

Direct Public Access

Historically, businesses in the UK and most members of the public could not instruct a consultant barrister directly and had to use a solicitor or other recognised professional with rights of direct professional access (DPA) such as chartered surveyors, architects, engineers and so on.

Since 2003 the legal landscape has changed radically. Now, with certain safeguards, businesses (and members of the public) are able to instruct certain barristers directly. Andrew Noble is one of those barristers and is now experienced in accepting instructions directly from businesses, individuals and permitted professionals, both here and abroad.

Exciting times lie ahead whereby clients can get direct advice from specialist counsel who advise, draft documents for, and represent clients – a one stop shop. Andrew regularly acts on Public Access cases for businesses and individual clients in the UK and internationally. The Public Access scheme is well suited to the areas of professional experience and expertise which Andrew has.

However, he is not able to accept every case on a Public Access basis. If you would like an appraisal of the suitability of your case for Public Access, please email or telephone for a free initial discussion. His details appear to the left of this narrative. Ordinarily, if your case falls into one of the following categories you should be able to instruct Andrew on a Public Access Basis:

- You need legal advice and analysis including prospects of success for your case;
- You are engaged in a course of correspondence and need help;
- You want work carried out before litigation starts;
- You wish to negotiate with the other side ;
- You wish to avoid litigation altogether;
- You wish to engage in Mediation or other form of ADR such as expert determination;
- You are engaged in a case before a court or arbitrator or other tribunal;
- The case involves points of law;
- You wish to have a second opinion;
- You wish to appeal a case already heard.
- You need representation before a court of law, arbitrator or tribunal.

Engineers, Chartered Surveyors, Accountants, Architects and members of other recognised professional bodies are also entitled to instruct Andrew directly.

"Public Access – Guidance for Lay Clients" This link will provide you with further information and guidance; helping you decide if your case is suitable and providing information about contacting and instructing a barrister.

A copy of Andrew's terms of engagement is available on request by emailing Andrew at **andrewnoble@NobleADR.com**

Recent cases involving direct access include:

- Construction delay and disruption (£400,000) and time extension claim;
- Commercial and landlord and Tenant dispute;
- Dilapidation claims by commercial property owners;
- Adverse possession claim and HM Land Registry Adjudicator's Appeal;
- Professional negligence claim v Chartered Surveyor;
- Bank's claim against the owner of a substantial country house;
- Defending a claim for specific performance of a contract for the sale of a London apartment when buyer (who had exchanged contracts)did not have the funds to complete;
- Claim for specific performance of a contract concerning a car parking space;
- Access to Neighbouring Land Act 1992 dispute;
- Commercial Property dispute between partners (Equitable accounting);
- Insolvency and contractual Advice concerning commercial building dispute between builder and owner;
- Estate Agents fee dispute;
- Land use and development: disputed easement (right of way)
- Contract / litigation: drafting compromise agreement
- Contract: drafting terms and conditions for various contractors and sub-contractors
- Contract: defects dispute involving allegedly defective concrete slab.
- Contract: Advising in relation to the meaning of a JCT design and build contract and satellite contractual documentation affecting the interpretation of the same.
- Property Development: Giving a second opinion in relation to a boundary dispute involving a private road.
- Advising in relation to a loan agreement between former partners.
- Appointed as an expert to determine a dispute between an employer (a substantial grain supplier) and a building contractor.
- Enforcement of adjudication decision (Advice, Drafting necessary documents and representation in the High Court of Justice);