



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 practises. 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.

## 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 insists on being on top of all the detail such that her advocacy can be well-structured, targeted and concise. Fiona is happy to take on board challenges and work as part of a team. She will work extremely hard to try and get the best possible result.”*

Construction, The Legal 500 2024

*"Fiona's skill in communicating complex legal concepts is truly impressive. She has the ability to dive deeply into the details of a case."*

Energy, The Legal 500 2024

*"Fiona's advocacy and attention to detail are second-to-none. She is an exceptional member of any team and brings a high level of intelligence and attention to detail to the case. Her skill in communicating complex legal concepts and arguments is truly impressive."*

International Arbitration, The Legal 500 2024

*"Fiona is a very tenacious litigator and persuasive advocate."*

Professional Negligence, The Legal 500 2024

*"Fiona is academically on point, very personable and sharp on her feet."*

*"Fiona is an excellent all-rounder. She insists on being on top of the detail and prepares meticulously."*

Construction, Chambers UK Bar 2024

*"She's very good with tribunals. They listen to her, because she can express herself in a way that anyone listening can understand."*

*"Her written work is very good."*

Energy & Natural Resources, Chambers UK Bar 2024

*"Fiona is very good. She gets stuck in and is very thorough and imaginative with arguments."*

Professional Negligence, Chambers UK Bar 2024

*"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

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.