



PROFESSIONAL NEGLIGENCE  
GENERAL COMMERCIAL  
ENERGY, PROCESS PLANTS & UTILITIES  
PFI DISPUTES  
INFRASTRUCTURE

## Fiona Parkin KC

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## PRACTICE

Equally as comfortable in appellate courts as she is in front of international arbitral tribunals; Fiona Parkin KC enjoys the challenge of fighting and winning large scale complex commercial disputes. Whilst her practice encompasses Chambers' core specialisations, in recent years it has expanded to include commercial property disputes. Fiona is ranked as a Leading Silk in each of the fields in which she practices. Recent examples of her work are set out below.

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## PROFESSIONAL NEGLIGENCE

- **BDW Trading Ltd v AECOM Infrastructure & Environment UK Ltd & others** [2020] EWHC (TCC) – Substitution of parties after expiry of limitation period, CPR Parts 17 & 19, S.14B Limitation Act; judgment awaited in appeal heard by Court of Appeal in December 2021.
- **BDW Trading Ltd v URS Corporation Ltd & Anor** [2021] EWHC 2796 (TCC) – Preliminary Issue concerning scope of duty of structural engineers to clients and dates of accrual of cause of action in tort for professional negligence claims.
- **Lejonvarn v Burgess & Anor** [2017] EWCA Civ 254 – Extent of a professional's duty of care in tort in relation to free advice.
- **Wellesley Partners LLP v Withers LLP** [2014] EWHC 556 ChD [2015] EWHC Civ 1146 – Concurrent Duties, remoteness, loss of a chance.
- Acting for global multi-disciplinary professional services company in a very high-value ICC arbitration concerning disputes arising out of the design of mass transit railway system in the Middle East.

- Acting for global multi-disciplinary professional services company in a high-value ICC arbitration concerning disputes arising out of the design and construction of a landmark residential, leisure and retail complex in the CIS.
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## GENERAL COMMERCIAL

- **Bridgehouse Bradford 2 Ltd v BAE Systems Ltd** [2018] EWHC 3719 Comm; [2019] EWHC Comm; 2019[EWHC] 675 (Ch); [2020] EWCA Civ 759. Acting for BAE in a large scale commercial property dispute arising out of its termination of a series of sale & purchase agreements.
  - **Igloo Regeneration Partnership v. Welsh Ministers** [2017] Ch. Acting for large institutional investor/developer in a dispute with Welsh Ministers as to the proper calculation of development cost rent due pursuant to a series of development and leasehold agreements.
  - Acting for major energy supplier in an arbitration concerning disputes arising out of the electricity tariff agreements.
  - Acting for UK's leading provider of on campus residential accommodation in a dispute with a Russell Group university concerning fee entitlements for a terminated accommodation redevelopment project.
  - Acting for district cooling provider in ICC arbitration concerning the meaning and effect of cooling tariffs due to provider under long-term DBOFT contract.
  - Acting for members of an LLP in relation to disputes with other members as to the proper meaning and effect of the LLP Agreement.
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## ENERGY, PROCESS PLANTS AND UTILITIES

- Acting for energy companies and international contractors in relation to disputes arising out of FEED, construction, commissioning and operation of jack-up rigs, FPSO's, water injection platforms and trans national pipelines.
- Acting for process engineering contractors and utilities companies in various cases concerning defects in the design, construction and commissioning of waste water treatment works.
- Acting for major energy providers in connection with disputes arising out of the design, construction, commissioning and maintenance of off-shore and onshore windfarms, biomass plants, hydro-electric generating schemes, and GGCT power stations.

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## PFI DISPUTES

- Advising a major UK waste management contractor in connection with disputes arising out of a suite of PFI contracts for the construction and long-term operation of waste management facilities and waste-to-energy plants in the North of England. Disputes concerned alleged under performance of process facilities, proper construction of inter party contractual indemnities and proper construction of Paymec provisions.
- Acting for three local authorities in connections to Adjudication and Commercial Court proceedings concerning proper interpretation of excess revenue sharing and trade waste provisions in the Paymec incorporated as part of Central Berkshire Waste PFI Contract.
- Advising engineering contractor in connection with legality of LD deductions levied by employer during extended commissioning of an energy-from-waste plant incorporated as part of waste PFI project in North East England.
- Advising local authority in relation to rights to renegotiate unfavourable commercial terms of long-term waste disposal contract concluded with private waste contractors.
- Representing construction contractor in connection with disputes as to potential defects in new hospital facilities constructed as part of hospital PFI project in North East England.

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## QUALIFICATIONS AND AWARDS

1992	Inns of Court Scholar Duke of Edinburgh Scholarship
1990	LLM (Hons) (Upper Second) Sidney Sussex College, Cambridge British Academy Scholar Evan Lewis Thomas Scholar
1989	LLB (Hons) (1 <sup>st</sup> Class) Exeter University

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## ADDITIONAL INFORMATION

Fiona is a member of TECBAR, COMBAR, the LCLCBA and the SCL.

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## RECENT RECOMMENDATIONS

*"Fiona has all the details at her fingertips, and she's excellent on strategy and a pleasure to work with."*

*"She carries out stunning cross-examinations."*  
Construction, Chambers UK Bar 2023

*"She is a fantastic cross-examiner."*

Energy & Natural Resources, Chambers 2023

*"Fiona is incredibly hard-working, excellent on her feet and has grappled with some very complicated points of law in our case. She is a pleasure to work with."*

Professional Negligence, Chambers 2023

*"Technically excellent and able to handle demanding clients with ease on very complicated international arbitrations and on issues of international enforcement. Fiona's confident advocacy is always supported by her meticulous attention to detail; no stone is left unturned."*

Construction, The Legal 500 2023

*"Popular with clients, her confident advocacy is always supported by her meticulous attention to detail."*

Energy, The Legal 500 2023

*"Technically excellent; and able to handle demanding clients with ease on very complicated international arbitrations and on issues of international enforcement."*

International Arbitration: Counsel, The Legal 500 2023

*"Fiona is very meticulous in her approach to analysing the precise facts of the case and picking apart the legal basis of a claim. She is highly analytical and work incredibly hard to get under the detail of claims on very short order. Her advocacy is impressive. She is clear, commanding and performed particularly well for me in the Court of Appeal at the end of 2021. She is excellent and a pleasure to work with."*

Professional Negligence, the Legal 500 2023

*"She is incredibly considered and across the detail, and she injects a lot of energy into a matter."*

*"She is very effective in the hearings and comes up with lots of good ideas."*

Construction, Chambers & Partners UK Bar 2022

*"She is a very good advocate who is very good at tailoring her submission to what a tribunal wants to hear and making arguments seem attractive."*

Energy, Chambers & Partners UK Bar 2022

*"Very hard-working, driven and easy to work with as well as being very effective in hearings."*

*"A standout KC for me, she's very sharp: she cuts through all the side issues and gets right to the point."*

Professional Negligence, Chambers & Partners UK Bar 2022

*"She is excellent. Tenacious, an effective advocate, thorough, clever and with good judgement. A pleasure to work with."*

Construction, The Legal 500 2022

*"Highly experienced and very client-focused, she is a strategic thinker who provides very clear and commercial advice."*

Energy, The Legal 500 2022

*"Incredibly hard-working, very smart and extremely effective." "A wide skill set for development and construction work."*

*"Calm and measured with clients, and tactically excellent."*

Construction, Chambers & Partners UK Bar 2021

*"She gets on top of cases across a broad range of areas and is a truly exceptional advocate."*

Energy, Chambers & Partners UK Bar 2021

*"She is excellent on her feet, with very impressive cross-examination skills."*

Professional Negligence, The Legal 500 2021

*"She is highly insightful and her technical expertise unquestionable, so she is right up there with the best of them."*

Energy, The Legal 500 2021

*"Always into the detail and really knows her stuff. Excellent on her feet with very impressive cross-examination skills. A joy to work with. She is also a real fighter and good tactician."*

Construction, The Legal 500 2021

*"Incredibly hard-working, very smart and extremely effective." "A wide skill set for development and construction work." "Calm and measured with clients, and tactically excellent."*

Construction, Chambers & Partners UK Bar and Global 2020

*"She gets on top of cases across a broad range of areas and is a truly exceptional advocate."*

Energy & Natural Resources, Chambers & Partners UK Bar and Global 2020

*"A very no-nonsense, authoritative advocate." "She is well prepared and always knows what she is doing. She is very hands-on, and a nice lawyer to deal with."*

Professional Negligence, Chambers & Partners UK Bar 2020

*"Hardworking, pragmatic, determined and an excellent advocate."*

Construction, The Legal 500 2020

*"Works well as part of a team to achieve a common goal, setting out the risks of different strategies."*

Energy, The Legal 500 2020

*"She is steely, hard and gracious in equal measure."*

Professional Negligence, The Legal 500 2020

The above are a selection of recent client endorsements from the leading legal directories, both UK and internationally. For a complete list of endorsements, please contact the practice management team at Atkin Chambers.