



Patrick Taylor

Year of call: CEDR Accreditation 2001

“Patrick is one of the best mediators in the UK. He is practical, creative and gets results”

Gerard Khoshnaw, Partner, Gateley Plc

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Practice Summary

Practising Mediator Patrick Taylor has conducted over 200 mediations and represented parties in a similar number. His experience began in the 1990's as a lawyer when resolving disputes for his own clients using the mediation process. Over the last twenty years Patrick has gained very significant experience as a mediator. The types of dispute on which he has mediated are very varied but are mainly business to business agreements, professional liability / insurance and property, construction, land and inheritance / trust cases.

Expertise

- Agency
- Agricultural
- Aviation
- Banking & Finance
- Commercial Contracts
- Construction & Engineering
- Employment & Workplace
- Insurance
- Partnership & Shareholder
- Professional Liability
- Property
- Trusts, Wills & Probate

Professional Background

Patrick is a qualified civil and commercial litigation Barrister with over 20 years' experience in assisting clients

resolve disputes. He is recognised as a Leading Mediator in the Legal 500 2022 – Ranked Tier 4 and forms a part of Chambers' Mediation Group.

Patrick qualified as a Solicitor in 1996 and was a Partner and Head of Dispute Resolution and Risk at a leading law firm. Patrick was called to the Bar in 2017 and now focusses his attention on providing mediation services. He has acted for private individuals, limited companies and plc's in a wide range of commercial litigation with particular emphasis on professional liability, insurance, commercial contract disputes, construction law and matters involving the law of agency, particularly with an international flavour. Patrick has acted in a number of disputes involving the Commercial Agents' Regulations and has considerable experience in litigating matters involving the fertiliser industry. He has acted for a national airline company. He has litigated disputes with values in excess of £5,000,000.

Dispute Experience (Non-Neutral work in italics)

Agency

The law of Agent and Principal frequently arises in commercial disputes that Patrick handles as a lawyer. He has considerable experience in the pervasive law of agent and principal (for example, in the context of partnership) and also representing agents and principals in disputes during or at the conclusion of an agency relationship.

- Agent entitlements under the Commercial Agent's Regulations.
- Disputes between Agent and Principal involving arbitration clauses, applicable law and jurisdiction difficulties.
- Claims for relief under the Commercial Agents regulations involving an agent and his principal based overseas.
- Claim by Agent for commission based upon chartering specialist sea going working vessel.
- Claims for "finders fees" by land agents.
- Claim by Agent for damages and compensation following premature determination of oral agency agreement.
- Significant claim for damages for defamation against a professional organisation.
- Claim by agent against principle for compensation following determination of an agency relating to baby care goods.

Agricultural

Disputes within the agricultural setting within the context of farming partnerships, disputes between farmer and agronomists, Rural Payment Agency / DEFRA, property and easements, and commercial contracts.

Aviation

Patrick is a qualified pilot. He has acted for airlines in connection with aircraft purchase agreements. He has also acted in claims in general aviation including defending the seller of an aircraft in allegations of engine defects, claims arising under the repairer's lien.

Banking & Finance

- Patrick has acted in many cases involving consumer credit claims and commercial lending.

- *Monies due under commercial finance agreement.*
- Leading Mediator in Three party dispute involving advice by an IFA as to an unregulated scheme and liability of the network for acts of the IFA.
- Claim by finance company against motor dealership for release of commercial vehicle to wrong customer and subsequent recovery of losses (settled in half a day).

Commercial Contracts

- Breakdown of joint venture for manufacturing.
- Monies due for artistic work.
- Commercial Finance.
- Joint Venture Breakdown.
- Commercial Vehicle finance and liability of supplier for losses of creditor for mistake in delivery of vehicle.
- Dispute over the sale of a houseboat including allegations of misrepresentation.
- Agreement over unpaid fees by academic for research project.
- Dispute over unpaid charges for telecoms contract partly arising from fraudulent use by unknown third party.
- Dispute between national parcel carrier and courier under a services agreement.

Construction & Engineering

TECBAR Panel of Mediators

Patrick has over 20 years' experience of litigating building and construction disputes for contractors and employers including claims for monies arising under contracts, loss and expense, prolongation and damages.

- Disputes as to monies due under both commercial building contracts between Employer and Main Contractor – Main Contractor and Sub-Contractor involving valuation of works done and also defective work.
- Multi Party dispute by Insurer for an adjusted claim for damages arising from alleged defective contractor designed work, subsequently varied by another contractor and also the architect. Settled in one day.
- Disputes between residential property owner and contractors.
- Dispute as to Renovation and project management of a former Chapel.
- Claim by plasterer for unpaid retention monies on various contracts.
- Unpaid builder claims / mixed with cross claims for defective work.
- *Frequent disputes (including process by adjudication, arbitration and litigation) by main contractors for monies due under the major form contracts for monies due for varied work, extensions of time, prolongation.*
- *Claim by UK construction company sub-contracted to Italian Main Contractor subject to the Milan Chamber of Commerce Arbitration Rules.*
- *Advocate for Philippine company for damages for failure by Chinese seller to deliver contracted re-bar.*

Employment & Workplace

- Enforcement of restrictive covenants in employment contract.
- Unlawful means conspiracy and breach of confidentiality by Directors leaving a firm of surveyors.

- Claim by former employer against former employee in niche market for damages following alleged use of confidential information post termination and breach of post termination covenants.

Insurance

Patrick represents claimant's facing rejection of claims under policies of insurance and has experience of claims arising from total loss and business interruption across all sectors. Patrick has acted on a number of claims against Insurance Brokers for breach of duty – often associated with claims under the Policy.

Partnership & Shareholder:

(In particular, farming partnerships)

- Company Shareholder Disputes.
- Partnerships (esp. Professional partnerships) Patrick is a former Panel Member of the Solicitors Assistance Scheme.
- Dispute between former partners of a GP practice following departure of one of the partners.
- Mediated numerous disputes between partners under farming partnership agreements and related issues. These are very difficult disputes involving family members and the extended family. Patrick has a developed understanding of agricultural matters including the Basic Payment Scheme, Shooting Rights, etc.

Professional Negligence

- Claims against Solicitors, Accountants, Tax Advisors, agronomists, Insurance brokers, IFA's.
- *Acting for numerous private individuals and businesses in bringing claims against their professional advisors to recover losses as a result of negligence. Patrick has worked on claims against solicitors, barristers, insurance brokers, agronomists, accountants, funeral directors and architects.*
- Three party dispute involving advice by an IFA as to an unregulated scheme and liability of the network for the IFA.
- Architects' Fees dispute.
- Claim for unpaid fees by agronomist and counterclaim by farmer for damages for failure to adequately control black grass in wheat crop.
- Claim for damages following negligent agronomy services causing inadequate crop growth and serious black grass infestation.

Property

- Commission due to selling agents under Commercial Agents Regulations and by "finders".
- Compensation following compulsory purchase.
- Multiple 'TLATA' claims, particularly following the breakdown of cohabiting couples and also between elderly parents and their issue.

Boundary Disputes

- Property disputes including Party Wall Act provisions and Access to Neighbouring Land Act.
- Adverse possession and interpretation of title.
- A multitude of land disputes touching upon agricultural property (good understanding of Basic Payment Scheme, shooting rights and farming activities).

Trusts, Wills & Probate, Inheritance and Financial Provision

Patrick has mediated many cases involving the financial issues following death including claims under the Inheritance Act, validity of wills, trusts and associated estoppel type claims. See also section above in terms of agricultural matters.

- Substantial and long-standing Will Trust case concerning agricultural property. The dispute had been running for many years. Settled following a lengthy mediation including attendance by Land Agents.

Trusts of Land / Proprietary Estoppel

Patrick frequently mediates disputes where the beneficial interests in property are in dispute, either as a result of the original transfer alleged to fail to correctly record the parties' intentions and / or because of a party acquiring an interest through conduct. See also section above in terms of agricultural matters.

Personal Style

Patrick is highly practical and "commercial", whilst carefully handling the personal and emotive issues arising in mediation. He is relaxed and knows when to apply the pressure.

Patrick also has a good working knowledge of legal costs and funding which frequently arise in mediations and can be key to settlement.

Feedback - Directories

- Leading Mediator – Legal 500 2021.
- *"The team... includes Patrick Taylor, who has a broad contentious practice and particular strength in mediation."* - The Legal 500, Guide to the Legal Profession

Feedback

- *"Patrick is one of the best mediators in the UK. He is practical, creative and gets results"* - Gerard Khoshnaw, Partner, Gateley Plc

- *“Patrick is a very effective mediator indeed. His style is relaxed but authoritative. He quickly gains the confidence of the parties, and is then skilled at brokering a deal. I happily and warmly recommend Patrick.”* - Paul Darling OBE QC, Keating Chambers
 - *“Patrick really helped secure settlement through our last mediation. He was not afraid to get stuck into some detail. It seems his years as a solicitor dealing with tricky commercial cases have borne fruit. He has a good eye for getting things resolved.”* - Dr Ronan Champion, Director, Champion Pearce LLP
 - *“Patrick is innovative in his use of mediation tactics to break the deadlock in difficult negotiations. He seems to care more than many mediators about achieving a result, and he goes beyond the call of duty in following up post-mediation to see if there is anything else that can be done to bring about a settlement.”* - Chris Corney, Partner, Carter Lemon Camerons LLP
 - *“I have been involved with several mediations where Patrick Taylor was appointed as mediator. I would not hesitate to recommend him to others. He listens to the parties with patience and understanding and is very good at gaining each party’s trust –not an easy task as mediation is invariably a stressful experience for clients. He also has an open mind and a creative approach. He genuinely will stay as long as it takes to get a deal.”* - Karen Bower-Brown, Partner Sills & Betteridge
 - *“He had prepared well and had a confident approach.”*
 - *“We were very impressed with Patrick, he was very calm and did extremely well throughout the day. He asked questions thoughtfully and listened well.”*
 - *“The mediator worked incredibly hard throughout the day and he was creative in his suggestions and thoughts on how to move the process forward.”*
 - *“Patrick was an excellent mediator, very calming and charming, yet determined. He kept us well focused.”*
 - *“I would recommend him to anyone.”*
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Professional Skills

- Member of the Society of Construction Law
 - Association of Midlands Mediators
 - Association of Northern Mediators
 - TECBAR Panel Membership
 - BILA
 - Civil Mediation Council Member
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