

KEATING
CHAMBERS

CONSTRUCTION AND ENGINEERING

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A photograph of a construction site at sunset. The sky is a mix of orange and blue. In the foreground, there are silhouettes of building frames and a construction crane. The text 'CONSTRUCTION AND ENGINEERING' is overlaid in large, white, serif capital letters.

CONSTRUCTION AND ENGINEERING

Keating Chambers has unparalleled expertise and experience in construction law. Our “outstanding silks and juniors” are specialist advocates, committed to providing the best legal advice, in conjunction with a practical strategic understanding of the commercial pressures specific to the construction industry, and the highest standards of client care.

We have “formidable” experience in all the stages of a construction dispute from procurement issues and early initial advisory work, to mediation, adjudication and litigation or arbitration. Our members appear in the UK Courts (primarily the TCC and Commercial Court) and in international arbitration, frequently in relation to contracts governed by foreign law. They are familiar with domestic and international, and on and offshore, standard forms of contract (including JCT, FIDIC, NEC, IChemE, LOGIC, SAJ and AWES), and regularly act in disputes concerning bespoke contracts. They also have extensive experience with PPP, PFI, and partnering and alliancing contracts. Our expertise is augmented by our experience in construction professional negligence and disputes in other project related sectors such as energy, offshore construction and marine engineering, and infrastructure and utilities.

Our members’ experience includes cases related to high-rise buildings, hotels, commercial and residential properties, stadiums, roads, airports, railways, and power plants, as well as marine related disputes ranging from the construction of flood defences to dredging contracts and sub-sea installation. With a number of our barristers having a dual qualification in engineering, including civil, electrical and chemical, we are well-equipped to handle disputes involving complex technical issues. In addition to advising on technical aspects, such as design and construction related issues, we also deal with regulatory matters and contractual interpretation.

Our barristers act in the very highest value and most significant project disputes in the world. Specialists in advocacy, their ability to offer incisive and critical cross examination in conjunction with expertise in presenting a case in the best possible way is of great value to clients. We have appeared in many of the landmark UK construction cases, regularly representing clients in the Court of Appeal and the Supreme Court. Internationally, members are instructed as counsel or arbitrator in arbitrations governed by many of the world’s leading appointing bodies, such as the ICC, LCIA, AIAC, DIAC, HKIAC, SIAC and VIAC. They are also instructed/appointed directly by parties to arbitrations under ICSID and UNCITRAL rules. Members act as experts on English law in overseas jurisdictions, and some members have rights of audience in other jurisdictions (such as Dubai (DIFC), Hong Kong SAR, New Zealand, Northern Ireland and the Republic of Ireland).

“Unquestionably dominant construction set, sporting immense strength from outstanding senior QCs to excellent juniors.”

Chambers UK Bar 2019



ABOUT KEATING CHAMBERS

Keating Chambers is a leading set of commercial barristers' chambers based in London, with a thriving domestic and international practice. We specialise in providing services across the areas of construction (onshore and offshore), energy, engineering, infrastructure, procurement, property, professional negligence, shipbuilding and marine engineering, and technology. With 60 barristers (including 27 silks) we have the strength in depth across the range of seniorities to support our clients' needs. We also have a number of international members based in either Africa, Australia, Hong Kong or Singapore, enabling us to provide commercial and practical advice, together with a first rate flexible and client-focused service, worldwide.

We are the authors of the seminal practitioner textbook in the field, *Keating on Construction Contracts* (now in its 10th Edition) and other staple industry texts include 'Keating on NEC3', 'Keating on Offshore Construction and Marine Engineering Contracts' and the 'Keating Construction Dispute Resolution Handbook'. We are also committed to providing training and development to clients and can offer complimentary in-house training seminars on a broad range of construction topics.

The talent of our barristers and the dedication of our staff are reflected in Chambers' success in the leading legal directories for construction litigation and arbitration and the awards we have won (including Chambers UK Bar "Construction Set of the Year" 2018). We were shortlisted for "Set of the Year" in 2018 by the Lawyer Awards, British Legal Awards and Legal Business Awards.

Our clerking team is renowned for the relationships they foster with clients. The team of 10, headed up by CEO and Director of Clerking, Declan Redmond, are widely praised for being responsive, efficient, commercial and user-friendly. They are contactable outside UK working hours to ensure they provide a first-class service to our international clients.

We endeavour to be flexible and innovative in our pricing and service delivery for our clients. Please contact our practice management teams for more information (clerks@keatingchambers.com).

- **Grove Developments Ltd v S&T (UK) Ltd** – Landmark Court of Appeal decision on payment provisions under the Housing Grants, Construction and Regeneration Act (HGRA).
- **Zagora v Zurich** – 4-week trial in the Manchester TCC acting for leaseholders of flats in their claim for the rectification of serious fire and structural defects under a new home warranty.
- **Burgess v Lejonvarn** – Representing an architect defending a significant professional negligence claim which arose in the context of free advice and services. Preliminary issues reached the Court of Appeal, with the final hearing heard in the TCC.
- **The Lessees and Management Company of Herons Court v NHBC Building Control Services Ltd** – Court of Appeal case concerning whether approved inspectors had a duty under Section 1 of the Defective Premises Act 1972 in the exercise of their Building Control functions.
- **MT Højgaard v E.ON Climate & Renewables** – Landmark Supreme Court case concerning defects to an offshore wind farm and addressing the scope of fitness for purpose obligations.
- **Wilson & Sharp Investments Ltd v Harbour View Developments Ltd** – Court of Appeal case concerning the new insolvency provisions in the HGCRA.
- **Paice v Harding** – Court of Appeal case following a series of adjudications regarding the termination of a contract to construct a number of residential properties.
- **Accolade Wines v GJ3 and others** – 6-party concerning the defective design and construction of a floor system at an operational wine house.
- **Mailbox v Galliford Try** – Acting for the private equity owners of a shopping mall at the heart of Birmingham city centre in relation to a dispute arising out of the £20m refurbishment.
- **Reddington v Galliford Try** – Dispute between contractor and sub-contractor regarding the construction of the Athlete's Village for the Olympic Park in London.
- **CIP v Galliford Try** – High value multi-party dispute arising out of defects at a shopping centre, involving three applications leading to important interlocutory judgments.
- **Greenwich Millennium Village v Essex Services Group & Others** – Court of Appeal case concerning issues of liability arising out of flood damage caused by defects in the mechanical installation in a block of residential flats.
- **Indigo v Razin** – Successfully resisted enforcement of an adjudicator's decision where the enforcing party was in a CVA.
- Acting in a high-profile damages claim arising from the defective design and construction of a retail centre's carpark.
- Acting for the Respondent in a dispute concerning the tallest residential building in Dubai.
- Arbitration concerning a coal-fire power plant in South Africa.
- Acting for the defendant contractor in a termination dispute arising out of the construction of a large petroleum research facility in the Middle East.
- Multi-billion dollar ICC arbitration relating to the construction of a hospital complex in Qatar.
- 5-week international arbitration in Singapore for a substantial dispute concerning an iron-ore mine in Western Australia.
- Multi-million pound claim relating to alleged design errors in the construction of a substantial road viaduct in Hong Kong.