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Alexander Nissen KC

Call: **1985** Silk: **2006**

"At the top of his field, he is client-friendly, tactically astute and excellent on his feet – a dream to work with."

Chambers & Partners UK 2027



Clerk Details

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Practice Overview

Alexander Nissen was called to the Bar in 1985, became a Queen's Counsel in 2006 and Head of Chambers from 2020-2025. He specialises in advocacy and advisory work, adjudication, arbitration, litigation and the mediation of construction, engineering, energy and professional negligence disputes. Alexander's practice covers a wide variety of cases ranging from client/developer claims, PFI disputes, and adjudication enforcement to professional negligence cases (architects, surveyors, valuers, solicitors and civil, structural and geotechnical engineers). He deals with both contractors' and sub-contractors' claims and defects disputes. His work also covers rail projects, disputes relating to bonds (both domestic and international), power stations, waste recycling facilities and oil and gas projects.

He is familiar with all the standard forms of contract including JCT, NEC, I Chem E and FIDIC. Following his successful involvement in the two *Grove Development* cases, Alexander has acquired a formidable reputation in the field of payment disputes under the HGCRA. Alexander is a Chartered Arbitrator, an accredited adjudicator and mediator. His arbitration work covers both domestic and international disputes. He has been appointed both through party selection and by the ICC. He was appointed as a Recorder in 2007 and as a Deputy High Court Judge in 2013. Since 2015 he has been sitting in the TCC.

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Practice Areas

Construction & Engineering

- Acted in litigation relating to a defective car park for a prestigious shopping centre with substantial consequential loss claims.
- Acted in litigation relating to a defective gasholder at Port Talbot steelworks (remedial costs £16m).
- Acted in multi-party litigation relating to the defective design and construction of a warehouse extension with substantial consequential loss claims.
- Acted in litigation (including Court of Appeal) concerning a £14m dispute over the validity of a payment notice and the right to adjudicate over its true value: *(Grove Developments Ltd v S&T(UK) Ltd, CA)*.
- Acted in litigation (including Court of Appeal) concerning the validity of a £3m payment notice on a power plant project: *(C Spencer Ltd v MW High Tech Ltd).*
- Acted in litigation in respect of the provision of a bond on a substantial development project in Nine Elms.
- Acted in adjudication on £11m “smash and grab” payment dispute.
- Acted in adjudication in respect of a £22m claim for failure to serve Pay Less Notice.
- Acted in Part 8 claim in respect of dispute over periodic payments under amended JCT Contract: (*Grove Developments v Balfour Beatty*).
- Acted in £15m adjudication in respect of a disputed Side Agreement to a JCT Contract.
- Acted in litigation in respect of the legal effect of expert determination clause.
- Acted in multi-party litigation for tenant in relation to substantial defects claim at warehouse premises (claim circa £130m): *(Accolade Wines Ltd v Volkerfitzpatrick and ors.).*
- Acted in litigation for apartment owners in relation to a claim under the Defective Premises Act against the contractor (claim circa £35m). (*Rendlesham Estates plc v Barr*).

PFI/PPP

- Advised Hospital Trust in respect of £10m defects claim against Project Co.
- Advised Project Co in respect of Unavailability Dispute on a significant public building.
- Advised on Notice of Default in respect of Project Agreement for the provision of Waste Management Services.
- Advised on breach of performance standards and reporting obligations in respect of contract for the provision of Waste Management Services.
- Acted in adjudication in respect of payment dispute over Deductions and reporting issues at a hospital.

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- Acted for Project Co in respect of dispute concerning Unavailability at school premises caused by an alleged design and construction defect.
- Acted in adjudication in dispute over provision of catering services at PFI hospital.
- Dispute over scope of responsibility for maintenance services in relation to a hospital.

Professional Negligence

- Advised in litigation in relation to defective design of cladding on university buildings.
- Advised in relation to claim for the defective design of a water treatment facility.
- Advised in relation to dispute concerning ground investigations at a residential development.
- Acted in multi-party litigation relating to the defective design and construction of a warehouse extension with substantial consequential loss claims.
- Acted for client in respect of proceedings for negligent design of forecourt at vehicle servicing depot.
- Acted for client in respect of claim for negligent design and supervision by an architect of multiple properties at a housing estate.
- In arbitration proceedings, acted for contractor/designer on design and build project in which the client sued for the cost of demolishing and rebuilding industrial premises due to settlement conditions. Subsequently acted for contractor in passing on claim to the structural engineers in proceedings before the TCC.

Energy & Natural Resources

- Acted in arbitration in respect of $50m claim for construction of maritime jetty at LNG plant in Chile.
- Acted in arbitration in respect of $50m claim on termination account at Waste Facility project in Scotland.
- Advised in respect of substantial dispute concerning a project for the installation of gas compressors.
- Advised client in respect of arbitration claim concerning plant designed and constructed under I Chem E contract.
- Acted for subcontractor in arbitration proceedings in relation to £16m final account claim for civil engineering works at power station.
- Acted for company engaged in commercial exploitation of natural gas produced at landfill site in relation to proposed claim circa £20m.
- Acted for contractor in respect of claim for installation of wind turbines in Scotland.
- Acted for contractor in respect of arbitration claims for work done at mineral sands extraction process plant and associated sub-station works in Mozambique.
- Acted for employer on £2m adjudication dispute relating to the installation of a gas pipeline.

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- Acted for contractor in respect of dispute concerning the installation of an energy from waste facility, including claim for £16m liquidated damages.
- Acted for contractor in respect of dispute concerning conversion of wood to energy plant.
- Acted for contractor in TCC litigation concerning £4.5m claim in respect of the design and construction of a petroleum complex in Qatar.
- Acted for contractor in respect of loss and expense claim for work done at a power station.

Offshore Construction & Marine Engineering

- Acted in arbitration in respect of $50m claim for construction of maritime jetty at LNG plant in Chile.
- Advised in respect of a claim for £75m in respect of damage to electrical cabling laid on the sea bed for connection to wind turbines.
- Acted for subsea services provider in respect of claim for accidental damage costs of £15m.
- Acted for Korean shipbuilder in connection with claim for delay relating to a semi-submersible drilling rig ($100m).
- Acted for party in connection with late delivery of vessel for use in North Sea.

Tribunal Appointments

International arbitration

- Appointed as party nominated arbitrator on ad hoc Omani arbitration concerning a project for the construction of reservoirs and water towers.
- Appointed as president of ICC arbitration tribunal in respect of an $80m claim for payment and $570m counterclaim for defective construction of modules for installation at LNG plant in Australia.
- Appointed as party nominated arbitrator on dispute about the recommissioning of two gas turbines.
- Appointed as party nominated arbitrator on ICC arbitration in respect of cladding dispute on a development in Kazakhstan.
- Appointed by the ICC in respect of a dispute over fees for services relating to a project for the construction of a road in Qatar.
- Appointed as party nominated arbitrator on LCIA arbitration in relation to extension of time and associated claims on a pipework project in the Caribbean.
- Appointed as party nominated arbitrator on ICC arbitration in respect of a US $100m dispute over the construction of a hotel in Azerbaijan.
- Appointed as party nominated arbitrator on ICC arbitration in respect of a dispute over the price for supply of gas supplied by Swiss Company to Italian purchaser.
- Appointed as party nominated arbitrator on DIAC arbitration in respect of late completion of a substantial development project.

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- Appointed as party nominated arbitrator on DIAC arbitration in respect of dispute concerning termination, extensions of time and costs of major City Expansion Scheme.
- Appointed as arbitrator by Supreme Court of Turks and Caicos to determine dispute between contractor and hotel developer in Turks and Caicos.
- Appointed as sole arbitrator by the ICC in connection with a dispute concerning the audit of records on a project for the production and delivery of two off-shore production structures, production decks and related equipment in the Black Sea.

Domestic arbitration

- Appointed as sole arbitrator in respect of dispute over fire proofing defects in a PFI hospital and their consequences re: Deductions, SFPs etc.
- Appointed as sole arbitrator in respect of dispute over design responsibility for structures on a substantial road building project in Wales.
- Appointed as sole arbitrator on two disputes about fire proofing defects in various schools.
- Appointed as sole arbitrator on payment claim for sums arising out of waste disposal agreement.
- Appointed as sole arbitrator in respect of an insurance claim for the cost of rebuilding a substantial swimming pool house following a fire.
- Appointed as sole arbitrator on a JCT arbitration between a contractor and hotelier relating to refurbishment works at a hotel.

Adjudicator Appointments

- Appointed by the parties as adjudicator in respect of dispute over the proper construction of a PFI Project Agreement for a road maintenance contract.
- Appointed by the parties as adjudicator in respect of an underground survey of electrical cabling responsible for a fire in central London.
- Appointed by the parties as adjudicator in respect of a complaint about architectural design defects at a hospital.
- Appointed by the parties as adjudicator in relation to a claim for a change in CAPEX costs at a PFI waste recycling facility in Scotland.
- Appointed by the parties as adjudicator in relation to a dispute over the value of an additional works claim for maintenance and repair of mechanical and electrical services.
- Appointed by the parties as adjudicator in relation to the valuation of an omission of services provided on a long-term maintenance contract.
- Appointed as adjudicator on dispute relating to payment, extensions of time and loss and expense.
- Appointed by the parties as adjudicator in relation to a dispute over a collision involving a tube train.
- Appointed as adjudicator by the parties in a dispute over variation claim in relation to a community school PFI project.

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- Appointed as adjudicator by the parties in a dispute over termination in relation to a PFI contract for the design, construction and maintenance of new accommodation for the kennelling of military dogs.
- Appointed as adjudicator by the parties in a dispute over compensation event claim in relation to contract for the demolition and new build or refurbishment of sheltered and warden supported properties under a PFI contract.
- Appointed as adjudicator by the parties in a dispute over deductions made by an Authority in relation to contract for the demolition and new build or refurbishment of sheltered and warden supported properties under a PFI contract.
- Appointed as adjudicator by the parties in a dispute over further deductions made by an Authority in relation to drainage at sheltered and warden supported properties under a PFI Contract.
- Appointed as adjudicator by the parties in a dispute over scope of contractual obligations arising out of Project Agreement for the demolition and new build or refurbishment of schools pursuant to the BSF initiative (PFI contract).
- Appointed as adjudicator by the parties in a dispute over a Compensation Event pursuant to a contract concerning a flood prevention scheme in Scotland.

Mediator Appointments

- Appointed as mediator in respect of multi-party dispute over claim for defects in a swimming pool at a holiday complex.
- Appointed as mediator in respect of a Commercial Court dispute ($25m) about the partial collapse of a beam on a semi-submersible drilling rig in Singapore.
- Appointed as mediator in respect of TCC litigation over the outcome of a profit share agreement on two development schemes.

Reported Cases

- Augusta 2008 LLP v Abbey Healthcare (Supreme Court) [2024] UKSC 23
- Triathlon Homes LLP v Stratford Village Development Partnership & Others [2024] UKFTT 26 (PC)
- Grove Developments Ltd v S&T (UK) Ltd [2018] EWHC 123 (TCC)
- Rendlesham Estates Plc & Ors v Barr Ltd [2014] EWHC 3968 (TCC), [2015] BLR 37, [2015] TCLR 1, 157 Con LR 147, [2015] 1 WLR 3663
- Triathlon Homes LLP V Stratford Village Development Partnership & Others [2025] EWCA Civ 846
- Pevensey Coastal Defence Ltd v Environment Agency [2024] EWHC 1435 (TCC)
- Nicholas James Care Homes Ltd v Liberty Homes (Kent) Ltd [2023] EWHC 360 (TCC)
- Sudlows Ltd v Global Switch Estates 1 Ltd [2022] EWHC 3319 (TCC)
- Essential Living (Greenwich) Ltd v Elements (Europe) Ltd [2022] EWHC 1400 (TCC)

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- Advance JV v Enisca Limited [2022] EWHC 1152 (TCC)
- C Spencer Limited v MW High Tech Projects UK Limited [2019] EWHC 2547 (TCC)
- Balfour Beatty Regional Construction Ltd v Grove Developments Ltd [2016] EWCA Civ 990
- Al-Waddan Hotel Ltd v MAN Enterprise SAL (Offshore) [2014] EWHC 4796 (TCC), [2015] BLR 47
- Accolade Wines v Volkerfitzpatrick (2) Volkervessels (3) Goodman (4) Keller (5) Twintec (6) GJ3&4
- UK Highways A55 Ltd and Others v Hyder Consulting UK Ltd and Hyder Consulting [2012] EWHC 3505 (TCC)
- LPI (Hotels) Ltd v Technical and General Guarantee Co SA EWHC 2049 (TCC), CILL 2926 TCC; Vol.132 Con LR 90
- William Hare Ltd v Shepherd Construction Ltd EWCA Civ 283; [2010] BLR 358, [2010] 12 EG 96, 130 Con LR 1, [2010] CILL 2825, [2010] 22 EG 108
- Priory Caring Services Limited v Capita Property Services Limited 129 Con LR 81 (CA), and [2010] EWCA Civ 226
- CR Reynolds Construction Ltd v Shepherd Construction Ltd BLR 447 TCC
- VGC Construction Ltd v Jackson Civil Engineering Ltd EWHC 2082, TCC, (2008) CILL 2627
- Mott MacDonald Ltd v London & Regional Properties Ltd All ER (D) 431 TCC, [2007] CILL 2481, 113 Con LR 33 and [2007] EWHC 1055 (TCC)
- Claymore v Nautilus Properties BLR 452 TCC and [2007] EWHC 805 (TCC)
- McConnell Dowell Constructors (Aust) Pty Limited v National Grid Gas plc EWHC 2551, ALL ER (D) 27 (TCC), BLM Vol.24 No1 TCC and [2007] BLR 92
- L Brown & Sons v Crosby North West Homes All ER (D) 63 TCC and [2005] EWHC 3503 (TCC)
- Birse Construction Ltd v McCormick UK Ltd BLR 523 CA
- Birse Construction Ltd v McCormick (UK) Ltd 99 Con LR 181 TCC
- Birse Construction Ltd v McCormick (UK) Ltd EWCA Civ 940; [2005] B.L.R. 523; [2005] All E.R. (D) 366 (Jul)
- Newfield Construction Ltd v Tomlinson 97 Con LR 148 TCC and [2004] EWHC 3051 (TCC)
- GPN Ltd v O2 (UK) Ltd CILL 2285 TCC and [2004] EWHC 2494 (TCC)
- Earl's Terrace Properties Ltd v Nilsson Design Ltd 94 Con LR 118, [2004] BLR 273, [2007] Lloyd's Rep PN 28 and [2004] EWHC 136 (TCC)
- RSL (South West) Ltd v Stansell Ltd CILL 2012 TCC and [2003] EWHC 1390 (TCC)
- Earls Terrace Properties Ltd v Waterloo Investments Ltd CILL 1889 TCC
- ABB Power Construction Ltd v Norwest Holst Engineering Ltd 17 Const LJ 246 and 77 Con LR 20
- Discain Project Services Ltd v Opecprime Development Ltd 80 Con LR 95 and [2001] BLR 285 TCC
- Christiani and Nielsen Ltd v The Lowry Centre Development Co. Ltd TCLR 2 TCC

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- Demolition Services Ltd v Castle Vale Housing Action Trust Ltd 79 Con LR 55. TCC
- Darlington Borough Council v Wiltshire Northern Ltd 1 WLR 68; [1995] 3 All ER 895

Other information

Education & Professional Career

- Head of Keating Chambers 2020
- Chairman of TECBAR 2017-2019
- Vice Chairman of TECBAR 2015-2017
- Recommended PIAC International Arbitrator 2016
- Deputy High Court Judge (TCC) 2015
- Approved Arbitrator, Kuala Lumpur Regional Centre for Arbitration 2014
- Deputy High Court Judge (Administrative Court) 2013
- Public Access Training 2008
- Recorder 2007
- Queen’s Counsel 2006
- Accredited Mediator 2004
- Chartered Arbitrator 2003
- TECBAR Accredited Adjudicator 2002
- FCIArb 2000
- Called to the Bar (Middle Temple) 1985 Keating Chambers 1989
- LL.B., University of Manchester 1984

Additional Information

Alexander enjoys theatre and watching (but not playing) tennis.

Memberships

- HKIAC Panel of Arbitrators

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- Society of Construction Law (former Council Member)
- Technology and Construction Bar Association (TECBAR)
- Commercial Bar Association (COMBAR)
- Law Society Panel of Arbitrators 2006

Seminars & Publications

- Keating on Construction Contracts 11th edition contributor (2020).
- Role of the Expert Witness Alexander Nissen QC (11 February 2008).
- Contributor, Keating on Construction Contracts - Eighth Edition (2006), Ninth Edition (2012) and Tenth Edition (2016).
- Editorial team, Keating on Building Contracts, (5th, 6th and 7th editions including supplement to 7th edition).
- Associate Editor of Construction Law Yearbook (1995 – 2000).
- Article: Construction Law Journal (2003).

Recommendations

“At the top of his field, he is client-friendly, tactically astute and excellent on his feet – a dream to work with.”
Construction, Chambers & Partners UK Bar 2027

“He is absolutely brilliant.”
Construction, Chambers & Partners UK Bar 2027

“He's a very good advocate. Alexander really does think outside the box; he's the person to think of a great argument.”
Construction, Chambers & Partners UK Bar 2027

“Alexander Nissen is an exceptional barrister who provides the most robust advice and submissions. He engages brilliantly with clients and commands respect and attention from clients and opponents.”
Construction: Professional Negligence, Chambers & Partners UK Bar 2027

“Alexander has an unrivalled reputation, which is entirely deserved. His extreme intelligence and experience as a judge give him immense insight into how matters are likely to play out.”
Construction: Professional Negligence, Chambers & Partners UK Bar 2027

“If I have a difficult high-value case, he's my first choice. He's a very good advocate who really does think outside the box and is the person to think of a great argument.”
Construction: Professional Negligence, Chambers & Partners UK Bar 2027

“Alexander Nissen is very intelligent. He has an eye for the merits on the facts and the law.”
International Arbitration: Arbitrators, Chambers & Partners UK Bar 2027

“Alexander is very efficient and very good on the law. He is not afraid to do the hard work in the awards and gets on very well.”
International Arbitration: Arbitrators, Chambers & Partners UK Bar 2027

“Alexander Nissen KC is a formidable advocate whose command of complex construction disputes is matched by his strategic clarity and commercial judgement. He is exceptionally effective on his feet, combining intellectual rigor with a persuasive,

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measured style that inspires real confidence in high-stakes matters."

Construction, Legal 500 UK Bar 2027

"Alexander's strengths are efficiency, experience, and a very sound knowledge of the law. He is able to apply these qualities in a wide variety of cases in different jurisdictions in relation to disputes subject to different governing laws. He is a first-class arbitrator."

International Arbitration: Arbitrators, Legal 500 UK Bar 2027

"Alexander steps into the case with ease to provide advice and drafting on issues of high importance. His input is always erudite and insightful, but also clear and pragmatic."

Construction, Legal 500 UK Bar 2026

"Alexander Nissen is an absolute standout heavyweight at the Bar and phenomenal talent when it comes to construction disputes."

Construction, Chambers & Partners UK 2026

"He is a formidable addition to any legal team."

Construction, Chambers & Partners UK 2026

"He is very much at the top of his game. You can always rely on Alexander to be all over the detail, leaving no stone unturned."

Construction, Chambers & Partners UK 2026

"Alex is a magisterial figure and a titan of the Bar. For anything sensitive or high-value, he's someone to whom you can really turn."

Construction: Professional Negligence, Chambers & Partners UK 2026

"He is extremely clever, diligent and a tough advocate."

Construction, Chambers & Partners UK Bar 2025

"Alexander is undeniably one of the top silks in the country for construction disputes."

Construction, Chambers & Partners UK Bar 2025

"He has the ability to drop into the case, get to grips with it quickly and provide the most perceptive advice."

Construction, Chambers & Partners UK Bar 2025

"Alexander Nissen is one of the pre-eminent construction silks in the country."

Construction, Chambers & Partners UK Bar 2025

"Alexander is very charming but should never be underestimated; he is an exceptionally bright lawyer who never lets his clients down."

Construction: Professional Negligence, Chambers & Partners UK Bar 2025

"He is very good at client handling and at seeing the bigger picture when managing complex litigation."

Construction, Chambers & Partners UK Bar 2025

"Alexander is a compelling advocate, who is extremely approachable and responsive. A leader in the field and a regular first choice."

Construction, Legal 500 UK Bar 2025

"A leader in the field, Alexander is a compelling advocate, who is extremely approachable and responsive."

Energy, Legal 500 UK Bar 2025

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"Alex is a fantastic tribunal. It is patently clear that he puts in the work in advance preparing for hearings, and his interventions are razor sharp and fair-minded, whilst remaining scrupulously courteous."

International Arbitration: Arbitrators, Legal 500 UK Bar 2025

"Alexander is a compelling advocate, who is extremely approachable and responsive."

Professional Negligence, Legal 500 UK Bar 2025

'Alexander is peerless. He has a brilliant mind and is truly exceptional intellectually, strategically, tactically and commercially.'

Construction, 'Star Individual', Chambers & Partners UK 2024

‘Alexander is a genius in everything he does. He has an amazing breadth of experience, and there is nothing he hasn’t seen or done in the past or is unable to advise upon in an authoritative but user-friendly manner.’

Construction, Legal 500 2024

‘His strength is his hard work and powerful intellect. One can trust him to do the hard work, get into the detail and reach the right answer.'

International Arbitration, Legal 500 2024

‘Alexander is one of the most thorough construction silks out there. He is a compelling advocate who is extremely bright, approachable and responsive. He gets to the bottom of every issue before pleading a position comprehensively and robustly.’

Construction, Legal 500 2023

"He's a real authority that we turn to for robust advice and first-class representation for our clients, and one of those who can just think differently and unlock the toughest of issues."

Construction, 'Star Individual', Chambers & Partners UK 2023

"Alexander is a compelling advocate, who is extremely approachable and responsive. A leader in the field."

Construction, Legal 500 2022

"Alexander is technically exceptional, with a brilliant understanding of judicial thinking."

Professional Negligence, Legal 500 2022

"Incredibly clever and gets through the most difficult of legal issues with seeming ease." "A top specialist in the construction field."

Construction, Chambers UK Bar 2022

"He is incredibly hands-on, intelligent and user friendly."

Professional Negligence, Legal 500 2021

"He has a very commercial mindset that makes him stand out and he really understands complex issues whether technical or legal."

Energy, Legal 500 2021

"Unbelievably thorough, detail-oriented, highly persuasive and has great cross-examination skills."

Professional Negligence, Chambers UK Bar 2021