

# Tim Elliott KC

Call: 1975 Silk: 1992

*"He has the perfect temperament for an arbitrator – very hard-working and a very good sense of what is right and wrong."*

Chambers UK Bar 2020



## Practice Areas

- Adjudication
- Arbitration
- Dispute Boards

## Clerk Details

**Oliver Goldsmith**

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## Practice Overview

Tim Elliott KC has specialised in construction, engineering, energy and professional negligence work for over 40 years. He has a wide ranging experience of all aspects of these fields in litigation and all forms of alternative dispute resolution such as arbitration, adjudication and mediation.

Tim Elliott now works mainly as a domestic and international arbitrator. His appointments include arbitrations for bodies such as the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), DIFC-LCIA, the Singapore International Arbitration Centre and the Hong Kong International Arbitration Centre. The locations of his cases have included the United Kingdom, Europe, Africa, Azerbaijan, Kuwait, the United Arab Emirates, Oman, Qatar, Singapore, Australia and Hong Kong.

He comes recommended by Chambers & Partners, where he is described as being “hard-working” and having “the perfect temperament for an arbitrator”.

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## Practice Areas

### International Arbitration

- Chairman of three-person tribunal in an ICC arbitration relating to a major civil development in Eastern Europe.
- Chairman of three-person tribunal in an ICC arbitration relating to construction dispute in Qatar.
- Member of a three-person ICC arbitration tribunal relating to design and construction of new railway in Gulf state.
- Solo arbitrator in a dispute over major civils construction contract in Hong Kong between the Hong Kong government and Chinese contractors.
- Chairman of a three-person Dispute Resolution Panel concerned with a major dispute on the Taiwan High Speed Rail Project.
- Chairman of a three-person tribunal in an LCIA arbitration relating to a contract for the design and construction of oil platforms in the Gulf.
- Chairman of a three-person tribunal in an ICC arbitration relating to the construction of an oil production facility in Nigeria.
- Chairman of a three-person tribunal in an arbitration arising from an Engineering Services Agreement for the installation of an ammonium nitrate unit in Egypt.
- Chairman of a three-person tribunal in DIAC arbitration concerning Dubai International Airport.
- Chairman of a three-person tribunal in an ICC arbitration relating to a power plant in Rwanda.

- Chairman of a three-person tribunal in an LCIA arbitration concerning an oil and gas pipeline in
- Member of three-person Tribunal in ICC arbitration in relation to disputes concerning the construction of a Power Plant in Singapore.
- Member of a three-person Tribunal in ICC arbitration in relation to disputes arising from the construction of an Extraction and Fractionation Plant, Storage and Export Facility and Pipeline System in the Middle East.
- Member of three-person tribunal in a DIFC/LCIA arbitration in relation to disputes arising from a major development project for hotel and residential accommodation in Dubai.
- Member of a three-person tribunal in a LCIA arbitration in relation to a drilling contract in the Black Sea.
- Member of a three-person tribunal in an ICC arbitration relating to a new airport in Muscat.
- Member of a three-person tribunal in an ICC arbitration relating to off-shore and mainland oil exploration in North Africa and the Mediterranean.
- Member of a three-person tribunal in an ICC arbitration relating to disputes between American engineers and European Power Corporation.
- Member of a three-person tribunal in a DIAC arbitration relating to disputes arising from the construction of the Dubai Metro.
- Member of three-person tribunal in an ICC arbitration relating to disputes between a main contractor and subcontractor concerning the construction of a combined power and desalination plant in Kuwait.
- Member of a three-person tribunal in an ICC arbitration relating to disputes arising from the construction of a sewage plant extension in Doha.
- Member of a three-person tribunal in an ICC arbitration relating to a dispute in a road construction project in Ethiopia.
- Member of a three-person tribunal in LCIA arbitration relating to an international drilling contract.
- Sole arbitrator in two arbitrations concerned with a series of disputes between an international consortium and the Hong Kong Government relating to a major bridge infrastructure project in Hong Kong.
- Sole arbitrator in a dispute over formation and infrastructure works for a large residential development in Hong Kong.

#### Domestic Arbitration

- Chairman of three-person tribunal in an arbitration concerning a major UK defence facility.
- Chairman of a three-person tribunal in LCIA arbitrations relating to the Channel Tunnel Rail Link.
- Member of a three-person tribunal in an ICC arbitration in relation to disputes arising from a project for the design and construction of a biomass fuelled power station in the north of England.
- Sole arbitrator in a series of disputes between a UK water and sewage company and a major contractor.
- Sole arbitrator in a dispute between developer and UK local authority relating to claims arising from the construction of a large commercial property.

- Sole arbitrator in a dispute concerning construction of a Medical Centre in the UK.
- Sole arbitrator in dispute relating to a contract for equipment to be installed in vessels.
- Sole arbitrator in ICC arbitration relating to a construction contract in Ireland.
- Sole arbitrator in a dispute over a train derailment in the UK.

## Construction & Engineering

### Cases as Leading Counsel

- Acting for Hong Kong Housing Authority in an arbitration relating to disputes with piling contractor on a large housing development.
- Acting for Tubelines in disputes with London Underground on the underground upgrade.
- Acting for a major American corporation in arbitration proceedings under a PFI contract against London Underground relating to the Connect Project under which the entire communications systems for the Underground Network was being replaced. The disputes lasted several years.
- Acting for specialist water treatment contractor in a High Court action brought by Yorkshire Water Authority in respect of the new SBR at the Nostrop Treatment Plant at Leeds. After a lengthy trial Yorkshire's case was dismissed. Also representing the same client in the Court of Appeal on Yorkshire Water's unsuccessful appeal.
- Acting for the Hong Kong Government in arbitration against a UK/Japanese Joint Venture relating to the Tsing Ma Bridge (part of the new airport infrastructure).
- Acting for the Mass Transit Railway Corporation in arbitration proceedings with the Airport Authority relating to the construction of the Ground Transportation Centre at the new Hong Kong Airport.
- Acting for a sub-contractor in a Hong Kong arbitration with a main contractor relating to electrical and mechanical works at the new Hong Kong Airport.
- Acting for a major supermarket chain in a High Court action against a Local Authority in relation to a new Shopping Complex.
- Acting for a national contractor in an arbitration claim relating to new student accommodation in the Midlands.
- Acting for Bath and North East Somerset District Council against Mowlem in the Court of Appeal regarding disputes over the long delayed restoration of the Bath Spa Buildings in Bath.
- Acting for a developer in an arbitration against a main contractor in a dispute relating to the construction of a prestigious West End residential development in Kensington.
- Acting for a major UK defence contractor in arbitration and litigation with the Ministry of Defence in relation to a top secret establishment.
- Acting for a contractor in an arbitration with the Department of Transport in relation to the upgrading of a major road tunnel in London.

- Acting for the Northern Ireland Department of the Environment in an arbitration with contractor on major water treatment/sewage project.

## Energy & Natural Resources

### Cases as Leading Counsel

- Acting for large American Corporation in connection with the design and construction of an off-shore wind farm.
- Acting for a sub-contractor in ICC arbitration proceedings concerning an oil exploration project involving the construction of a drilling rig on an artificial island in Kazakhstan.
- Acting for sub-contractors in an LCIA arbitration over the design and construction of a two block combined cycle power plant for a major power station project in South East Asia.
- Acting for specialist sub-sea contractors in High Court action concerning sub-sea pipeline work connecting FPSO's to well heads in the North Sea.

## Reported Cases

- Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd 90 Con LR 86 TCC
- X Ltd v Y Ltd BLR 341 TCC, [2005] EWHC 769 (TCC) and [2005] TCLR 5
- Balfour Beatty Construction Ltd v Serco Ltd Balfour Beatty Construction Ltd v Serco Ltd
- DSND Subsea Ltd v Petroleum Geo-Services ASA All ER (D) 1101, [2000] BLR 530
- Yorkshire Water Services Ltd v Taylor Woodrow Construction EWCA Civ. 894 LAWTEL CA
- X Ltd v Y Ltd CLJ Vol 21 T49
- Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd BLR 395 CA
- Bath and NE Somerset District Council v Mowlem plc BLR 153, 100 Con LR 1 CA, and [2004] EWCA Civ 115
- Yorkshire Water Services Ltd v Taylor Woodrow Construction BLR 409 TCC
- Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd (Bewater Treatment Ltd & anor, Pt 20 defendants) (Nos. 1 & 2) 90 Con. LR 86
- Yorkshire Water Services Ltd v Taylor Woodrow Construction Northern Ltd 90 Con LR 115 TCC
- Harbour and General Works Ltd v Environment Agency BLR 143
- Floods of Queensferry Ltd v Shand Construction Ltd BLR 319
- British Sugar Plc v NEI Power Projects Ltd 87 BLR 42, [1997-98] Info TLR 353, (1998) 14 Const LJ 365, 87 BLR 42, [1997] EWCA Civ 2438, [1998] ITCLR 125 and 14 Const LJ 365

- Laing Management Ltd v Aegon Insurance Company (UK) Ltd 86 BLR 70, [1996] 86 BLR 70, 55 Con LR 1, [1997] EWHC QB 374 and [1997] EWHC 374 (QB)
  - Great Ormond Street Hospital NHS Trust v Secretary of State for Health 56 Con LR 1
  - Tesco Stores Ltd v Norman Hitchcox Partnership 56 Con LR 42
  - Equitable Life Assurance Society v Kenchington Ford plc CILL 1163
  - Barclays Bank v Fairclough Building Ltd QB 214; [1994] 3 WLR 1057, [1995] 1 All ER 289 and [1994] EWCA Civ 3
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## Other information

### Education & Professional Career

- Approved Arbitrator, Kuala Lumpur Regional Centre for Arbitration, 2014
- HKIAC Panel of Arbitrators, 2010
- Public Access Training, 2007
- TECBAR Accredited Adjudicator, 2001
- CEDR Accredited Mediator, 2001
- Queen's Counsel, 1992
- Keating Chambers, 1976
- Called to the Bar (Middle Temple), 1975
- Astbury Law Scholar, 1974
- MA in Literae Humaniores, Trinity College, Oxford, 1973

### Additional Information

Tim Elliott lives in London and Lincolnshire. His interests include the theatre, opera and farming.

### Memberships

- ICC Arbitration Panel
- LCIA Arbitration Panel
- Technology and Construction Bar Association (TECBAR)
- Commercial Bar Association (COMBAR)

- Law Society Panel of Arbitrators 2006
- Society of Construction Law

## Recommendations

"Timothy Elliott is one the strongest arbitrators that I have come across."

International Arbitration: Arbitrators, Chambers & Partners UK Bar 2025

'Tim is absolutely first class. He works phenomenally hard and you can rest assured that he will read everything and do a proper job on every case; he never takes shortcuts.'

International Arbitration: Arbitrators, Chambers UK 2024

'He distinguishes himself with his deep knowledge of the facts, his nuanced judgement and very hard work. Highly regarded.'

International Arbitration: Arbitrators, Legal 500 2024

"He has real depth of expertise as an arbitrator, especially in large international infrastructure cases. Calm prepared and knowledgeable. Unfailingly polite."

International Arbitration: Arbitrators, Legal 500 2022

"He has bags of experience under his belt. He is what you want in an arbitrator and clearly on top of the detail."

International Arbitration: Arbitrators, Chambers UK 2022

"One of the top international construction arbitrators. A real expert in construction law. Runs a friendly and business-like tribunal."

International Arbitration: Arbitrators, Legal 500 2021

"He works really hard and is a first-class act. He is practical and down to earth."

International Arbitration: Arbitrators, Chambers UK 2021

"He has the perfect temperament for an arbitrator – very hard-working and a very good sense of what is right and wrong."

International Arbitration: Arbitrators, Chambers UK 2020

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