027

"Simon is always my first choice for procurement challenges. He is very detailed, great on his feet and good at steering clients to sensible decisions."
Public Procurement, Chambers & Partners UK Bar 2027

"Simon is our go-to procurement barrister. His advice is excellent and well-measured. He is easy to deal with and get hold of."
Public Procurement, Chambers & Partners UK Bar 2027

"Simon Taylor has excellent knowledge of the law and knows his judges extremely well. He gets a good feel for the case, knows what will work and what won't, and works very quickly under pressure."
Public Procurement, Chambers & Partners UK Bar 2026

"Really bright. Understands things really quickly, which is very handy in fast-moving/urgent procurement disputes. My first choice barrister, particularly in healthcare-related procurement. Good team player and happy to debate points. Good with clients."
Public Procurement, Legal 500 UK Bar 2027

"Simon is very client-focused and responsive. Good at assimilating complex facts quickly."
Competition, Legal 500 UK Bar 2027

"Simon Taylor's biggest strength is that he is completely accessible. He makes himself available and is always very responsive."
Public Procurement, Chambers & Partners UK Bar 2026

"Simon is hard-working and intelligent."
Public Procurement, Chambers & Partners UK Bar 2025

"He has great technical procurement knowledge."
Public Procurement, Chambers & Partners UK Bar 2025

"Simon is exceptionally responsive, and very good at communicating with the client and understanding their priorities."
Public Procurement, Chambers & Partners UK Bar 2025

"He provides well-thought-through advice in a short timeframe."

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Public Procurement, Chambers & Partners UK Bar 2025

"Simon is a real specialist in public procurement and one of the leading juniors in the field. He is frequently a first port-of-call for procurement challenges and is highly responsive and pragmatic in circumstances where initial advice is needed very urgently and on limited information."

Public Procurement, Legal 500 UK Bar 2025

"Simon is top of the list."

Public Procurement, Legal 500 UK Bar 2024

"Simon is user-friendly, pragmatic and a good team player."

Public Procurement, Chambers & Partners UK Bar 2024

"He is very knowledgeable about his subject and very responsive and easy to work with."

Public Procurement, Chambers & Partners UK Bar 2024

“He is very responsive, great at drafting and someone who becomes part of the team.”

Public Procurement, Chambers UK 2022

“Down to earth, sensible, and able to advise sensibly on strategy and tactics.”

Public Procurement, Chambers UK 2022

"A truly excellent advocate and his writing is beautifully polished."

Public Procurement, Legal 500 2021

"Calm, measured and respectful in his submissions, he always secures the judge's trust."

Public Procurement, Chambers UK 2021

"Simon always provides client-friendly and risk-assessed advice on procurement and state aid issues."

Public Procurement, Chambers UK 2021

"Very knowledgeable in the field of public procurement. He gets to grips with complicated instructions quickly and provides clear and helpful advice. His attention to detail is meticulous."

Public Procurement, Chambers UK 2020

"Extremely personable and easy to work with; he fits in effortlessly to the firm and clients' working preferences."

Public Procurement, Legal 500 2020

"He has provided exemplary service – he is responsive, commercial and focused."

Public Procurement, Chambers UK 2020

"His acumen and technical expertise are greatly appreciated by clients."

Public Procurement, Chambers UK 2019

"Very experienced with complex cases, including large scale contracts and procurement."

Public Procurement, Legal 500 2018

"He's very sharp-witted and knows the law very well."

Public Procurement, Chambers UK 2019

"He provides commercial, practical advice and doesn't make heavy weather of cases and instructions. He doesn't make a drama out of a crisis; he gets on with it."

Public Procurement, Chambers UK 2018

"Very competent and practical in his approach to strategy."

Public Procurement, Legal 500 2017