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Areas of practice

- Construction & Engineering
- Energy & Natural Resources
- Transport and Infrastructure
- International Arbitration
- Offshore Construction & Marine Engineering
- Professional Negligence
- IT & Technology

Clerks' Details

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Practice overview

A specialist in construction, engineering, energy, shipbuilding, telecoms and related professional negligence disputes, Ben represents clients in the English courts and international and domestic arbitrations. He has been instructed in relation to a number of high-profile construction and engineering projects in London, including Wembley Stadium, the Olympic Village, and the East London Line extension, as well as major construction, energy and infrastructure projects in Europe, the Middle East, and Asia.

He is regularly instructed in domestic and international shipbuilding, engineering and construction arbitrations by both commercial and government clients. As sole and junior counsel he has represented clients in disputes in which the governing law is not English law.

Ben is experienced with many major standard form contracts, including the JCT and NEC standard forms, and is a contributing author to Keating on Offshore Construction and Marine Engineering Contracts and Keating on NEC 3.

Recent Cases

Construction and Engineering

- Instructed as sole counsel for the claimant in a £35m TCC claim concerning defects in a PFI hospital car park in Manchester.
- Represented the claimant contractor in a £100m arbitration concerning the largest air-cooled power station in the world, located in Medupi, South Africa (as lead junior counsel, with David Thomas QC).
- Instructed by the developer in multi-party TCC litigation concerning defects in a distribution centre in Stoke on Trent (with Alexander Nissen QC).
- As sole counsel, represented the claimant in *Systems Pipework v Rotary Building Services Limited* [2017] EWHC 3235 (TCC), a Part 8 claim in which an adjudicator's decision concerning the Davidstow Creamery in Cornwall was overturned.
- As lead junior counsel, represented the leading Chinese green energy contractor, in a dispute concerning the design and construction of a solar photovoltaic power plant in Al-Kharsaah, Qatar (with David Thomas QC).
- Represented the claimant contractor in a dispute concerning payments due under a settlement agreement related to the construction of a power station in Kusile, South Africa (with Calum Lamont QC).
- Represented the main contractor in a 4-week TCC trial about the construction of part of the Olympic Athletes' Village in Stratford London (with Piers Stansfield QC).
- Represented the Chinese cladding contractor in a dispute concerning the construction of the one of the tallest buildings in Dubai (with David Thomas QC).
- Acted for a government client in a long-running £80m arbitration concerning defects in the design and construction of a military facility in Scotland, UK (with Sarah Hannaford QC).
- As sole counsel, acted for the contractor in a multi-party dispute concerning a nuclear power plant in the UK.
- Instructed as sole counsel for a major French defence contractor in defending a \$6m delay and disruption claim.
- Instructed by the owner of a thoroughbred training facility in Asia in relation to defects in the design of reinforced earth walls (with Adam Constable QC).
- Represented a European engineering company in a £40m TCC claim in respect of alleged defects in a 50-strong fleet of locomotives, raising issues of the construction of a guarantee and jurisdiction of the English courts (with Simon Hughes QC).
- Acted for the developer of a prime residential development forming part of the Crown Estate in central London in relation to a nuisance claim against the main contractor.

“Ben is quite simply a brilliant barrister. His very high intellectual ability means he is particularly strong on contract construction with an eye for a sophisticated argument.”

Legal 500 UK 2023

Energy and Natural Resources

- Instructed by an oil & gas major in relation to the expansion of a supergiant oil field (with David Thomas QC and Lucy Garrett QC)
- Represented the claimant contractor in a £100m arbitration concerning the largest air-cooled power station in the world, located in Medupi, South Africa (as lead junior counsel, with David Thomas QC).

- As lead junior counsel, represented the defendant contractor, a leading Chinese green energy contractor, in a dispute concerning the design and construction of a solar photovoltaic power plant in Al-Kharsaah, Qatar (with David Thomas QC).
- Represented the claimant contractor in a dispute concerning payments due under a settlement agreement related to the construction of a power station in Kusile, South Africa (with Calum Lamont QC).
- Represented the claimant contractor in relation to the construction of a major hydro-electric power plant and associated tunnelling works in Vietnam (with David Thomas QC).
- As sole counsel, acted for the contractor in a multi-party dispute concerning a nuclear power plant in the UK.

“A top-pick senior junior for a complex energy case, he is intelligent, hardworking and able to think out of the box.”

Legal 500 UK 2023

Transport and Infrastructure

- Acted for defendant employer in relation to a TCC dispute about the construction of a new railway line in London (with Marcus Taverner QC).
- Acted for the Japanese contractor in a claim for payment concerning a major road-building project in Dubai, UAE (with David Thomas QC).
- Represented a European engineering company in a TCC dispute concerning alleged defects in the gearboxes of a fleet of trains (with Simon Hughes QC).
- Advised the builder in relation to a designer’s contractual limitation of liability in relation to the construction of a tramway in England.

“Ben has the gravitas and the mind of a silk with a number of years more call than him. Brilliant, effective and a pleasure to work with.”

Chambers & Partners UK Bar 2024

International Arbitration

- Represented the claimant contractor in a £100m arbitration concerning the largest air-cooled power station in the world, located in Medupi, South Africa (as lead junior counsel, with David Thomas QC).
- As lead junior counsel, represented the defendant contractor, a leading Chinese green energy contractor, in an ICC arbitration concerning the design and construction of a solar photovoltaic power plant in Al-Kharsaah, Qatar (with David Thomas QC).
- Represented the Chinese cladding contractor in a dispute concerning the construction of the one of the tallest buildings in Dubai (with David Thomas QC).
- Acted for the Japanese contractor in a claim for payment concerning a major road-building project in Dubai, UAE (with David Thomas QC).
- Acted for a government client in a long-running £80m arbitration concerning defects in the design and construction of a military facility in Scotland, UK (with Sarah Hannaford QC).
- Represented the builder in a claim for payment in relation to the design and construction of one of the world’s largest mega-yachts.

- Instructed by the claimant owner of an off-shore wind farm in a multi-million design defects claim (with Paul Buckingham).
- Instructed by a major UK insurer of new-build homes as sole counsel in multiple domestic arbitrations.

Offshore Construction and Marine Engineering

- Represented the builder in a claim for payment in relation to the design and construction of one of the world's largest mega-yachts.
- Instructed by the claimant owner of an off-shore wind farm in a multi-million design defects claim (with Paul Buckingham).

Professional Negligence

- Acted for the defendant structural engineers in relation to a £100m-plus claim in relation to alleged defects in pre-cast concrete car park in Dorset, the largest of its kind in Europe (with Piers Stansfield QC).
- As sole counsel, represented the defendant construction auditor in UK Insurance v Construction Auditing Services Limited [2019] EWHC 1588 (TCC), successfully applying for the claim against it to be dismissed summarily.
- Instructed as sole counsel for the claimant in a £35m TCC professional negligence (structural engineering) claim concerning a PFI hospital car park in Manchester.
- Instructed by the claimant in TCC professional negligence (architecture) claim concerning fire-safety defects in the façade of a tower block in Bristol (with David Streatfield-James QC).
- Instructed as sole counsel for the claimant in a professional negligence claim concerning a housing development in Eastbourne.
- Instructed by the developer in multi-party TCC professional negligence (geotechnical and structural engineering) litigation concerning defects in a distribution centre in Stoke on Trent (with Alexander Nissen QC).
- Acted for the owner of a large commercial warehouse premises in Bristol, UK, in relation to a claim about negligent geotechnical, geo-environmental and structural engineering design (with Marcus Taverner QC).
- Acted for the main contractor in defending a £16m defects claim in relation to a housing development in north London (with Piers Stansfield QC).
- Instructed in the Wembley Stadium litigation as part of the counsel team for Brookfield Construction (UK) Limited (formerly Multiplex) in a professional negligence claim against the consultant engineers.
- Instructed as sole counsel by the defendant construction auditor in relation to a professional negligence claim concerning alleged design defects in the cladding of a tower block in northern England.
- Advised the builder in relation to a designer's contractual limitation of liability in relation to the construction of a tramway in England.
- Represented the developer of a hotel and residential development in Bournemouth, UK, in a professional negligence claim against a firm of cost management consultants.

“Ben has the ability to cut through issues and get the heart of the matter quickly; an extremely able barrister, responsive, commercial and strategic in his thought process.”

Legal 500 UK 2024

IT and Technology

- As sole counsel, represented a major French defence contractor in defending a \$6m delay and disruption claim concerning the IT and control systems of an airport in the Middle East.
- Regularly instructed for advisory and advocacy work by one of the UK's largest telecommunications companies.

Selected Reported Cases

- UK Insurance v Construction Auditing Services Limited [2019] EWHC 1588 (TCC)
- Systems Pipework v Rotary Building Services Limited [2017] EWHC 3235 (TCC)

Publications

- Contributor to Keating on Offshore Construction and Marine Engineering Contracts (2015)
- Contributor to Keating on NEC3 (2011)
- Researcher for Keating on Construction Contracts, 9th Edition

Education & Professional Career

Keating Chambers	2009
Pupillage, Keating Chambers	2008-2009
Called to the Bar (Middle Temple)	2008
Inns of Court School of Law - BVC (Outstanding)	2007-2008
Manchester Metropolitan University - GDipL (Distinction)	2006-2007
Lowe (Advertising)	1999-2006
MA (Oxon) - Philosophy and Modern Languages (First Class)	1998

Awards & Scholarships

Diplock Scholar, Middle Temple	2007
Manchester Metropolitan University Mooting Competition: winner	2007
Marketing Society Awards: Grand Prix	2004
British Television Advertising Awards: Grand Prix	2002

Memberships

Commercial Bar Association (COMBAR)
TECBAR

Languages

German (conversational)
French (basic)

Additional Information

Ben worked in advertising before coming to the bar, making TV and cinema campaigns for Heineken, Stella Artois and others. These days he relaxes by riding motorbikes and playing the bass guitar in the Keating Chambers' band Demolition, surprising two-time winners of Law Rocks London.