
Timothy Young

Advocate
Year Of Call: 2013



email Timothy.young@advocates.org.uk
tel 07825 928 600

Practice Areas

Administrative & Public Law
Alternative Dispute Resolution
Banking, Finance and Pensions
Civil Liberties, Human Rights & EU Law
Clinical Liability
Commercial Dispute Resolution
Company
Competition, Procurement and Regulation
Constructions
Information Technology
Media and Information Law
Professional Liability
Real Estate Litigation
Restructuring/Insolvency
Shipping
Trusts and Succession

Practice Profile

'He really delves into the nitty gritty of the legal dispute and tackles that head on.' *'He's a safe pair of hands, knows what he's doing and gives good strategic advice.'* (Chambers 2021, Real Estate Litigation – Band 2)

'He is great to work with: client-focused, responsive and quick at delivering results.' *'He gives clear, confident advice.'* (Chambers 2021, Commercial Dispute Resolution – Band 2)

'Exceptionally intelligent with a gift for honing in on the points that matter' (Legal 500 (2019), Property, Construction and Agriculture)

'Technically excellent in public procurement matters' (Legal 500 (2019), Civil Liberties, Human Rights, Public Inquiries, and Public and Administrative Law)

'Clients appreciate his confident yet approachable demeanour' (Legal 500 (2019), Company and Insolvency)

Court and Tribunal Experience

UK Supreme Court
Inner House
Outer House
Sheriff Appeal Court
Sheriff Principle
Sheriff Court
Employment Tribunal
Employment Appeal Tribunal
Professional Disciplinary Hearings
Arbitrations
Lands Tribunal for Scotland
Scottish Land Court

Tim Young's practice focuses on commercial and public law disputes. Since calling to the Bar in 2013, he has quickly developed a busy and wide-ranging practice in many areas of commercial law including commercial contract disputes (particularly construction and IT contracts), trusts, property (including agricultural and crofting matters), banking, insolvency, and intellectual property. He is regularly instructed in complex and high profile litigations in these areas, with senior counsel and alone. He routinely appears in the Court of Session, Sheriff Court, Scottish Land Court, and Lands Tribunal for Scotland. Tim is also a Standing Junior Counsel to the Scottish Government.

He has, also, developed a broad experience of judicial review and statutory appeals in public and administrative law matters. He has particular experience of public procurement disputes and professional discipline matters. As well as appearing in Court, he has appeared in a wide variety of tribunals, committees, and disciplinary hearings.



Ampersand Advocates
Advocates' Library
Parliament House
Edinburgh, EH1 1RF

web ampersandadvocates.com
phone +44 (0)131 260 5674
fax +44 (0)131 225 3642

Qualifications/Education

- 2004 – LLB (Hons) (First Class) University of Strathclyde
- 2006 – Dip LP, Glasgow Graduate School of Law
- 2008 – Qualified as a solicitor with McGrigors LLP (subsequently Pinsent Masons LLP) having completed traineeship.
- 2013 – Called to the Bar, having devilled to Morag Ross QC, Garry Borland QC and Ronaldo A. Renucci QC.

Prior to calling to the Bar, Tim was a solicitor at a large commercial law firm. He graduated with a first class honours from the University of Strathclyde. He has, also, maintained links with academia through tutoring Business Entities and Constitutional Law at both the University of Edinburgh and Napier University, and as an external examiner at Robert Gordon University. In addition, Tim is a contributing editor for the Companies Law (reissue) volume of The Laws of Scotland: Stair Memorial Encyclopaedia, and is the Deputy Editor of Session Cases.

Selected Cases

- Administrative & Public Law

[Steele v. Deputy Chief Constable of the Police Service of Scotland \[2021\] CSOH 65](#)

Appeared as junior counsel for the Petitioner, the General Secretary of the Scottish Police Federation, in judicial review of decision to commence misconduct proceedings against him in respect of a Tweet (with the Dean of Faculty (RW Dunlop QC)).

[Booth and Philp v. Highland Council \[2020\] CSIH 70](#)

Appeared as junior counsel for the respondent in successful challenge to competency of reclaiming motion in a judicial review.

[BC & ors v. Chief Constable of the Police Service of Scotland \[2020\] CSIH 61](#)

Appeared as junior counsel for the petitioners in important judicial review about the collateral use of material recovered in a criminal investigation for the purposes of a disciplinary hearing (with Craig Sandison QC)

[BC & Ors v. Chief Constable of the Police Service of Scotland \[2019\] CSOH 48](#)

Appeared as junior counsel for the Petitioners in substantive first hearing in an important judicial review about the collateral use of material recovered in a criminal investigation for the purposes of a disciplinary hearing (with Craig Sandison QC)

[BC & ors v. Chief Constable of the Police Service of Scotland \[2018\] CSOH 104](#)

Appeared as junior counsel for the Petitioners in successful preliminary hearing in a judicial review about the derivative use of material recovered in a criminal investigation for the purpose of disciplinary hearing (with Craig Sandison QC).

[A v. Harrower 2018 JC 93](#)

Appeared as junior counsel for the petitioner in important case about reporting restrictions for complainers in criminal cases (with Kenny McBrearty QC)

Memberships

- Reporter for Session Cases (2014 – present)
- Tutor in Business Entities (and previously other subjects, including Contract and Delict) on the LLB at University of Edinburgh (2012–2018)
- Tutor in Constitutional & Administrative Law on the LLB at Napier University (2016)
- External Examiner, Robert Gordon University (2018 – present)
- Member of Council of Faculty of Advocates (2018 – 2020)
- Deputy Editor of Session Cases (2020 – present)
- Standing Junior Counsel to the Scottish Government (2021 - present)

Publications and Lectures

- Companies (2nd Reissue, July 2021), The Laws of Scotland: Stair Memorial Encyclopaedia (Contributing Ed.)



Ampersand Advocates
Advocates' Library
Parliament House
Edinburgh, EH1 1RF

web ampersandadvocates.com
phone +44 (0)131 260 5674
fax +44 (0)131 225 3642



"He has a sharp legal mind. Every angle is covered, which means that no matter how hard our opponents try, nothing comes as a surprise."

Chambers 2019, Commercial Dispute Resolution, Up and Coming

- Commercial Dispute Resolution

[Wilson v. Graeme W Cheyne \(Builders\) Limited \[2021\] SAC \(Civ\) 24](#)

Appeared as sole counsel for appellant in dispute over enforcement of adjudication award and service of interim payment application on a Contract Administrator that had resigned.

[HCC International Insurance Company Plc v. Scottish Ministers \[2021\] CSOH 53](#)

Appeared as junior counsel for the Pursuer in multi-million pound dispute over proper interpretation of an Intercreditor Agreement arising from the Scottish Ministers acquisition of Ferguson Marine business (with Kenny McBrearty QC).

[Cheyne & Anor v. Alfred Cheyne Engineering Limited & Anor \[2021\] CSOH 17](#)

Appeared as junior counsel for the Respondent at a commercial court debate examining the principles of, and Court's powers in relation to, an extra-judicial offer to resolve an unfair prejudice petition under sec. 994 of the Companies Act 2006 (with Jim Cormack QC).

[AWPR Construction JV v. Everprime Ltd & ors \[2020\] CSOH 78](#)

Appeared as junior counsel for the 7th Defender at a Procedure Roll hearing (debate) in a large multiplepointing in the Court of Session arising out of commercial contracts concerning the Aberdeen Western Peripheral Route construction project.

[Patersons of Greenoakhill Limited v. Glasgow City Council \[2020\] CSOH 43](#)

Appeared as junior counsel for the pursuer in commercial court debate in relation to dispute over breaches and purported termination of a bulky waste recycling contract (with Martin Richardson QC)

[WM Morrison Supermarket Plc v. LEM Estates Limited & ors \[2020\] CSIH 31](#)

Appeared as junior counsel for Pursuer in commercial court debate on issues of contractual interpretation, personal bar, and prescription arising from a construction contract dispute.

[Agilisys Limited v. CGI IT UK Limited \[2018\] CSOH 112](#)

Appeared as junior counsel for successful Pursuer in 4-week Proof in the Commercial Court in multi-million pound IT contract dispute.

[Petition of Capital Document Solutions Limited \[2016\] CSIH 88; \[2016\] CSOH 140](#)

Acted for Respondent in relation to issue of expenses of a Section 1 Petition and Interdict proceedings against a company and director in respect of obtaining of confidential information.



Ampersand Advocates
Advocates' Library
Parliament House
Edinburgh, EH1 1RF

web ampersandadvocates.com
phone +44 (0)131 260 5674
fax +44 (0)131 225 3642

[Macallans v. W. Burrell Homes Limited \[2016\] SC Gla 79](#)

Acted for Claimant in Debate as to the competency and relevancy of claims on a fund in medio in a multiplepinding in Glasgow Sheriff Court.

[The Tartan Army Limited v. Sett GmbH & Ors \[2015\] CSOH 151](#)

Acted as sole counsel for a director in a debate in an Intellectual Property action. The case concerned the liability of a director for alleged infringement of a trademark by a company. The case raised complex issues of piercing the corporate veil and accessory liability of directors.

[Skipton Financial Services Limited v Paul Allan \[2014\] CSOH 106](#)

Successful hearing on motion to grant interim interdict in respect of non-solicitation and non-dealing restrictive covenants in an employee's contract.

- [Intellectual Property](#)

[The Tartan Army Limited v. Sett GmbH & Ors \[2017\] CSOH 22](#)

Acted for successful Defender company in action for infringement, and counterclaim for invalidity, of trade marks in the name Tartan Army.

- [Real Estate Litigation](#)

[Cornerstone Telecommunications Infrastructure Limited v. Scottish Fire and Rescue Service \(LTS/ECC/2020/0032\)](#)

Appeared as sole counsel for the Respondent in dispute in the Lands Tribunal for Scotland over the terms of an agreement under the Electronic Communications Code, and the correct approach to expenses in the event of agreement being reached during the proceedings.

[Forsby Properties AB and Another v. MacQueen SLC/45/18 \(31 July 2020 and 22 January 2021\)](#)

Appeared as sole counsel for the respondent agricultural tenant in dispute over the existence and extent of 1991 Act agricultural tenancy, and related dispute over expenses.

[MacBean v. Scottish Water \[2020\] CSOH 55 and \[2021\] CSIH 36](#)

Appeared as junior counsel for the Pursuer in long running dispute over nuisance caused by a Waste Water Treatment Works, and the success of subsequent remedial works (with Andrew Smith QC).

[Forsby Properties AB and Another v. MacQueen SLC/45/18 \(31 July 2020 and 22 January 2021\)](#)

Appeared as sole counsel for the respondent agricultural tenant in dispute over the existence and extent of 1991 Act agricultural tenancy, and related dispute over expenses.



Ampersand Advocates
Advocates' Library
Parliament House
Edinburgh, EH1 1RF

web ampersandadvocates.com
phone +44 (0)131 260 5674
fax +44 (0)131 225 3642

[British Telecommunications Plc v. Morrison \(4 August 2020, LTS/ECC/2020/0018\)](#)

Appeared as junior counsel for the Applicants in successful application to the Lands Tribunal for Scotland seeking the grant of Interim Code Rights under the Electronic Communications Code.

[Ardnamurchan Estates Limited v. MacGregor & anor \[2020\] SAC \(CIV\) 2](#)

Appeared as junior counsel for the Defender in the Sheriff Appeal Court in important case on the validity of self-granted *a non domino* dispositions for the purpose of positive prescription.

[Swift Advances Plc v. Martin & Ors. \[2015\] CSIH 65](#)

Acted as sole counsel for Mr. & Mrs. Martin in an appeal to the Inner House concerning the calling-up of a standard security, and compliance with the pre-action requirements.

[Lormor Limited v. Glasgow City Council \[2014\] CSIH 80](#)

Acted for Lormor (with Alistair Clark QC) in an appeal to the Inner House concerning service of notices to quit under a lease of commercial property.

- [Restructuring / Insolvency](#)

[Notes of Joseph and Donalda Sweeney \[2020\] CSIH 65](#)

Acting for respondent in two separate notes in the liquidation of West Lark Limited in relation to challenges to decision of a liquidator and assignation of creditors' claim under the Insolvency (Scotland) (Receivership and Winding Up) Rules 2018 (with Craig Sandison QC).

[Note of Donalda Sweeney \[2020\] CSOH 9](#)

Acted as junior counsel for the first respondent in Note seeking assignation from the first respondent under Rule 7.21 (4) of the Insolvency (Scotland) (Receivership and Winding Up) Rules 2018 (with [Craig Sandison QC](#))

[Note of Joseph Sweeney \[2020\] CSOH 6](#)

Acted as junior counsel for the third respondent in Note under sec. 167 (3) of the Insolvency Act 1986 challenging the decision of a liquidator to not raise proceedings (with [Craig Sandison QC](#)).

- [Trusts and Succession](#)

MacGregor v. MacGregor (8 March 2019, unreported, Glasgow Sheriff Court)

Appeared as junior counsel for the Pursuer in a successful debate about prescription and the relevancy of a claim against an executrix arising out of an estate administered over 20 years ago.

[Mr. Pinder's Trustees v. Phoenix Life Limited \[2015\] CSOH 96](#)

Acted as sole counsel for Phoenix Life in a two-day debate in the Commercial Court in a dispute about payment of a life assurance policy held in trust. The case raised complex issues of trust law, succession, and conflict of laws.