

# David Sheard

Call: 2010

*'David is a terrifically thoughtful and impressive advocate, with top notch cross-examination skills. He has a superb court manner.'*

Legal 500 UK Bar 2023



## Clerk Details

### Will Shrubsall

T: +44 (0)20 7544 2712

wshrubsall@keatingchambers.com

### Robert Garvan

T: +44 (0)20 7544 2696

rgarvan@keatingchambers.com

### Edward Raftery

T: +44 (0)20 7544 2600

eraftery@keatingchambers.com

## Practice Overview

David Sheard has developed a busy and wide-ranging practice, encompassing all key areas of Chambers' expertise including construction, adjudication, energy and professional negligence work. He has been recommended as an "astronomically clever" and "gifted" barrister by The Legal 500 (Professional Negligence) and as a leading junior who is "absolutely brilliant" by Who's Who Legal (Construction).

David has worked with numerous standard-form and bespoke contracts, including FIDIC, NEC3, PFI, SFA/99, ACE, RICS and many of the JCT forms (past and present), providing advice to various clients ranging from private home-owners to large property-development companies. He also has substantial court experience as sole counsel, representing clients in the County and High Courts both for interim applications and at trial, as well as being instructed on numerous occasions as junior counsel in larger construction disputes, both in international and domestic arbitrations and in the TCC.

In addition to Chambers' core areas of expertise, David also has significant experience in the context of rail disputes, including claims made in arbitration in accordance with the ADRR concerning Restrictions of Use and Sustained Poor Performance.

## Practice Areas

### Construction & Engineering

- Instructed by a major property developer in connection with a £5m+ TCC claim against a contractor arising out of various fire-safety defects including the use of combustible materials for the building façade and inadequate cavity barriers.
- Instructed by a housing partnership to pursue a claim in the TCC against a major contractor in respect of the use of combustible insulation for the building façade and other fire-safety defects (claim value c £8m).
- Instructed by a property developer to pursue proceedings against a joint venture partner following the failure of the joint venture (claim value c £1m).
- Instructed to pursue proceedings in the TCC against a major contractor in respect of numerous defects at a student accommodation block (claim value c £8m).
- Instructed to defend TCC proceedings in connection with allegedly defective concrete slabs in a multi-storey car park (claim value c £1.8m).
- Instructed by homeowners in a TCC claim for defects at new-build residential properties (claim value c £500,000).
- Instructed to represent a major energy provider in connection with a claim for allegedly defective cavity wall insulation (Bristol TCC).
- Instructed (as junior counsel to Simon Hargreaves QC) in significant multi-party proceedings in the TCC concerning alleged defects in a warehouse slab giving rise to settlement.
- Instructed (as junior counsel to Simon Hughes QC) to represent a Local Authority in connection with a claim for defective cladding and firestopping on a large estate (claim value in excess of £100m).
- Instructed (as junior counsel to Simon Hughes QC) in connection with a TT\$1.4 billion dispute concerning the construction of a number of roads in Trinidad, one of the biggest claims to ever be issued in the Trinidadian High Court.
- Instructed (as junior counsel to Fionnuala McCredie QC) in connection with a substantial multiparty TCC dispute concerning the termination of a waste PFI contract.
- Instructed as junior counsel in connection with a substantial dispute concerning the operation of a waste PFI contract.
- Instructed (as junior counsel to Vincent Moran QC) to draft pleadings in connection with a substantial TCC dispute concerning leakages within the Brunswick Centre, London.
- Instructed as junior counsel in connection with an ICC arbitration concerning the construction of an LNG plant Ras Laffan, Qatar (claim value in excess of \$100 million).
- Instructed as junior counsel to Marcus Taverner QC in *Accolade Wines Limited v GJ3 Limited and others*, a claim arising out of defects at a wine distribution warehouse which was listed for an 8 week TCC trial with sums in issue in excess of £150 million. The claim settled during the second week of trial.

- Instructed as junior counsel to Stephen Furst QC to prepare urgent proceedings to injunct a call on a performance bond in excess of EUR 24 million.
- Instructed as junior counsel to Marcus Taverner QC to provide advice in connection with termination for Contractor Default under a PFI contract.
- Instructed as junior counsel in an ICC arbitration concerning a construction project in Doha, Qatar (claim value £350m).
- Instructed as junior counsel in arbitration proceedings arising out of delays and cost overruns on a wind farm project (claim value £300 million), focussing in particular on expert evidence in respect of delay and quantum.
- Instructed as junior counsel in arbitration proceedings concerning various disputes arising out of a wind farm project (claim value £100 million).
- Instructed by the Government Legal Department to prepare various aspects of the defence in a long-running arbitration against a government department.
- Instructed to advise in respect of the application of a full range of JCT contracts and subcontracts including Design and Build, Standard Form, Intermediate and Minor Works.
- Instructed to appear in fast and multi-track trials in the county and high courts concerning various issues including allegedly negligent project supervision, defective stonework and defective tiling works.
- Instructed to appear in a wide range of interlocutory applications in the county and high courts including for summary judgment, strike out, case and costs management, relief from sanctions, setting aside default judgment, stay of execution, stay to arbitration and security for costs.

#### Professional Negligence

- Instructed by a major property developer in connection with a £5m+ claim against an architect in respect of various fire-safety defects including the use of combustible materials for the building façade and inadequate cavity barriers.
- Instructed to pursue a claim against an engineering consultancy in the TCC in connection with defective tender estimates / drawings (claim value c £1.2m).
- Representing an engineering consultancy in an adjudication concerning allegedly defective design of an air conditioning system in a substantial residential property.
- Instructed (as junior counsel to Simon Hargreaves QC) to pursue a claim against structural engineers in connection with structural defects in a number of residential developments.
- Representing an architect in a substantial TCC claim concerning the construction of a residential property.
- Instructed (as junior counsel to Jonathan Selby QC) to pursue the professional team in a multi-party negligence claim arising out of the construction of a defective development in Manchester (claim value £16 million).
- Instructed to defend professional negligence proceedings in the High Court against an architect concerning allegations of inadequate advice, design and project management (claim value £500,000).

- Instructed as junior counsel to Marc Rowlands QC in connection with a domestic arbitration against an architect (who was contractually responsible for a multi-disciplinary team) for allegedly inadequate design, M&E design co-ordination and preparation of bills of quantities (seeking to pass on elements of a larger settlement with the contractor, with a claim value in excess of £4 million).
- Advising on and defending proceedings in a six-figure professional negligence claim against an architect and project supervisor.
- Instructed on behalf of a school in connection with a domestic arbitration against an architect for various defects in the construction of a new building (claim value c £300,000).
- Instructed in a TCC claim against a quantity surveying firm for negligence in the negotiation and conclusion of a construction contract (sum in issue c £500,000).
- Settling proceedings in a professional negligence claim against an architect and an engineer in respect of a defective retaining wall (claim value £50,000).
- Settling loss of a chance proceedings against a solicitor in respect of a claim which had been allowed to become time barred.

#### PFI/PPP

- Instructed in connection with adjudication proceedings brought under a PFI contract in respect of numerous alleged internal fire-safety defects at a hospital.
- Instructed (as junior counsel to Simon Hughes QC) to represent a Local Authority in connection with a claim for defective cladding and firestopping on a large estate (claim value in excess of £100m)
- Instructed in connection with claims for significant firestopping defects in a number of buildings
- Instructed to defend TCC proceedings in connection with allegedly defective concrete slabs in a multi-storey car park (claim value c £1.8m)
- Instructed (as junior counsel to Fionnuala McCredie QC) in connection with a substantial multiparty TCC dispute concerning the termination of a waste PFI contract.
- Instructed as junior counsel in connection with a substantial dispute concerning the operation of a waste PFI contract

#### Energy & Natural Resources

- Instructed (as junior counsel to Marcus Taverner QC) in connection with a TCC claim (claim value c £18m) arising out of defective engineering in connection with the development of an offshore oil platform.
- Instructed by a major oil and gas company in connection with a claim for defective engineering.
- Instructed as junior counsel in connection with an ICC arbitration concerning the construction of an LNG plant Ras Laffan, Qatar (claim value in excess of \$100 million).

- Instructed as junior counsel in arbitration proceedings arising out of delays and cost overruns on a wind farm project (claim value £300 million).
- Instructed as junior counsel in arbitration proceedings concerning various disputes arising out of a wind farm project (claim value £100 million).

#### International Arbitration

- Instructed by a major train operator (as junior counsel to Marc Rowlands QC) to pursue a claim for compensation in respect of a major Restriction of Use (claim value c £25m).
- Instructed (as junior counsel to Simon Hargreaves QC) to seek a stay to arbitration of proceedings brought by a local authority in connection with a PFI contract.
- Instructed as junior counsel in a DIFC-LCIA arbitration concerning the operation of a dewatering system during the construction of a major development in Dubai (FIDIC Red Book).
- Instructed to appear as sole counsel in the trial of a DIAC arbitration with claims for disruption and prolongation and other related claims (claim value in excess of £8 million).
- Instructed as junior counsel in arbitration proceedings covering delay, disruption and valuation disputes in connection with a major airport construction in the middle east (with a sum in issue in excess of £1 billion).
- Instructed as junior counsel in connection with an ICC arbitration concerning the construction of an LNG plant Ras Laffan, Qatar (claim value in excess of \$100 million).
- Instructed as junior counsel in arbitration proceedings arising out of delays and cost overruns on a wind farm project (claim value £300 million).
- Instructed as junior counsel in arbitration proceedings concerning various disputes arising out of a wind farm project (claim value £100 million).
- Instructed as junior counsel in connection with an ICC arbitration concerning a construction project in Doha, Qatar (claim value £350m).
- Instructed by the Government Legal Department to prepare various aspects of the defence in a long-running arbitration against a government department.
- Instructed as junior counsel to Marc Rowlands QC in connection with a domestic arbitration against an architect (who was contractually responsible for a multi-disciplinary team) for allegedly inadequate design, M&E design co-ordination and preparation of bills of quantities (seeking to pass on elements of a larger settlement with the contractor, with a claim value in excess of £4 million).
- Representing a contractor in an application seeking a stay to arbitration.
- Applying to Court for urgent relief under s. 44 of the Arbitration Act 1996.

#### Rail

- Acting for a major Train Operating Company in arbitral proceedings concerning the calculation of RoU Liability following a Type 3 Restriction of Use under a Track Access Contract.
- Acting in arbitrations concerning Schedule 8 claims for Sustained Poor Performance.
- Acting in an arbitration concerning the operation of No Net Loss No Net Gain provisions under a Concession Agreement.

#### Offshore construction & marine engineering

- Instructed (as junior counsel to Marcus Taverner QC) in connection with a TCC claim arising out of FEED services for modification to an off-shore oil platform in the North Sea (claim value £16 million).
- Instructed as junior counsel in arbitration proceedings arising out of delays and cost overruns on a wind farm project (claim value £300 million), focussing in particular on expert evidence in respect of delay and quantum.
- Instructed as junior counsel in arbitration proceedings concerning various disputes arising out of a wind farm project (claim value £100 million).

## Reported Cases

- URS Corporation Ltd (Appellant) v BDW Trading Ltd (Respondent) [2025] UKSC 21
- URS Corporation Ltd v BDW Trading Ltd [2023] EWCA Civ 772
- Burgess v Lejonvarn [2018] EWHC 3166 (TCC)
- Accolade Wines v Volkerfitzpatrick (2) Volkervessels (3) Goodman (4) Keller (5) Twintec (6) GJ3&4

## Other information

#### Education & Professional Career

- TECBAR-Accredited Adjudicator, 2013
- Tenant, Keating Chambers, 2011- Present
- Pupil, Keating Chambers, 2010-2011
- Bar Vocational Course, BPP (Very Competent), 2009-2010
- LLM, St. John's College, Cambridge (1st Class, 4th in year), 2008-2009
- Cunningham Scholarship, St. John's College, Cambridge 2009

- Wright Prize, St. John's College, Cambridge 2009
- Lord Denning Scholarship, Lincoln's Inn 2008
- Hardwicke Scholarship, Lincoln's Inn 2008
- MA (Law), St. John's College, Cambridge 2005-2008
- Mears Scholarship, Warwick School 2005

#### Additional Information

David is a keen musician and sportsman. He plays the piano and violin, played University tennis at Cambridge and also enjoys skiing.

#### Seminars & Publications

- Co-author with Sam Townend of "Architects, Engineers and Quantity Surveyors" in "Professional Negligence and Liability" pub. LLP, 2019
- Blurred lines between liability in contract and tort, Practical Law Construction blog, 10 March 2016.
- Walker and the burden of proof: where are we after Aspect?, Practical Law Construction blog, 18 August 2015.
- Adjudication: reversing the burden of proof?, Practical Law Construction blog, 11 March 2014.
- Keating on Construction Contracts 9<sup>th</sup> edition supplement, contributing author (2013).
- Bullen & Leake & Jacob's Precedents of Pleadings Hong Kong, contributing author (2013)
- Compromise agreement should be clear and comprehensive, Practical Law Construction blog, 28 November 2012.

#### Recommendations

"David Sheard is excellent on every level and one of the best Construction Bar specialists."

Construction, Chambers & Partners UK Bar 2026

"David is one of the most exceptional junior barristers I have worked with."

Construction, Chambers & Partners UK Bar 2026

"David is excellent with the team, understanding the wider commercial picture and really gets to grips with the detail of the case."

Construction, Chambers & Partners UK Bar 2026

"David Sheard is very knowledgeable, able to grasp new concepts quickly and offer practical advice. David is responsive and his written advice is clear and easy to follow."

Construction: Professional Negligence, Chambers & Partners UK Bar 2026

"David has provided exceptional support. His attention to detail and grasp of the complexities of the case were superb. He is very user-friendly and a pleasure to work with."

Construction: Professional Negligence, Chambers & Partners UK Bar 2026

"David's written submissions were excellent. His technical knowledge and ability to understand highly technical and complex engineering issues was first class. David has a very calm and measured approach but gets his point across during cross examination."

Construction, Legal 500 EMEA 2025

"He can do it all in terms of legal acumen, advocacy, commercial awareness and client service."

Construction, Chambers & Partners UK Bar 2025

"He is easy to get on with and very responsive."

Construction, Chambers & Partners UK Bar 2025

"David Sheard is very capable."

Construction, Chambers & Partners UK Bar 2025

"David has the ability to make complex concepts very simple."

Construction, Chambers & Partners UK Bar 2025

"David Sheard is very practical and pragmatic."

Construction, Chambers & Partners UK Bar 2025

"His advice is always swiftly delivered and reaches the crux of the issues at play."

Construction: Professional Negligence, Chambers & Partners UK Bar 2025

"David is excellent to work with."

Construction: Professional Negligence, Chambers & Partners UK Bar 2025

'David is widely acknowledged as one of the most cerebral barristers in what is a world-beating set. His advice and drafting is exceptionally good and he has an ability to get to the crux of an issue in a short space of time.'

Construction, Legal 500 UK Bar 2025

"David is immensely intelligent. He is a gifted and natural draftsman. His advocacy is calm and measured. He is a superb all-rounder."

Professional Negligence, Legal 500 UK Bar 2025

"David has an incredible eye for detail, he is very thorough and has built an excellent rapport with the client."

Professional Negligence, Legal 500 UK Bar 2024

"David is a star. He is extremely intelligent, a superb draftsman, and he has a natural familiarity with procedural matters. His knowledge of the law is very strong. His advocacy is natural, calm and clear."

Construction, Legal 500 UK Bar 2024

"An excellent all-rounder and a disarmingly calm and considered advocate."

Professional Negligence, Chambers & Partners UK Bar 2024

"David's primary strength is intellect - he is unbelievably clever."

Construction, Chambers & Partners UK Bar 2024

'David's knowledge of the law and his ability to navigate complex claims and provide clear, reliable advice is exceptional.'

Construction, Legal 500 EMEA 2023

'David is a terrifically thoughtful and impressive advocate, with top notch cross-examination skills. He has a superb court manner.'

Professional Negligence, Legal 500 UK Bar 2023



'David is brilliant; he is incisive and detail-oriented and his advice work is second-to-none.'

Construction, Legal 500 UK Bar 2023

"David is a terrifically thoughtful and impressive advocate, with top notch cross-examination skills. He has a superb court manner."

Professional Negligence, Legal 500 UK Bar 2022

"I'm a huge fan; I think he's the brightest junior of his level at the construction Bar."

Professional Negligence, Chambers & Partners 2022

"He's a very impressive barrister: client-friendly, responsive and very practical."

Professional Negligence, Chambers & Partners 2022

"He is quite brilliant in conference with clients and solicitors whilst also being able to dissect issues quickly and get to grip with the key points quickly."

Construction, Chambers & Partners 2022

"Fearsomely clever, he reduces complex facts into well-structured arguments."

Legal 500 Middle East: The English Bar: Construction 2021

"His cross-examination is superb. David is brilliantly responsive and client focused with fantastic attention to detail."

Professional Negligence, Legal 500 2021

"David Sheard wins glowing praise for his "great intellect". With a grasp of legal principles that is "second to none", he is "punching years above his call".

WWL 2020

"He is astronomically clever and he is gifted as a barrister."

The Legal 500 UK Bar 2020

"He has a good manner with difficult clients"

Legal 500 Middle East: The English Bar: Construction 2020

David Sheard is "absolutely brilliant" and "has a great intellect" according to respondents who endorse his impressive written and oral advocacy. One silk adds, "He is a pleasure to lead."

Construction, Who's Who Legal 2019

"Up-and-coming junior who has been led by prominent silks on several high-profile disputes."

Construction, Chambers & Partners UK Bar 2018

"He provides excellent drafting of pleadings."

Construction, Chambers & Partners UK Bar 2017

"He grasps complex, technical cases very quickly and makes them seem easy."

Construction, Chambers & Partners UK Bar 2017