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CHAMBERS

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## CALUM LAMONT

Call: 2004

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### Areas of Practice

- Construction & Engineering
- International Arbitration
- Offshore Construction & Marine Engineering
- Infrastructure & Utilities
- Professional Negligence
- Energy & Natural Resources
- Procurement & Competition

### Clerks' Details

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### Practice Overview

Calum is an energetic and enthusiastic lawyer, commanding a broad commercial practice in line with Chambers' profile with experience in construction, engineering, shipbuilding and energy disputes, together with related insurance and professional negligence matters. He is familiar with handling and leading disputes arising out of a variety of commercial, public and residential construction projects, with particular expertise in infrastructure and offshore matters in both domestic and international arbitration as well as the TCC and Commercial Court.

Calum is recommended as a Leading Junior in four practice areas by Chambers & Partners, Chambers Global, Legal 500 and Who's Who Legal, which recommend him as "one of the brightest juniors at the Bar" and praise his "intellect, ability to find solutions to seemingly impossible problems and work-rate" describing them as "unparalleled at the Bar" (2021). He was awarded International Arbitration Junior of the Year at the Chambers UK Bar Awards in 2018 and has been nominated again in 2021. He was also awarded Construction Junior of the Year in 2016.

Calum is a pre-eminent junior in international arbitrations involving construction and infrastructure disputes, particularly in Korea, Hong Kong and the Gulf where his work includes appearing in the DIFC Court, before which he holds full rights of audience. He is familiar with acting under various different rules (including ICC, LCIA, UNCITRAL, DIAC and LMAA). He has a busy offshore practice with extensive experience in delayed delivery claims, as well as disputes arising out of defective construction and operation of drilling vessels and rigs.

Outside of construction, Calum retains an "impressive" practice in public procurement and acts for and against contracting authorities in relation to challenges to procurement procedures.

Calum accepts instructions on a public access, licensed access and pro bono basis, and is a TECBAR accredited mediator and adjudicator.

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## Recent Cases

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### Construction & Engineering

- Acting for subcontractor with regard to multiple disputes arising out of design and construction of two power stations in South Africa (Law of South Africa).
- Instructed by the leaseholder in relation to defective structural flooring at a distribution warehouse in Avonmouth, UK.
- Instructed by the purchaser of a warehouse conversion suffering from defects and contraventions of building control.
- Instructed by the occupying tenant in relation to a claim for negligent geotechnical, geo-environmental and structural engineering design in relation to a large commercial warehouse premises in Bristol, UK.
- Acting for Korean contractor in relation to construction of roads to new cities in Qatar (Qatari law).
- Acting for Korean contractor with regard to a rates dispute over the construction of a pipeline in Kuwait (law of the State of Kuwait).
- Instructed by the employer in claims arising out of defective factory machinery for chemicals, cement and confectionary.
- Instructed by the engineer in a dispute relating to the design and detailing of a pre-cast concrete car park in Dorset, the largest of its kind in Europe.
- Acting for the employer in claims arising out of defective foundation design at a factory in the Thames Estuary and at a housing development in Essex.
- Acting for the employer in a dispute arising out of defective M&E and glazing specifications at an educational institution in Suffolk.
- Acting for the funder in relation to a claim arising out of spontaneously imploding glazed cladding at a development in the City of London.
- Extensive experience of adjudication, arbitration, and ADR proceedings in the UK and internationally.

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“He is ridiculously bright and all over the detail. Has an innate ability to identify key issues quickly and his drafting is extremely polished.”

Legal 500 UK Bar, 2021

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### International Arbitration

- Acting for subcontractor with regard to multiple disputes arising out of design and construction of two power stations in South Africa (Law of South Africa).
- Instructed by salvage contractor with regard to removal of wreck from oil terminal in Iraq (Iraqi law).
- Instructed by design & build contractor with regard to delayed construction of data centre in Dublin (Irish law).
- Acting for subcontractor in pay-when-paid dispute in Dubai (UAE law).
- Acting for engineer in fees claim concerning additional design services delivered in respect of subterranean metro stations in Saudi Arabia.
- Acting for Korean contractor in relation to construction of roads to new cities in Qatar (Qatari law).
- Acting for Korean contractor with regard to a rates dispute over the construction of a pipeline in Kuwait (law of the State of Kuwait).

- Acting for an Indian contractor in a final account claim resulting from a delayed polysilicon plant in Qatar.
- Acting for a bank in relation to a funding dispute concerning a hotel development in Dubai, UAE (UAE law).
- Acting for an engineer in relation to a dispute over the delayed construction of a viaduct in Hong Kong (Hong Kong law).
- Acting for a mutual company in disputes arising from a defective interconnector cable in the Irish Sea.
- Acting for Korean contractor in relation to delayed construction of sewer conveyance system in Bahrain.
- Acting for Korean shipyard following cancellation of shipbuilding contracts for AHTS vessels.
- Contractor's termination claims arising out of the construction of an international airport in Qatar (Qatar law).
- Claims arising out of the delayed construction of a hospital facility in Qatar (Qatar law).
- Subdeveloper claims arising out of plot sale and purchase agreements in Dubai (UAE law).
- Claims arising out of defective canal construction in Dubai (UAE law).
- Proceedings over the delayed construction of a freeway intersection in Dubai (UAE law).
- Claims arising out of substantial land reclamation projects in Dubai (UAE law).

#### Offshore Construction & Marine Engineering

- Instructed by salvage contractor with regard to removal of wreck from oil terminal in Iraq (Iraqi law)
- TCC proceedings concerning delayed and disrupted module construction and knock on delay claims to HLV contract up the line.
- LMAA proceedings concerning cancellation of AHTS vessels in Korea.
- TCC proceedings regarding a defective drillship and disrupted drilling operations in Guinea (\$100m).
- Claims brought by the Owner in relation to late and defective delivery of chemical tankers in China (\$30m).
- Instructed on behalf of a shipyard in a \$35m claim relating to the delayed completion of two semi-submersible oil rigs in South Korea.
- Instructed in relation to disputes regarding the handover of an FPSO vessel in New Zealand.
- Instructed in relation to disputes arising out of maintenance and upgrade works undertaken to a semi-submersible rig in Norway.
- Disputes relating to the completion and handover of ships constructed in Chinese shipyards.

“He is tenacious, knows his law and runs his points hard.  
Clients enjoy working with him.”

Chambers & Partners UK Bar 2021

#### Infrastructure & Utilities

- Acting for subcontractor with regard to multiple disputes arising out of design and construction of two power stations in South Africa (Law of South Africa).
- Acting for JV contractor in relation to a dispute concerning inadequate tender design services for a large river crossing in the North of England.
- Acting for contractor in a dispute arising out of the delayed construction of a dual carriageway in Wales (NEC3).

- Acting for an engineer in relation to a dispute over the delayed construction of a viaduct in Hong Kong.
- Acting for an Indian contractor in a final account claim resulting from a delayed polysilicon plant in Qatar.
- Acting for a mutual company in construction and insurance disputes arising from a defective interconnector cable in the Irish Sea
- Acting for a government department in relation to the construction and operation of an international airport in St Helena. Instructed in relation to claims arising out of the derailment of goods wagons in the Midlands and related network closures.
- Advisory work in relation to delayed completion of a tramline development in the north of England.
- Contractor's termination claims arising out of the construction of an international airport in Qatar.
- Proceedings over the delayed construction of a freeway intersection in Dubai.
- Actions for and against highway authorities regarding contracting out of highways functions, cost sharing provisions, and all relevant legislation (including New Roads and Street Works Act).
- Acted for and against local and regional authorities in PFI contract disputes.
- Acted for and against undertakers concerning diversionary works and cost sharing provisions.
- Claims arising out of defective canal construction in Dubai.
- Advising in relation to contractual disputes arising out of the construction and operation of an airport in St Helena.
- Disputes arising out of delayed and defective construction of depleted uranium processing facility in the North of England.

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“He has a real eye for detail and is really rigorous  
in the way he approaches problems.”

Chambers Global 2018

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#### Professional Negligence

- Acting for subcontractor with regard to multiple disputes arising out of design and construction of two power stations in South Africa (Law of South Africa).
- Instructed in relation to dispute arising out of cliff collapse during residential development in Jersey. Issues include liability of architects, engineers, contractors and contracts administrators (Jersey law).
- Acting for an engineer in relation to a dispute over the delayed construction of a viaduct in Hong Kong.
- Acting for a leaseholder in relation to negligent certification by independent building control inspectors concerning a warehouse conversion.
- Instructed in relation to a claim for negligent geotechnical, geo-environmental and structural engineering design in relation to a large commercial warehouse premises in Bristol, UK.
- Instructed in a significant structural engineer's negligence dispute in relation to the design and detailing of a pre-cast concrete car park in Dorset, the largest of its kind in Europe.
- Acting for the employer in a claim arising out of defective foundation design at a factory in the Thames Estuary.
- Acting for the developer in an engineer's negligence dispute arising out of defective foundation design at a housing development in Essex.
- Acting for the employer in an architect's negligence claim arising out of defective M&E and glazing specifications at an educational institution in Suffolk.

- Acting for the funder in relation to a claim arising out of spontaneously imploding glazed cladding at a development in the City of London.
- Instructed on behalf of insurers resisting a claim for negligent supervision relating to a contractor's PI cover in relation to the Wembley stadium project.
- Advisory work and preparation of claim against architects in professional negligence claim arising out of deficient specifications and project management issues relating to the construction of an aparthotel in Central London.
- Instructed in building surveyor's negligence claim in relation to the purchase of a £6m property in Central London.
- Actions for and against professional valuers with regard to the alleged undervalue of residential and commercial properties in pre-purchase surveys.
- Actions for and against construction claims consultants with regard to the preparation of extension of time claims and adjudication services.
- Instructed on behalf of a contractor in proceedings against insurers relating to the scope of a policy indemnifying losses arising out of unpaid invoices due to employer insolvency.
- Instructed in proceedings concerning brokers' negligence in relation to scope of policy coverage under a construction credit insurance policy.

### Energy & Natural Resources

- Acting for subcontractor with regard to multiple disputes arising out of design and construction of two power stations in South Africa (Law of South Africa).
- Termination dispute arising out of delayed construction of energy from waste plant in Glasgow (Scots law).
- Instructed by salvage contractor with regard to removal of wreck from oil terminal in Iraq (Iraqi law)
- Acting for Korean contractor with regard to a rates dispute over the construction of a pipeline in Kuwait (law of the State of Kuwait).
- Acting for a mutual company in construction and insurance disputes arising from a defective interconnector cable in the Irish Sea.
- Acting for an Indian contractor in a final account claim resulting from a delayed photosilicon plant in Qatar.
- Dispute arising out of the defective design of structural steelwork supports at a new energy from waste plant in Kent.
- Acting for the supplier and installer of solar panels in a dispute over delayed and defective delivery of a solar farm.
- Acting for the employer in a dispute over delayed drilling operations in Equatorial Guinea.
- Advising in relation to cement and raw material supply chain operations to a new build power station in Somerset.
- Disputes arising out of delayed and defective construction of depleted uranium processing facility in the North of England.

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“Frightening intelligence coupled with electric advocacy and a no-nonsense but fair approach.”

Chambers & Partners UK Bar, 2020

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### PFI/PPP

- Termination dispute arising out of delayed construction of energy from waste plant in Glasgow (Scots law).
- Instructed on behalf of an NHS trust in relation to firestopping issues at a major new hospital.

- Acting for JV contractor in relation to a dispute concerning inadequate tender design services for a large river crossing in the North of England.
- Acting for contractor in a dispute arising out of the delayed construction of a dual carriageway in Wales (NEC3).
- Instructed in relation to disputes arising out of performance of regional waste PFI contract.
- Acting for authority in relation to deemed authority changes and changes in law under water treatment PFI contract.

## Procurement

- Acting for an aerospace engineering and ATC operations provider in a challenge to the award of the contract for Gatwick Airport air traffic control services.
- Acting for the claimant in the first application to uphold an automatic suspension under Regulation 47H in the TCC.
- Acting for a large construction company in relation to a challenge for the redevelopment of New Covent Garden Market in London.
- Advising a university over the application of the Public Contracts Regulations to redevelopment of educational facilities and receipt of ERDC funding.
- Instructed in disputes over an allegedly illegal direct award of highways maintenance contracts to the incumbent contractor.
- Acting for a local authority in relation to the administration of a long-term waste contract, including issues relating to the permissibility of variations thereunder.
- Advising regarding challenging tenders for the award of contracts for medical supplies to the NHS.

“Calum’s intellect, ability to find solutions to seemingly impossible problems and work-rate are unparalleled at the Bar.”

Legal 500 UK Bar, 2021

## Selected Reported Cases

- Arcadis Consulting (UK) Ltd v Amec (Bsc) Ltd [2018] EWCA Civ 2222
- HSM Offshore BV v Aker Offshore Partner Ltd [2017] EWHC 2979 (TCC)
- 125 OBS (Nominees1) & Another v Lend Lease Construction (Europe) Ltd & Another [2017] EWHC 25 (TCC)
- Arcadis Consulting (UK) Ltd v Amec (Bsc) Ltd [2016] EWHC 2509 (TCC)
- Mutual Energy Ltd (1) Sattr Underwriting Agents Ltd (2) Travellers Syndicate Management Ltd [2016] EWHC 590 (TCC)
- Commercial (Investments) Ltd v (1) Mitchell Design & Construct Ltd (2) Regorco Ltd (Formerly Roger Bullivant Ltd) [2016] EWHC 76 (TCC)
- OpenView Security Solutions Ltd v London Borough of Merton Council [2015] All ER (D) 01 (Oct)
- NATS (Services) Limited v Gatwick Airport Limited [2014] EWHC 3728 (TCC)
- Pochin Construction Limited v Liberty Property (G.P.) Limited [2014] EWHC 2919 (TCC)
- Covanta Energy Limited v Merseyside Waste Disposal Authority [2013] EWHC 2964 (TCC)
- Exel Europe Ltd v University Hospitals Coventry and Warwickshire NHS Trust [2010] EWHC 3332
- Jim Ennis Construction Limited v Combined Stabilisation Limited [2009] EWHC B37 (TCC)
- Braceforce Warehousing Ltd v Mediterranean Shipping Company (UK) Ltd [2009] EWHC

3839 (QB)

- Allied P&L Limited v Paradigm Housing Group Limited [2009] EWHC 2890 (TCC) [2009] 47 EG 132, [2010] BLR 591
- All in One Building & Refurbishments Ltd v Makers UK Ltd [2006] CILL 2321 TCC

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## Education & Professional Career

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MA History (Double First Class), St. Catharine's College, Cambridge University	2000
M.Phil. Historical Studies, St. Catharine's College, Cambridge University	2001
L'Oréal (UK) Ltd	2002
Diploma in Law/CPE (Distinction), City University (Distinction)	2003
Bar Vocational Course, Inns of Court School of Law (Outstanding)	2004
Keating Chambers	2004
Public Access Training	2009
TECBAR accredited Mediator	2011
TECBAR accredited Adjudicator	2011
DIFC Registered Practitioner	2016

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## Awards

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International Arbitration Junior of the Year, Chambers UK Bar Awards	2018
Construction Junior of the Year, Chambers UK Bar Awards	2016
Inner Temple BVC Prize	2004
BVC Major Scholar of the Inner Temple	2003
Diploma in Law/CPE (Distinction), City University	2003
Falcon Chambers Prize for Land Law, City University	2003
CPE Major Scholar of the Inner Temple	2002
Scholar of the British Academy, Arts and Humanities Research Board	2001
Lady Katherine Barnadiston Scholar, St. Catharine's College, Cambridge	2000
Figgis Memorial Prize for History, St. Catharine's College, Cambridge	2000

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## Memberships

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Society of Construction Law (SCL)  
Technology and Construction Bar Association (TECBAR)  
Commercial Bar Association (COMBAR)  
LCIA Young International Arbitration Group

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## Appointments

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TECBAR Committee (2009)

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## Seminars, Publications & Papers

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- Keating on Offshore Construction, editor.
- Keating on Construction Contracts, 9th and 10th edition contributor.
- Construction Law Reports, editor.
- Construction Claims, co-author (RICS Case in Point Series).
- Contract Administration, co-author (RICS Case in Point Series).
- Building Defects, co-author (RICS Case in Point Series).

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## Languages

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French (working knowledge)

German (working knowledge)

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## Additional Information

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Calum follows Bath Rugby and thankfully can still remember the good times. He plays in a competitive pipe band and has competed at national and international level, including the World Championships. Calum retains a strong interest in British imperial history and has completed two papers on nineteenth-century East Africa.