

## **Andrew C Pilbrow – Director**

**BSc (Hons) PG Dip PV & M MRICS  
IRRV [HONS]**

**RICS Registered Valuer  
RICS Accredited Expert Witness**



### **Key Experience**

Andrew is highly experienced in valuation and lease advisory matters having acted in these fields for over 28 years' post qualification experience, commencing work in the public sector before working in the private sector since qualifying as a chartered surveyor in 1995.

Andrew is regularly appointed as an expert witness pursuant to Civil Procedure Rules (CPR), producing compliant reports, liaising with Counsel, and attending to all Court Directions. He has given oral evidence in the High Court, County Courts and Tribunals. He has participated in numerous mediations during his career and other forms of alternative dispute resolution.

In his lease advisory capacity, he acts for clients in respect of rent reviews, lease renewals and re-gearing/engineering matters. He has prepared numerous expert witness reports for Arbitrations and Independent Expert determinations, some of which have involved complex preliminary legal issues where Andrew has acted as part of a wider advisory team with lead Counsel.

Andrew sits regularly as Chair of RICS Assessment of Professional Competence (APC) panels, undertaking preliminary reviews of applications and acts as a mentor for candidates.

Andrew also writes and presents webinars for the RICS on the topics of valuation and legal/regulatory compliance. He is a committee member of The Dilapidations Association and on the Register of RICS Accredited Expert Witnesses.

## Case Work

The following cases are examples of on-going and historic instructions:

### Recent High Court & County Court Cases

Andrew has acted as an expert witness in the following damages cases (*inter alia*) now settled:

*(1) Babak Abrishami Kashani & (2) Jack Kashani V (1) Chan Neill Solicitors (A Former Firm), (2) Michael Chan and Andrew Neill (Carrying on In Partnership As Chan Neill Solicitors, A Former Firm) (3) John Clementson*

Appointed for and on behalf of the Claimant concerning an alleged breach of duty of care in relation to the conveyance of a substantial house in Holland Park with development potential. Case settled in January 2024 following exchange of CPR Expert Reports.

*(2) Libyan Investment Authority v (2) King [2020] EWCA Civ 1690*

Appointed for and on behalf of the Claimant concerning an alleged breach of fiduciary duty. Trial heard during November/December 2022. Appeared to give expert valuation evidence in the High Court.

*(1) Capreon (UK) Ltd v (1) Winnersh Holdings LP (acting by its general partner Winnersh GP Ltd) & (2) Oaktree Capital Management (UK) LLP HC: Claim No. 2018-000085.*

Appointed for and on behalf of the Defendant in respect of Triangle Business Park, Winnersh, Berkshire, comprising circa. 1.5 m sq ft of commercial accommodation with a Market value in excess of £350m. Case settled following exchange of CPR Expert Reports.

*(1) Peter Grice trading as PG Properties v (1) The Royal Bank of Scotland Plc (2) National Westminster Bank Plc Claim No: HC-2016-001661*

Appointment for and on behalf of the Defendant High Street Bank in a portfolio of residential and commercial property in connection with an alleged "swaps" mis-selling claim. Case settled following exchange of CPR Expert Reports.

*(1) Richard Conway and Deborah Conway & (2) Prince Arthur Ikpechukwu Eze (Defendant) Claim No: HC-2016-00720*

Appointment in high profile case pertaining to an alleged breach of contract claim, relating to an overseas buyer's default on the purchase of substantial house in North London, acting for the Claimant as expert witness.

*(1) Dunfermline Building Society (in Building Society Special Administration) & (2) CBRE Limited Claim No B30LS664*

Appointment in connection with a professional negligence claim relating to a 500-unit residential development site in the Home Counties. Appearance as expert for Claimant at High Court.

### Recent High Court Cases: Dilapidations

Expert witness appointments in relation to on-going dilapidation claims and providing advice pursuant to Section 18(1) of the Landlord & Tenant Act 1927 in respect of various properties located throughout England & Wales. Appointments in respect of offices, warehouses, retail, open storage land and other uses. Preparation of numerous CPR Part 35 Expert reports, Joint Expert Statements, attendance at mediation and conferences with Counsel.

Recent cases settled pre-trial:

*(1) London & Southern Estates (City) Ltd & Besso Insurance Group Ltd Claim No. HT-22023-000191*

Acting for the Claimant in respect of an office building in the City of London. Case settled pre-Hearing in 2024.

*(2) RR Rainbow (South) Limited & (2) Jemmtec Limited Claim No. PT-2022-LDS-000060*

Acting for the Defendant tenant in respect of a terminal dilapidations case relating to a warehouse on the Wirral, Merseyside, settled during Trial in October 2023.

*(1) Secretary of State v (2) Kentex Estates Ltd Claim No. G00CL745*

Acting for the Defendant in a circa 5,000 sq ft office building in Surrey settled in September 2021.

*(1) Commercial Real Estate Ltd v (2) ABS Business Centres Ltd Claim No. G0 2CL501*

Acting for the Claimant in a circa 5,000 sq ft office/restaurant building in London Borough High Street settled in August 2021.

*(1) McKay Securities Plc v (2) Nocitra Ltd Claim No. HT-2020-000387*

Appointed for and on behalf of the Defendant in respect of a 60,000 sq ft office building in Berkshire settled at mediation in May 2021.

*(1) RR Rainbow (Aylesbury) Ltd & (2) Scottish Widows Ltd (Clerical Medical) Claim No. HT-2021-000022*

Appointed for and on behalf of the Claimant in respect of a 54,000 sq ft office building in Buckinghamshire settled in May 2021.

*(1) London & Hertfordshire Ltd v (2) The Secretary of State for Communities & Local Government: Claim No. HT-2019 000282*

Appointed for and on behalf of the Defendant in respect of a 65,000 sq ft office building in Hertfordshire settled at mediation in March 2021.

*(1) David Alan Ezra Dangoor, (2) Elie Basil Victor Dangoor, (3) Robert Daniel Saul Dangoor, (4) Michael Arthur Jonathan Dangoor & (5) The Secretary of State for Housing Communities: Claim No: HT-2017- 000133*

Appointed for and on behalf of the Claimants in respect of a 60,000 sq ft office building in Hampshire settled at mediation.

*(1) Bizspace Ltd & (2) NHS Property Services Ltd Claim No: BL-2018-000221*

Appointed for and on behalf of the Claimant in respect of a former woollen mill building in Nottingham used as offices. Settled following exchange of CPR Reports.

### **Current & Historic Case History**

In addition, Andrew is instructed in various cases at pre-application stage, High & County Court proceedings in the fields of professional negligence and other damages claims. Current and recent cases include:

- Appointment in connection with a substantial office building in Bristol and an insolvency matter.
- Appointment in connection with alleged professional negligence matter for and on behalf in connection with residential development in Berkshire. Pre-action stage.
- Appointment as an expert witness in an alleged solicitor's negligence claim pertaining to loss of security of tenure under the 1954 Act in respect of a warehouse building in Kent.
- Appointment as an expert witness in an alleged solicitor's negligence claim pertaining to lost access to a proposed residential development in Kent which created a *ransom strip*.
- Appointment as an expert witness in a contaminated site case in Buckinghamshire assessing Diminution in Market Value following a substantial pollution incident: *Rylands V Fletcher* case.

- Appointment as an expert witness in an alleged solicitor's negligence claim relating to lease drafting relating to a circa 25,000 sq ft office property in Essex settled at mediation in 2020.
- Expert witness advice in relation to solicitor's alleged negligence case pertaining to loss of development opportunity in a proposed multi-unit residential scheme situated in Greater London.
- Expert witness advice in relation to major office development site in City of London for alleged valuation negligence claim relating to 285,000 sq. ft office scheme.

## Employment History

### **2020 (Current) Dalton Warner Davis LLP**

*Position: Director*

Andrew joined DWD as a Partner to continue his work in the field of Expert Witness service provision for the firm where he has 28 years' post-qualification experience in the valuation and lease advisory disciplines.

Andrew is highly experienced in matters pertaining to Expert Witness appointments in judicial and quasi-judicial proceedings preparing expert reports and presenting evidence to the UK Courts, within the context of the Civil Procedure Rules and the RICS Practice Statement. Andrew has had experience in presenting evidence to Valuation Tribunals, the County Court, High Court, and alternative dispute resolution by way of the formal mediation process.

In his lease advisory capacity, Andrew undertakes rent review and lease advisory instructions on behalf of both institutional landlords and corporate tenants, assisting in re-gearing and re-engineering lease events. He has prepared numerous expert witness reports for Arbitrators and Independent Experts, liaising with Counsel on preliminary issues relating to Points of Law which have required prior Determination.

Andrew is actively involved in the RICS Assessment of Professional Competence (APC) process acting as a chairman in candidate interviews across the United Kingdom. He also writes and presents Webinars to RICS members on the valuation and compliance competencies. He is a committee member of The Dilapidations Association.

### **2015 - 2020: Avison Young (London City Office)**

*Position: Director*

Andrew was a Director in the Valuation Consultancy Division of Avison Young (formerly GVA) and headed up the Expert Witness service provision for the firm for London & the Southeast. He also regularly undertook valuations for loan security purposes.

### **2005 – 2015: Levy Real Estate LLP (formerly DE & J Levy)**

*Position: Equity Partner*

Andrew ran the professional department of Levy Real Estate LLP jointly with another equity partner. He specialised in valuation and landlord & tenant matters, including rent reviews, lease renewals, dilapidation claims and other lease advisory services. He acted for both institutional and private landlords, corporate and small business tenants throughout London, the Southeast and further afield on a case-by-case basis.

Andrew also undertook valuation work for loan security and statutory purposes: non-domestic rating, national taxation and compulsory purchase representing clients in disputes.

Andrew frequently acted as an expert witness with resolution before Arbitrators, Independent Experts, the Courts and Mediation.

**2002 – 2005: Fairweathers Chartered Surveyors**

*Position: Equity Partner*

Andrew ran the Burnham (South Bucks) office of Fairweathers Chartered Surveyors and undertook valuations for loan security and statutory purposes, together with lease advisory instructions and related professional services predominantly in the London and Thames valley regions. He acted for a corporate occupier in respect of their landlord & tenant matters across the United Kingdom dealing with rent reviews, lease renewals, and dilapidation claims etc.

Andrew appeared as an expert witness at full hearings before the Uxbridge County Court and the London County Court on separate lease renewal disputes. He also represented landlord clients in respect of Arbitration and Independent Expert proceedings.

**1999 – 2002: Rogers Chapman**

*Position - Associate Director*

Andrew's role principally comprised dealing with rent reviews/lease renewals in respect of commercial property with a core geographical area of work centred on London and the M4 corridor, encompassing the neighbouring counties of Berkshire, Buckinghamshire, Middlesex and Surrey. He acted as an expert witness in references to Arbitrators and Independent Experts.

Andrew also undertook valuations and appeals in respect of non-domestic rating for clients, most notably UPS Parcels Ltd, where he handled instructions nationwide.

**1996 – 1999 Haslams Chartered Surveyors**

*Position - Associate Partner*

Whilst at Haslams Andrew undertook valuations for secured lending purposes, rent reviews, lease renewals, rating and compulsory purchase. Whilst his work was centred on Berkshire, his geographical area stretched from West London to Wiltshire, South Oxfordshire and North Hampshire. Andrew acted in Arbitration proceedings and a planning appeal whilst at Haslams.

**1992 –1996 Valuation Office Agency (VOA)**

*Position - Valuation Executive*

Andrew was posted to the Reading office on leaving Sheffield Hallam University and undertook valuation work in respect of both domestic and non-domestic property for Council Tax, Non-Domestic Rating, National Taxation (CGT & IHT), and Compulsory purchase throughout Berkshire. He appeared several times at the Local Valuation Tribunal where he acted in the joint capacity of expert witness and advocate. Andrew qualified as a Chartered Surveyor whilst at the VOA.