

## Caroline Bolton

Call: 1998

### Barrister

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**Caroline** is an experienced advocate, with a busy commercial, chancery and local government practice. Her main areas of work include commercial dispute resolution, company law, partnerships and LLPs, insurance, construction, commercial and residential property, financial services, regulatory, procurement, planning, jurisdiction disputes, local government and professional negligence.

She has successfully represented her clients' interests in proceedings commenced in the Privy Council, Court of Appeal, Chancery Division, Queen's Bench Division, Administrative Court and Technology and Construction Court. She is regularly instructed to obtain urgent injunctive relief.

#### COMMERCIAL AND BANKING DISPUTES

Caroline is instructed in a wide range of commercial and chancery disputes including: general contractual disputes; civil fraud; breach of directors' duties; shareholder disputes; derivative claims; jurisdiction issues; applications under the Bankers' Books Evidence Act 1879; joint venture agreements; financial services disputes; insurance/re-insurance; enforcement of foreign judgments; mortgage fraud and claims concerning undue influence.

She is regularly instructed to obtain urgent injunctive relief and has considerable experience in applying for and obtaining the following urgent relief:

- Freezing orders
- Orders for delivery up of goods and data
- Gagging orders
- Restraining presentation and/or advertisement of a winding up petition
- Restraining use of confidential information
- Bankers Books orders
- Norwich Pharmacal orders
- Section 44BB of the Solicitors Act 1974.

Caroline receives instructions on cases with an international dimension and is experienced in obtaining orders for service out of the jurisdiction.

Caroline has experience of issues concerning the carriage of goods by sea and

road and has acted for clients in shipping arbitrations.

Recent instructions include:

- *Bonsor & Others v Clydesdale Bank* – Representing the investors in a multi-party action against Yorkshire Bank on a claim arising out of the Arck LLP fraud
- *Whelan v Allianz Insurance* – Representing the claimant in a claim for £1.1m, where the insurer had sought to avoid the policy of insurance alleging that the insured had made a fraudulent misrepresentation
- Acting for the local authority in *Amey Wye Valley Limited v Herefordshire District Council*, a complex dispute relating to a £200 million infrastructure contract
- Advising on a group action against a high street bank on a claim concerning the mis-sale of packaged bank accounts.

## **PROPERTY**

Caroline is regularly instructed on a range of property matters and land law disputes including cases concerning enforcement of covenants, easements and relief from forfeiture. She frequently advises on commercial leases.

Caroline is counsel of choice for many local authorities seeking injunctions in relation to unauthorised encampments pursuant to section 222 Local Government Act 1972 and section 187B Town and Country Planning Act 1990.

## **LOCAL GOVERNMENT, PUBLIC PROCUREMENT AND PLANNING**

Caroline is frequently instructed by local authorities on cases concerning commercial disputes, including high value infrastructure contracts, insurance contracts and contracts concerning the provision of broadband services. Caroline is also instructed on cases concerning public procurement and planning. Caroline has appeared at public inquiries and in the High Court and Court of Appeal on planning matters. Caroline is regularly instructed by a core group of local authorities on planning matters, as well as being instructed by solicitors and developers.

Caroline's commercial and civil injunction experience together with her experience in local government and planning has led to Caroline being regularly instructed by local authorities to seek injunctions pursuant to section 222 Local Government Act 1972, 187B Town and Country Planning Act 1990, and s106 (5) Town and Country Planning Act 1990. As a result of her experience in obtaining injunctions pursuant to section 222 Local Government Act 1972 and section 187B Town and Country Planning Act 1990, Caroline has developed significant expertise in cases concerning unauthorised encampments. Recent instructions include the leading case of *Harlow DC v Stokes & Ors.* [2015] EWHC 953 (QB), where the court granted the first borough-wide injunction prohibiting named Defendants from forming unauthorised encampments anywhere within the district of Harlow and *Runnymede v Boyd & Ors.*, in which she successfully obtained the continuation of a section 187B injunction preventing 13 travellers' families developing a caravan site in the green belt without planning consent.

## **MEDIATION AND ARBITRATION**

Caroline also receives instructions to appear in mediations and arbitrations and receives instructions from other jurisdictions. In 2009 Caroline successfully represented a client from St Lucia before the Privy Council on an appeal from the High Court in St Lucia. Caroline also receives instructions to appear in mediations and arbitrations and receives instructions from other jurisdictions.

## **MEMBERSHIPS**

- Chancery Bar Association
- Commercial Bar Association

## **POLICIES AND OTHER DETAILS**

- Read Caroline's [Privacy Notice](#), [Data Protection Policy](#) and [Disposal Policy](#).