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GIDEON SCOTT HOLLAND

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Areas of practice

- Construction & Engineering
- International Arbitration

Clerks' Details

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Practice overview

Gideon Scott Holland was called to the Bar in 1999 and has been a practising barrister at Keating Chambers since 2000.

His practice covers a wide range of advisory, drafting and advocacy work relating to standard form and bespoke construction contracts. 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. In terms of types of dispute, Gideon has particular experience of energy cases in relation to chemical process plants (one large dispute relating to the production of plastics), desulphurisation plants (process engineering), waste to energy and technical engineering.

He has also acted in two high value (£100m+) disputes in relation to a nuclear submarine.

He has acted in domestic and international arbitrations and in the High Court and county courts for both residential and commercial clients. 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.

Gideon is qualified to take instructions via direct public access and professional access. He is familiar with working with electronic documents both in the disclosure process and in trial and is happy to receive instructions electronically.

Recent Cases

- Sole counsel acting 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.
- Sole counsel for contractor in an application in the TCC 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.
- Junior counsel for the Secretary of State for Defence in two high value (£100m+) and long running disputes in relation to a nuclear submarine.
- Junior counsel in ongoing, long-running but confidential arbitration instructed by the Government Legal Department on behalf of a Government department.
- Junior counsel for Claimant/Respondent in TCC preliminary issue and Court of Appeal hearing relating to capacity of contracting party and agency.
- Junior counsel 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.
- Junior counsel 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.
- Sole counsel 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.
- Junior counsel for a UK water company in a TCC dispute relating to the performance of a new BAFF plant.
- Junior counsel in TCC litigation relating to the design, construction and process engineering of a waste water treatment plant.
- Sole counsel for a local authority in an arbitration relating to the installation of a defective Audio Visual System.
- Junior counsel in TCC litigation relating to the meaning and effect of a PFI contract for the design, construction and provision of facilities services for a new police headquarters in Kent.

“He’s very thorough, tactically astute and good with both clients and solicitors.”

Chambers UK Bar, 2015

Selected Reported Cases

- *Goldswain and Hale v Beltec Ltd* [2015] EWHC 556 TCC
- *Matthew Harding (t/a M J Harding Contractors) v Gary George Leslie Paice and Kim Springall* [2014] EWHC 3824 (TCC)
- *SABIC (UK) Petrochemicals Limited v Punj Lloyd Limited* [2014] EWCA Civ 1288 (CA)
- *SABIC (UK) Petrochemicals Limited v Punj Lloyd Limited* [2013] EWHC 2916 (TCC)
- *Muneer Hamid (T/A Hamid Properties) v Francis Bradshaw Partnership* [2013] EWCA Civ 470 (CA)

- *Yuanda (UK) Ltd v WW Great Construction Ltd* [2010] EWHC 720 (TCC), CILL 2849, BLR 435, 130 Con LR133, TCLR 5, 1 CLC 491, Con LJ Vol 26 No 5 TCC
- *Primus Build Ltd v (1) Pompey Centre Ltd (2) Slidesilver Ltd* [2009] EWHC 1487 (TCC), BLR 437
- *Roundstone Nurseries Ltd v Stephenson Holdings Ltd* [2009] EWHC 1431 (TCC), [2009] 5 Costs LR 787
- *Multiplex Constructions (UK) Ltd v Cleveland Bridge UK Limited and another (no.6)* [2008] EWHC 2220 (TCC)
- *Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd* [2005] BLR 395 CA
- *Mersey Docks Property Holdings v Birse Construction Ltd* [2005] 99 Con LR122 TCC
- *Pring & St. Hill Ltd v CH Hafner* [2004] Con LJ Vol. 20 No. 7 p.402 TCC
- *Yorkshire Water Services Ltd v Taylor Woodrow Construction* [2004] BLR 409 TCC
- *Home of Homes Ltd v Hammersmith and Fulham LBC* [2004] 92 Con LR 48 TCC
- *Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd (No. 2)* [2003] 90 Con LR115 TCC

Education & Professional Career

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

Memberships

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

Seminars, Publication & Papers

Gideon Scott Holland has led seminars for major solicitors firms in London, 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.

Additional Information

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