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Marc Rowlands KC

Call: **1990** Silk: **2012**



"Marc Rowlands KC is a brilliant strategic thinker who distills complex issues quickly and prepares submissions with the clarity and incisiveness of one who is a leader in the field."

Chambers & Partners 2027

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Practice Overview

Marc Rowlands KC's practice covers the full range of construction, engineering and technology disputes, in the UK and internationally. Praised as "One of the most able and bright KCs" and "very slick and very good", he is regularly instructed in the TCC, Commercial Court and Court of Appeal and in arbitrations in the Middle East, Far East and the Caribbean. Marc is a Part II DIFC registered practitioner and is called to the Bahamian Bar.

Marc has particular expertise in the JCT, NEC, FIDIC and LOGIC forms, and PFI contracts, and his offshore experience includes a year off from his studies working onshore and offshore (in the Bay of Benin) for a wireline logging company. He is also highly regarded for rail related work, having acted in numerous high profile cases around the world relating to infrastructure, rolling stock and regulatory work. Marc is particularly skilled at working with a team and managing large cases to achieve cost savings and the best commercial, practical outcomes for clients.

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Practice Areas

Construction & Engineering

- Represented the owners of mixed development high-rise towers claiming against the contractor for cost of replacing external cladding and remedying fire stopping and fire barrier defects. Issues included compliance of the Sto cladding with building regulations, and BS standards and BRE tests. Claim form issued the day of the Grenfell fire. 2 week TCC trial settled at the door of the Court in January 2019.
- Acted for the architect defending a £40 million negligence claim in the TCC following a large fire at a major housing development in Kent. Issues included scope of duty and design obligations in relation to fire stopping and barriers. 9 week trial in the TCC in September 2020.
- Acted for the contractor defending a claim by the owners seeking the cost of replacing external cladding on two high-rise residential blocks, together with decant and costs of sale of the flats. 2 week TCC trial in November 2020 settled at the door of the Court.
- Acting for the contractor in a $10 million arbitration in the Middle East in relation to a complex road interchange where completion of the works was substantially delayed including effects including associated utilities.
- Acting for a major international airline in a (circa £30m) dispute arising out of a materials handling project, involving bonds, cross-claims for repudiation and limitation/exclusion clauses.
- Advised and drafted a defence for a major international contractor in an ICC arbitration against the Hong Kong Government concerning design in a road-building project.
- Advised a leading rolling-stock manufacturer on a US$100 million claim against Amtrak in the Washington DC courts.
- Acted as Counsel in connection with a US$3.5m dispute between contractor and hotel developer in Turks and Caicos.
- Acted for Insurers in relation to the Cologne City Metro collapse.
- Acted for Appellant in Court of Appeal in relation to complex estoppel and strike out arguments.

Rail

Marc’s experience of rail related work is unparalleled at the English Bar. He has acted for rolling stock manufacturers, infrastructure contractors, leasing companies, Train, Freight, Infrastructure and Concession Operating Companies, governments and regulatory authorities throughout the world. He has dealt with virtually every aspect of a railway (and most railway types, from tram and metro through to High Speed) from a technical point of view, both in relation to the permanent way and associated civil, structural and mechanical works and signalling systems, and rolling stock.

His UK cases include the Heathrow Tunnel and Chalfont tunnel collapses, the West Coast Mainline Upgrade, various derailment cases, the DLR Lewisham extension and the East London Line disputes, and numerous franchising and leasing contract issues (including, most recently, the Heathrow spur and Northern Rail).

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Internationally, Marc's cases include:

- Advising a leading rolling-stock manufacturer on a US$100m claim against Amtrak in the US in relation to the Acela high speed system.
- Acting in the Eurotunnel and TML litigation.
- Acting for the Japanese joint venture concerning the building of the Taiwanese Shinkansen.
- Acting in several international metro disputes in Hong Kong, Manila and Dubai.

Energy & Natural Resources

- Lead Counsel in a series of SCC arbitrations arising out of Production Sharing Agreements in Hungary.
- Appeared for design engineers against clients in a preliminary trial of construction, rectification and estoppel arguments arising out of the design of compressor facilities for a North Sea offshore production platform.
- Appeared as counsel in a case concerning defects in a power station, involving on-demand bonds/guarantees, Environmental Protection Act issues and alleged fraud.
- Undertook pleadings and interlocutory work for the government of a Caribbean state in an ICC arbitration relating to a petro-chemical plant.
- Instructed by North Sea operator in litigation relating to design and construction of production platforms.

PFI/PPP

Marc has extensive experience of the complex contractual matrix and financial modelling inherent in PFI disputes, particularly in the healthcare field. He has acted for a number of healthcare trusts, contractors and lenders, both in relation to financial/transactional issues and technical disputes arising out of the construction agreements. Complex financial modelling is intrinsic to this work, and Marc's experience in relation to rail franchising issues means he is adept at understanding both the underlying spreadsheets and the payment and change mechanisms that relate to them.

Offshore Construction & Marine Engineering

Prior to coming to the Bar, Marc spent a year working onshore and offshore for Flopetrol in France and West Africa.

Marc's recent work in this area includes:

- Junior Counsel in ***Phillips v Snamprogetti***, a 6 week TCC trial relating to compressors in the North Sea
- Counsel in ***Tubetech v Technip*** concerning pipelines in Nigeria.
- Instructions in ongoing disputes concerning the design and construction of offshore production platforms in the Gulf of Mexico and the North Sea.
- Litigation over the design of wind farm piles in the Irish Sea.
- Resisting the arrest of a ship in Lisbon.

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- Successfully suing the designers of a superyacht in relation to specified range.

Mena

Marc has extensive expertise in the Middle East, having worked on projects in Dubai since 2001, when he represented the contractor building the Beniyas road interchange. In 2007 he spent 2 years representing the Joint Venture building the Dubai Metro.

His experience includes:

- Acting in numerous arbitrations (principally DIAC) relating to various buildings along the Sheikh Zayed Road, an aluminium extrusion plant in Sharjah and, most recently, for a hotel developer in the Caribbean.
- Representing the European Joint Venture contractor in a major irrigation scheme in Jordan.
- Acting as an arbitrator in an ICC arbitration in Saudi Arabia.

He is very familiar with Civil Code law, having studied Comparative Law at Oxford, and from many years exposure to the UAE, Egyptian and Saudi codes.

International Arbitration

Marc acts as counsel in a diverse range of complex and high-value international arbitrations worldwide, but particularly in the Middle East, Far East and Caribbean. Recent instructions have included:

- ICC Arbitration in Hong Kong in relation to a large process plant built in Russia by Far East Contractors.
- ICC Arbitration in Geneva concerning a power station in East Africa.
- DIAC Arbitration in Dubai relating to construction of building complex in Business Bay.
- LCIA Arbitration in the Caribbean arising out of construction of resort complex.

Infrastructure & Utilities

Marc has experience of every conceivable type of infrastructure project: air, rail, road, power, process, telecommunications and building. He is particularly praised for his ability to deal with the voluminous and complex material that these cases often involve.

In addition to his extensive rail experience, he has acted for contractors, employers or lenders at Hong Kong and Dubai airports, on the A36 road project, Bridges in Hong Kong, on biomass, wind and cogeneration power facilities, chemical, waste and hydrocarbon process plants, satellite communication systems and numerous large building projects.

IT & Technology

- Appeared in a trial concerning the state of development and adequacy of oracle-based software, involving software development processes, business processes and the role of specifications.
- Acted in a repudiation case arising out of development and customisation of financial and facilities management software.

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- Advised and drafted the statement of claim for a mass transit systems manufacturer in dispute arising from variations to user requirements for control systems and communications software.
- Acted for Claimant in High Court in trial of complex technical and contractual issues relating to satellite tracking systems.

Reported Cases

- Stonewater v BAM [2020] EWHC 2226 (TCC)
- Heathrow Airport Limited v Office of Rail and Road [2017] EWHC 1290 (Admin)
- Mears Ltd v Shoreline Housing Partnership Ltd [2013] EWHC 27 (TCC), [2013] EWCA Civ 639, [2015] EWHC 1396 (TCC)
- ADS Aerospace Ltd v EMS Global Tracking Ltd [2012] EWHC 2310 (TCC), [2012] EWHC 2904 (TCC)
- RBIL v Ryhurst BLR 721 TCC
- Simon Carves Limited v Ensus UK Limited EWHC 657 (TCC); [2011] B.L.R. 340; 135 Con. L.R. 96
- Bewley Homes plc v CNM Estates (Surbiton) Ltd [2010] EWHC 2619 (TCC), BLR 67
- Straw Realisations (No 1) v Shaftesbury House (Development) Ltd EWHC 2597 (TCC), [2011] BLR 47, 133 Con LR 82
- WW Gear Construction Ltd v McGee Group Ltd [2010] EWHC 1460 (TCC), 131 Con LR 63 TCC, CILL 2884
- Fitzroy Robinson Ltd v Mentmore Towers Ltd EWHC 98 (TCC); [2010] All ER (D) 84 (Oct)
- Fitzpatrick Contractors Ltd v Tyco Fire and Integrated Solutions (UK) Ltd BLR 144
- R (on the application of Jeremy Guiney) (Claimant) v London Borough Of Greenwich (Defendant) & (1) Charlton Triangle Homes Ltd (Interested Party) (2) John Laing Partnership Ltd (Interested Party) (3) JLP Homes Ltd (Interested Party) (4) Intro Homes JPL 211
- Diamond Build Ltd v Clapham Park Homes Ltd All ER (D) 353 TCC
- L Brown and Sons Ltd v Crosby Homes (North West) Ltd All ER (D) 315 TCC, [2008] BLR 366 TCC and [2008] EWHC 817 (TCC)
- Multiplex Constructions (UK) Ltd v Honeywell Control Systems Ltd BLR 167 TCC
- Multiplex Constructions (UK) Ltd v Honeywell Control Systems Ltd BLR 195 TCC, [2007] Bus LR D109, [2007] CILL 2458, [2007] EWHC 447 (TCC) and 111 Con LR 78
- McAlpine PPS Pipeline Systems Joint Venture v Transco plc 96 Con LR 69 TCC
- McAlpine PPS Pipeline Systems v. Transco BLR 352
- Rolls Royce Power Engineering Plc v Ricardo Consulting Engineers Ltd 98 Con LR 169 TCC
- Hurstwood Development v Motor & General PNLR 10 CA
- Phillips Petroleum Co UK Ltd v Snamprogetti Ltd 79 Con LR 80. TCC (and CA)

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Other information

Education & Professional Career

- MA in Jurisprudence, Magdalen College, Oxford, 1989
- Called to the Bar (Gray's Inn, Scholar), 1990
- 4 Pump Court Up to 2001
- Keating Chambers, 2001
- CEDR Accredited Mediator, 2007
- Called to the Bahamian Bar, 2008
- Part II DIFC Registered Practitioner, 2016

Recommendations

"Marc Rowlands is a brilliant strategic thinker who distils complex issues quickly. He prepares submissions with the clarity and incisiveness of one who is a leader in the field."

Construction, Chambers & Partners UK Bar 2027

"Marc Rowlands provided an excellent service. We commend highly his advice and would not hesitate to recommend him to others."

International Arbitration: Counsel, Chambers & Partners UK Bar 2027

"Marc is a highly impressive advocate. His cross-examination is proficient and he is excellent with clients."

International Arbitration: Counsel, Chambers & Partners UK Bar 2027

"Marc Rowlands KC is a brilliant strategic thinker who distills complex issues quickly and prepares submissions with the clarity and incisiveness of one who is a leader in the field."

Construction, Legal 500 UK Bar 2027

"Marc Rowlands KC is an effective arbitration counsel with significant experience in complex international disputes. He is particularly strong in construction-related arbitrations, where his technical expertise is a key asset. He is clear and persuasive in his written and oral advocacy and adopts a pragmatic approach to case strategy. He works well with the wider team and is a reliable choice for high-value disputes."

International Arbitration: Counsel, Legal 500 UK Bar 2027

"Incredible confidence in his knowledge and experience, calm under pressure, and detail-orientated."

Construction, Legal 500 UK Bar 2026

"Incredible confidence in his knowledge and experience, calm under pressure, and detail-orientated."

Construction, Legal 500 UK Bar 2026

"Marc Rowlands is incredibly talented and an expert in complicated contracts. He gives commercial, pragmatic advice."

Construction, Chambers & Partners UK Bar 2026

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"Marc Rowlands is devastatingly effective at cross-examination, a razor-sharp mind with a wit to match."

International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2026

"Marc Rowlands is fearsomely intelligent and straight to the point."

Construction, Chambers & Partners UK Bar 2025

"Unsurprisingly, Marc is impressive across all aspects of his work and he is good at building rapport with clients."

International Arbitration: Construction/Engineering, Chambers & Partners UK Bar 2025

"Marc is very effective, very direct and to the point. He doesn't mess around. He is very clear in his views and explanations."

Construction, Legal 500 UK Bar 2025

"His advocacy is robust, direct and well-reasoned."

International Arbitration: Counsel, Legal 500 UK Bar 2025

‘Marc simplifies the most complex of matters with ease. He gets to grips with matters very quickly and this is shown when he holds a consultation.’

Construction, Legal 500 EMEA 2024

‘Marc is clever, astute and understands the client and business implications of what he is advising on. Advice is clear and to the point, getting to the heart of the questions posed. He is client-friendly and quickly gains confidence from clients, and he is an in-demand rail counsel.’

Construction, Legal 500 UK Bar 2024

‘Marc has an unmatched ability to distil down incredibly complex matters to clear points of dispute in very short order. He has never failed to identify a simple and persuasive case in support that he delivers in a straightforward, no-nonsense manner.’

International Arbitration Counsel, Legal 500 UK Bar 2024

'Marc is a class act.'

Construction, Chambers UK Bar 2024

'One of the most able and bright KCs.'

Construction, Chambers UK Bar 2024

'He always gets the best points across to tribunals in clear and logical way; a convincing and confident advocate.'

Construction, Legal 500 EMEA 2023

‘Excellent advocacy: concise, dry, to the point, an excellent contrast to the more flamboyant, flappy, overly dramatic counsel, thereby garnering the respect of the Tribunal.’

International Arbitration, Legal 500 2023

Marc's experience of international transport infrastructure projects and disputes is second-to-none. He is flexible and pragmatic in the way that he works, and is a measured and very effective advocate.'

Construction, Legal 500 2023

"He is excellent; tactically astute, clear thinking, clear talking, calm, great with clients but most of all with impressive advocacy skills."

International Arbitration, Legal 500 2022

"The pre-eminent silk in rail disputes. He has incredible knowledge of the industry and infrastructure. Absolutely wows insurers and insureds in conference."

Construction, Legal 500 2022

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"He is incredibly bright and his advice is clear, succinct and careful."

Construction, Chambers UK Bar 2022

"A bright lawyer who combines intellect with a real appetite for understanding the technical aspects of a case - he reads a tribunal well and is able to "control" a witness during cross-examination."

International Arbitration, Legal 500 2021

"Very calm, gives clear and pragmatic advice, a good strategic thinker."

Middle East: The English Bar, Legal 500 2021

"Marc is a bright lawyer who combines intellect with a real appetite for understanding the technical aspects of a case."

Construction, Legal 500 2021

"He is strategic and practical so is able to break through the nonsense and present a case well."

Construction, Chambers UK Bar 2021

"Superb, excellent client service. He is responsive and goes that extra mile."

Construction, Chambers UK Bar 2020

"Calm and confident lead for complex arbitration."

Construction, Chambers UK Bar 2020

"Sharp intellect, calm manner and good with clients."

Construction, Legal 500 2020

"Has a great way with clients and provides robust advice in complex matters, explained in a user-friendly manner."

Construction, Chambers UK Bar 2019

"A quick thinker with an engaging court manner. Urbane, unflappable and tactically astute."

Chambers Global 2018