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KEATING
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LUCY GARRETT

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Areas of practice

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

Clerks' Details

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Practice overview

"A fighter" and "extremely bright, hard-working and a good cross-examiner," Lucy was called to the Bar in 2001. She has an impressive specialist practice in construction, engineering, energy and shipbuilding. Her practice includes claims for and against construction professionals in these sectors and project-related issues such as insurance, bonds and guarantees.

She is always in demand for her forceful advocacy, commercial approach and "stellar" intellectual ability, which has led to instructions in a series of high profile, high value disputes. She has extensive experience in the TCC and the Commercial Court in the UK, and in international arbitration including in civil code jurisdictions. She is familiar with international parties and Tribunals. Lucy also advises on and acts in adjudications, from referral stage to enforcement.

Lucy particularly enjoys disputes involving complex technical issues. Her approach is friendly, practical and commercial.

Lucy was awarded **Construction Junior of the Year 2013** in the **Chambers and Partners Bar Awards**.

Recent Cases

Construction & Engineering

- A PFI dispute in relation to a hospital in the UK.
- Multi-billion dollar ICC arbitration relating to the construction of a hospital complex in Qatar.
- £100m plus high profile Cambridgeshire Guided Busway litigation in the TCC. This case was the first dispute on the NEC2 form to come to Court.
- Multi-million pound claim arising out of the Pinnacle project in the City of London.
- Multi-million AED DIAC arbitration arising out of the construction of Dubai airport (under UAE law).
- Counsel for a contractor on £100m plus multi-party dispute arising out of a catastrophic fire.
- Numerous adjudications and enforcements representing both employers and contractors including a number of reported cases on points of law, in particular the first post-Melville Dundas case and *UoB v Dovehouse* [2014] dealing with the requirements for challenging a final certificate.

“She’s very enthusiastic” and “instantly masters the facts and the expert evidence in a case”

Chambers UK Bar, 2015

Offshore Construction & Marine Engineering

- Multi-million dollar ICC arbitration relating to the performance of mega sea-going suction-cutter dredgers.
- Commercial Court litigation relating to the performance of a semi-submersible drilling rig and including issues of consequential loss (amended LOGIC form).
- Commercial Court litigation in a shipbuilding dispute (amended SAJ form): the reported decision is now one of the leading cases on delay and the prevention principle.
- Counsel for the employer in a technical shipping dispute arising out of a project for the design and construction of 30 ships.

Energy & Natural Resources

- Acting for reinsurers in cUS\$300m ICC arbitration involving a DSU claim relating to a hydroelectric power plant (FIDIC-based contract).
- Counsel for the engineers in an LCIA arbitration relating to the foundation design of a meteorological mast (LOGIC form).
- Acting for the employer in multi-million pound dispute arising out of the renovations of a gas terminal (amended LOGIC form).
- US\$200m ICC arbitration arising out of the construction of a desalination plant in Qatar.
- Multi-million euro TCC litigation relating to the decommissioning and dismantling of platforms in the North Sea (amended LOGIC form).
- Two major (US\$100m and US\$8m respectively) ICC arbitrations relating to the construction of the BTC oil pipeline.

International Arbitration

- Multi-billion dollar ICC arbitration relating to the construction of a hospital complex in Qatar (under Qatari law).
- Multi-million dollar ICC arbitration arising out of the construction of Qatar port (under Qatari law).
- Counsel for the engineers in an LCIA arbitration relating to the foundation design of a meteorological mast (under English law).
- Acting for reinsurers in cUS\$300m ICC arbitration involving a DSU claim relating to a hydroelectric power plant in Brazil (under Brazilian law).
- Multi-million dollar ICC arbitration arising out of a desalination plant in Qatar (under Qatari law).
- Multi-million AED DIAC arbitration arising out of the construction of Dubai airport (under UAE law).
- Multi-billion dollar arbitration relating to the construction of the new metro in Dubai (under UAE law).

“Able to digest a huge amount of documentation and break it down quickly.”

Legal 500, 2015

Professional Negligence

- Counsel for the engineers in a dispute relating to the innovative foundation design of a meteorological mast.
- Acting for the employer in a high-value dispute relating to the design of factory processing equipment.
- Counsel for the architect in the *Walter Lilly v Mackay* litigation, originally involving seven parties. The reported decision on the dispute between the contractor and employer includes guidance on the law relating to delay and global claims.
- High profile multi-million pound litigation in the Guernsey High Court arising out of the Royal Chambers and Royal Terrace development, acting for the engineers.
- Counsel for the employer in a technical dispute involving a professional negligence claim against engineers and conflicts of law arising out of the construction of an oil platform.
- Numerous fees claims acting for architects, engineers and other construction professionals.

Selected Reported Cases

- *Transocean Drilling UK Ltd v Providence Resources plc* [2014] EWHC 4260 (Comm)
 - *University of Brighton v Dovehouse Interiors* [2014] EWHC 940 (TCC)
 - *Adyard Abu Dhabi v SDS Marine Services* [2011] BLR 384, 136 Con LR 190, (2011) 27 Const. LJ 594
 - *Cleveland Bridge (UK) Ltd v Whessoe-Volker Stevin Joint Venture* [2010] BLR 415, 130 Con LR 159, (2010) 26 Const LJ 670, [2010] CILL 2876
 - *Clancy Consulting Ltd v Derwent Holdings Ltd & Ors* [2010] EWHC 762 (TCC)
 - *Multiplex Construction (UK) Ltd v Cleveland Bridge UK Ltd* [2010] CILL 2863, Court of Appeal
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- *Multiplex Construction (UK) Ltd v Cleveland Bridge UK Ltd* [2010] EWCA Civ 139, Court of Appeal
- *AMEC Group Ltd v Thames Water Utilities Ltd* [2010] EWHC 419 (TCC)
- *OSC Building Services v Interior Dimensions Contracts Ltd* [2009] CILL 2688 TCC
- *Multiplex Construction (UK) Ltd v Cleveland Bridge UK Ltd* [2008] All ER (D) 04 (Oct), [2007] All ER (D) 358 CA
- *Multiplex Construction (UK) Ltd v Cleveland Bridge UK Ltd* [2008] 122 Con LR 88, [2009] 1 Costs LR 55
- *Pierce Design International Ltd v Johnson* [2008] 115 Con LR 110
- *Multiplex Construction (UK) Ltd v Cleveland Bridge UK Ltd* [2008] EWHC 2220 (TCC)
- *P4 Ltd v Unite Integrated Solutions plc* [2007] BLR 1 (costs)
- *P4 Ltd v Unite Integrated Solutions plc* [2006] BLM Vol.24 No.1 (trial)
- *P4 Ltd v Unite Integrated Solutions plc* [2006] BLR 150 (summary judgment)
- *McGlinn v Waltham & others* [2005] All ER 1126

Education & Professional Career

BA English Language and Literature (First Class) University of Manchester	1998
Postgraduate Diploma in Law	2000
Called to the Bar	2001
Tenancy at 2 Temple Gardens	2002
Tenancy at Keating Chambers	2004

Awards

Prince of Wales Scholar, Gray's Inn

Seminars, Publications & Papers

- Co-editor of Keating on Offshore Construction and Marine Engineering (1st Edition)
 - Co-editor of Keating on JCT Contracts [Looseleaf & CD-Rom]
 - Contributor, Keating on Construction Contracts (9th Edition)
 - Contributor, The Technology and Construction Court by Mr Justice Coulson (1st Edition)
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Additional Information

Lucy enjoys reading. Her current recommendations are *The Following* by Rebecca Wait, *The Unravelling* by Emma Sky and (an old favourite) Sarah Water's *The Little Stranger*.
