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KEATING
CHAMBERS



ADAM CONSTABLE QC

Call: 1995 / **Silk:** 2011

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Areas of practice

- Energy & Natural Resources
- International Arbitration
- Professional Negligence
- Offshore Construction & Marine Engineering
- Arbitrator & Adjudicator Appointments

Clerks' Details

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Practice overview

Recently described as 'the leading construction lawyer of his generation,' (Chambers and Partners, Global 2013), Adam specialises in onshore and offshore construction, engineering, energy, shipbuilding and technology disputes along with professional negligence and insurance claims related to these sectors. His client base is both domestic and international, and he has extensive experience appearing in the UK Courts (TCC, Commercial Court and Court of Appeal), and representing multi-national clients in front of Tribunals constituted under numerous international arbitral rules, including ICC, LCIA, SIAC, UNCITRAL, SCC and LMAA.

Before taking silk, Adam was awarded the accolade of Construction Junior of the Year in both 2007 and 2010, by the Chambers and Partners Bar Awards, having been nominated on four separate occasions. Rare amongst those from a specialist set, Adam is currently recommended by in the main directories in five categories: construction, energy, international arbitration, professional negligence and shipping.

Adam regularly advises clients on all forms of Alternative Dispute Resolution and has represented clients in mediations, early neutral evaluations and expert determinations. He has also been appointed on a number of occasions as adjudicator, arbitrator and independent expert.

Adam is the General Editor of the new title, Keating on Offshore Construction and Marine Engineering (published September 2015). In addition, he is a co-editor of Keating on JCT Contracts, a contributor to Keating on Building Contracts, a co-editor of Keating on NEC and a consultant editor of Construction Law Reports.

Recommendations

Legal 500 2015 Nominated for “Construction & Energy Silk of the Year 2015”.

Who's Who Legal 2015 Recommended in Energy and recognised within “Most Highly Regarded” Leading Silk in Construction.

Chambers and Partners UK 2015 Recommended silk in four categories: Construction and Engineering, Energy and Natural Resources, International Arbitration and Professional Negligence.

Legal 500 2014 Recommended silk in four categories: Construction, International Arbitration, Professional Negligence and Shipbuilding.

Chambers and Partners Global 2015 Recommended silk in two categories: Construction and Engineering and Energy and Natural Resources.

Recent Cases

Construction & Engineering

- Retained by joint venture to advise upon rail infrastructure upgrade works.
- Significant experience in many technical aspects of alleged building and structure failures, including curtain walling glass failure, stone cladding, concrete floors, water ingress, and fatigue analysis.
- Numerous M&E related disputes, involving concert halls, hospitals, laboratories and luxury hotels.
- Advising on PFI agreements relating to the construction and operation of schools, academies, hospitals, and prisons.
- Retained in relation to many high profile construction disputes, including the Cambridge Busway litigation, the refurbishment of Wimbledon Lawn Tennis complex, the ‘B of the Bang’ litigation, the Channel Tunnel high speed rail link; Weston Super Mere pier, Westfield Shopping Centre and the London Aquarium.

“He is extremely user-friendly and a very skilful advocate in terms of both his written skills and his advocacy”

Chambers & Partners, 2015

Energy & Natural Resources

- Multi-million Euro LCIA arbitration relating to the construction of a wind-farm.
- UNCITRAL arbitration about the nature and extent of payments under a Joint Production Agreement relating to the development of an oil and gas sector in Indonesia.
- ICC arbitration relating to significant upgrading and modification works to a power plant in petrochemical plant in Europe.
- Multi-million euro TCC litigation relating to the decommissioning and dismantling of platforms in the North Sea.
- Multi-million euro TCC litigation relating to the construction of a Soft Yoke Mooring System.
- Substantial Commercial Court claim arising out of a blow-out at an Oil Well in Uzbekistan, involving numerous technical and legal issues, under Uzbekistan law.
- Advice in relation to significant disputes relating to mining operations in Russia.

- ICC arbitration relating to a major international gas pipeline project.
- Substantial adjudication and arbitration relating to the design and construction of a UK biofuels plant.
- Expert determination relating to the design, construction and operation of a combined cycle gas turbine cogeneration facility producing electricity and industrial steam.

“He has a very quick mind, and is able to digest huge volumes of very complex material”

Chambers & Partners, 2015

International Arbitration

- Instructed in relation to a multi-million pound Arbitration arising out of the construction of a polysilicon plant in the Middle East.
- ICC Arbitration regarding the significant upgrade of a refinery in southern Europe.
- Parallel ICC and Swiss CC arbitration's relating to the construction of a mine shaft.
- Arbitration between UAE employer and contractor relating to the construction of a multi-million dollar retail and commercial facility in Dubai.
- ICC arbitration relating to a major international gas pipeline project.
- ICC arbitration relating to supply of gas turbines.
- LMAA arbitration relating to the construction of two semi-submersible rigs.
- Appointed arbitrator under Stockholm Chamber of Commerce arbitration rules.
- LMAA arbitration relating to the ownership of Charterer's spread installed on a Vessel.
- High value UNCITRAL arbitration relating to the construction of shopping and commercial facilities in Dubai.

“He is extremely hard-working and very popular with clients because they feel they can trust him.”

Chambers & Partners, 2015

Professional Negligence

- Adjudication and High Court proceedings relating to the negligent structural design of a substantial waste plant.
- High value TCC litigation against professional team in relation to a hotel construction.
- Representing the Claimant in relation to negligent advice, design and interim valuation and certification by architect and contract administrator in a residential refurbishment.
- Action against professional Project Manager and QS in relation to the construction of student accommodation.
- Substantial adjudication proceedings against civil and structural designers in relation to a major UK bypass scheme.

*“Extremely effective on his feet,
and clients love him.”*

Legal 500, 2015

Offshore Construction & Marine Engineering

- Multi-million ICC arbitration relating to the construction of offshore pipelines in West Africa.
 - Advice in relation to disputes arising out of the construction of luxury super-yachts.
 - Final account dispute relating to the construction of a UK offshore windfarm.
 - Multi-million pound high court litigation about the construction of a soft yoke mooring system.
 - High value international arbitration relating to the construction of three chemical tankers in China.
 - Construction of semi-submersible rigs in Korea.
 - Numerous different significant disputes relating to the completion and handover of ships constructed in Chinese shipyards, variously retained by both yards and owners.
 - Commercial Court litigation relating to construction of special personnel vessels.
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*“He masters documents and issues with amazing
speed, and is quick to see arguments
which will go nowhere.”*

Legal 500, 2015

Arbitrator & Adjudicator Appointments

- Sole arbitrator in ICC arbitration relation to the construction of a hospital in Ireland.
 - Arbitrator in dispute in relation to property damage at commercial premises.
 - Adjudicator in relation to a professional negligence claim against a project manager.
 - Expert assessor in a claim arising out of an explosion at a process plant.
 - Adjudicators in relation to a fees claim brought by an architect against client.
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Selected Reported Cases

- *CIP Properties v Galliford Try Infrastructure Ltd* [2015] EWHC 481 (TCC)
 - *Bluewater Energy Services BV v Mercon Steel Structures BV and others* [2014] EWHC 2132 (TCC)
 - *Bellway Homes v Seymour (Civil Engineering)* [2013] EWHC 1890 (TCC)
 - *Turville Heath Inc v Chartis Insurance UK Ltd* [2012] EWHC 3019 (TCC)
 - *Adyard Abu Dhabi v SDS Marine Services* [2011] BLR 384, 136 Con LR 190, (2011) 27 Const. LJ 594
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- *Bovis Lend Lease Ltd v Cofely Engineering Services* [2009] EWHC 1120
- *Kier Regional Ltd (t/a Wallis) v City & General (Holborn) Ltd* [2008] Adj.L.R. 10/17
- *Secretary of State for Transport v Pell Frischmann Consultants Ltd* [2007] BLR 46 TCC, [2006] EWHC 2756 (TCC)
- *Shepherd Homes Ltd v Encia Remediation Ltd* [2007] BLR 135 and [2007] 110 Con LR 90 TCC
- *Bath and NE Somerset District Council v Mowlem plc* [2004] BLR 153, 100 Con LR 1 CA, and [2004] EWCA Civ 115
- *C&B Scene v Isobars* [2001] CILL 1781 (at first instance); [2002] BLR 93 (Court of Appeal)

Education & Professional Career

MA Jurisprudence, Balliol College, Oxford	1994
Called to the Bar	1995
Appointed as Treasury Counsel	2002-2007
Chambers & Partners Junior of the Year (Construction)	2008
MCI Arb	2009
Inner Temple Advocacy Training Committee	2010
Recorder of the Crown Court	2010
Chambers & Partners Junior of the Year (Construction)	2010
Silk	2011
Inner Temple Governing Bencher	2013
Approved Arbitrator, Kuala Lumpur Regional Centre for Arbitration	2014

Seminars, Publication & Papers

- Editor of Keating on Offshore Construction and Marine Engineering (Published in Sept 2015).
- Keating on NEC – Contributor.
- Construction Claims- RICS Case in Point Series Adam Constable QC and Calum Lamont November 2007.
- Building Defects - RICS Case in Point Series Adam Constable QC & Calum Lamont July 2006

Additional Information

Adam enjoys spending time with his young family, rugby, and the odd card trick. He attempts to play keyboards in a band, oddly named The Ruggs. Adam is Chairman of the Board of Governors at Fairley House School, a London day school which specializes in dyslexia and dyspraxia. He is also Chairman of the Putney Common Association.