



EMILY WATTS

Associate
London

E: emily.watts@bclplaw.com

T: [+44 \(0\) 20 3400 4109](tel:+442034004109)

BIOGRAPHY

Emily is an associate in the firm's Business and Commercial Disputes department. Emily advises a variety of clients from financial institutions to individuals and deals with a wide range of general commercial and contractual disputes, as well as regulatory matters.

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What's the deadline? Timely guidance for procurement challenges in *Altiotech Ltd v Birmingham City Council* [2023]

A recent Technology & Construction Court's judgment considers the procedural time limits that apply in procurement litigation. The question of timing in bringing a claim in procurement challenges is not straightforward, requiring close examination of the interplay between the procurement regulations and the Civil Procedure Rules, by reference to the nature of the claims available. Failure to understand and comply with the requisite timelines can often result in claims being limited or excluded altogether. This case is a timely examination of the rules surrounding time limits.

Insights

May 23, 2023

Drafters beware! Court of Appeal on the significance of express terms

Every so often the Court will reaffirm the primacy of express terms while re-stating the rule that implied terms can only be relied on to the extent they are (i) so obvious as to go without saying, or (ii) necessary to give an agreement business efficacy. The latest is *Contra Holdings Ltd v Bamford* [2023] EWCA Civ 374, handed down by the Court of Appeal last month. This commentary will come as no surprise to practitioners, and yet it serves as an important reminder that implied terms should not be relied upon as a fall-back where express drafting falls short.

Insights

May 23, 2022

Bids, scores, and brand new laws? A review of the Government's Procurement Bill 2022

On 11 May 2022, the keenly awaited Procurement Bill (announced in the Queen's Speech) was formally introduced to the House of Lords and received its first reading. Running to 122 pages (and comprising 116 sections across 13 Parts, and 11 Schedules) in its current form, the Bill is one of the Prime Minister's so-called "Brexit bonanza" bills focused on further decoupling the UK from the EU. Post-Brexit, the government views this as an opportunity for the UK to develop and implement a procurement regime unburdened by the current complex regime that

derives almost entirely from EU law. Indeed, the intention is to repeal the public contracts, defence, utilities and concessions procurement regimes, and replace these with a single piece of procurement legislation that extends to contracting authorities in England, Wales and Northern Ireland (Scotland has opted not to implement the new UK procurement r...