

BEN HARDING

Year of call: 2005

Clerked by: Harry Young Brandon Singh

AREAS OF EXPERTISE:

Arbitration Banking & Finance Commercial Litigation
Company Insolvency International & Offshore Partnership
Professional Negligence Sport Technology and Construction



Professional Negligence

Professional Negligence

Ben has acted in a range of professional negligence claims against solicitors, surveyors/valuers, financial advisers, accountants, insurance brokers and construction professionals. The focus of his professional negligence work is on claims against solicitors, and he has particular experience of acting for mortgage lenders against conveyancing solicitors.

Significant Recent Cases

Twinacre Nurseries v. Kennett Insurance Brokers (2017) – Leeds Business and Property Courts - professional negligence claim for £860k against insurance brokers arising from severe underinsurance of commercial tomato growing business

DRS Welding v. Christie Owen & Davies; DRS Welding v. HCB Solicitors (2017) – Birmingham Business and Property Courts - professional negligence claims against (1) surveyor for overvaluation of block of serviced apartments; (2) former solicitors for handling of claim against surveyor

Davies v. GE Money (2017) – claim by mortgagee for sale at £400k undervalue of farmhouse outside Bolton, alleging failure to take care of the property and failure to repair before selling

Megson Utilities v. Complete Utility Solutions (2017) – construction dispute regarding installation of gas and water pipework at Royal Veterinary School, £90k payment claim met by £150k damages set-off

Comm:pact v. Lloyds (2017) – Manchester Business and Property Courts – claim by charity for over £300k in respect of debits made by bank contrary to cheque mandate

R (Clifford t/a Central Credit) v. Financial Ombudsman Service (2014) – Manchester Administrative Court – successfully obtained permission for apply for JR of FOS determination of complaint against credit broker, on grounds that FOS failed to give reasons and failed to investigate

Profile

Ben joined chambers in April 2008 after pupillage at 8 King Street Chambers, Manchester.

Ben practises in all aspects of commercial dispute resolution. Most of his work is in the Business and Property Courts and he regularly appears across the Northern, North-Eastern and Midlands Circuits and in London.

Within his broad commercial practice Ben has developed specialisms (detailed further below) in insurance, insolvency, professional negligence and construction. He also has a growing sports law practice, having acted for a number of football clubs.

Ben approaches every instruction with intellectual rigour, attention to detail, commercial pragmatism and speed. His attitude is that cases are won on the facts and lost on the law, so that it is essential to identify and analyse the key issues early to achieve the best result for his client. He is also

aware of the ever-pressing need to give a firm, clear view on prospects, for the benefit of client and insurer/funder.

Ben acts predominantly as sole Counsel and has been led by chambers' silks on a number of occasions. His clients span the range from large corporations and institutions to private individuals; and the subject matter ranges from multi-million pound claims and injunctions to his client's home.

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Arbitration
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Commercial Litigation
Company
Insolvency
International & Offshore
Partnership
Professional Negligence
Sport
Technology and Construction

Memberships

Northern Commercial Bar Association (committee member since 2015)
Chancery Bar Association
Northern Chancery Bar Association
British Irish Commercial Bar Association

Publications

Articles

- Calling time: the law of limitation directions - Counsel Magazine June 2017; <https://www.counselmagazine.co.uk/articles/calling-time>

Seminars

- Online payment fraud: a case study - in-house seminar Nov 2017 for Addleshaw Goddard LLP
- Misrepresentation: statements of opinion and reliance - NCCBA seminar June 2016
- Company Restoration: the Third Parties (Rights Against Insurers) Act 2010 and limitation - in-house seminar Feb 2016 for DWF LLP
- "Professional negligence - Jackson and the litigator" - Kings Chambers conference series 2014
- Third party costs orders, including orders against legal representatives - in-house seminar September 2013 for Berrymans Lace Mawer LLP

Qualifications and awards

BA (Hons) Literae Humaniores - first class (Balliol College Oxford)
GDL (City University, London)
BVC (BPP Law School, London)
Major Scholar (Inner Temple)

Recommendations

"He is excellent - very good with clients, very thorough and always takes time to prepare for conferences." "He is hard-working and his written work is a delight. His advice is succinct and easy for clients to understand." - **Chambers UK 2020**

'A brilliant barrister.' - **Legal 500 2018**

"He is an exceptional intellect and a skilled advocate." - **Chambers UK 2015**

"He is as bright as a button; he has a great delivery and a good courtroom presence." - **Chambers UK 2014**

