



CONSTRUCTION, ENGINEERING AND  
INFRASTRUCTURE  
ENERGY, NATURAL RESOURCES AND UTILITIES  
PROFESSIONAL NEGLIGENCE  
INFORMATION TECHNOLOGY AND  
TELECOMMUNICATIONS  
GENERAL COMMERCIAL

## Stephen Dennison KC

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### PRACTICE

Stephen is a leading specialist in the construction and civil engineering, energy and utilities, and the transport sectors together with related areas such as public procurement of infrastructure projects and insurance.

He has conducted numerous substantial and complex cases in the High Court and in domestic and international arbitration, having extensive experience under the ICC, LCIA and SIAC rules. He is also frequently consulted to advise on, and to represent clients in, the resolution of disputes through alternative procedures including expert determination, mediation and adjudication.

In addition to his experience as an advocate, Stephen has been appointed as an adjudicator particularly with regard to high-value infrastructure projects and retail developments, and also as an expert. He has accepted invitations to determine or assist in the resolution of disputes through a process of expert determination as well as having been appointed as an expert on the Law of England and Wales in foreign proceedings.

Stephen has been recognised for many years by the legal directories, Chambers and Partners (UK and Global) and The Legal 500 as a leading silk in the fields of construction, professional negligence, international arbitration and energy.

In addition to the above Stephen has been invited to lecture internationally in the Far East and North America.

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### CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Throughout his career Stephen has specialised in work within the construction and engineering sectors. Whilst much of the work has been within these sectors as they have been traditionally understood, Stephen has undertaken a wide variety of work embracing the design and construction of projects as diverse as shipbuilding, including luxury liners and super-yachts, specialist hydraulic supports for the mining industry, and the design and production of sophisticated presses for the motor industry. He has also advised employers and contractors alike in relation to PFI and PPP projects relating to schools, police stations and hospitals.

Much of the work undertaken is international and in recent years Stephen has been involved in substantial projects undertaken in Europe, Russia, Hong Kong, Singapore, the Philippines, Korea and the Middle East.

Examples of his recent work include:

## INTERNATIONAL

- In respect of a prestigious city centre development in Singapore, Stephen was recently retained on behalf of a design and build contractor of international repute to advise on and subsequently conduct, arbitral proceedings in connection with disputes as to the quality of the design and construction. Issues at the heart of the dispute concerned the obligations owed by the contractor to the employer, the scope and extent of the liabilities arising out of the relevant contractual duties, and how and to what extent, liabilities incurred to the employer might be passed on to the professional team retained by the design and build contractor; see also the section under the heading Professional Negligence.
- The development of a new casino complex in Macau which was halted soon after the piling works had been completed resulting in disputes between owner and the contractors, the main and the piling subcontractor, as to the financial consequence.
- Acting for the contractors on a dispute (SIAC arbitration) concerning the continuing development of Singapore's MTR system, which necessitates extensive excavations, tunnelling and new construction, together with the management of such works so as to minimise the disruption to the existing infrastructure and the use of that infrastructure.

## DOMESTIC

- Acting for claimant services company in respect of claim relating to corrosion to chilled water pipework, **Linklaters Business Services v Sir Robert McAlpine Ltd & Ors** [2010] EWHC 2931 (TCC).
- In the much publicised disputes concerning the development of Wembley Stadium Stephen was retained as counsel on behalf of Wembley Stadium. Issues as to both time and quality required to be addressed and to be addressed in the particular context of the construction of a national sports stadium and of the international standards required of such a facility.

- In terms of the retail sector Stephen has advised on contracts for some of the largest retail developments in Europe, involving the consideration of the interests of developers, funders and of the relationship between the underlying construction contracts and the leasing agreements entered into with the individual retailers.
- Within the residential market Stephen has acted for a major international developer in respect of a high-value development in Knightsbridge. The central issue was the delayed completion of the development requiring evaluation and analysis of complex factual and contractual disputes, and an understanding of competing methods of delay analyses and the probative value of the relevant critical path.
- Within the commercial sector Stephen has been advising in relation to the development of commercial property in Central London to be used by a major financial institution. This involved acting for the developer responding to claims for extensions of time and loss and expense, and advisory and drafting work in respect of adjudications. The issues that required to be considered included, how best to evaluate delay claims, the use of differing methods of delay analysis, the satisfaction of contractual requirements and the ambit and effect of compromise agreements.
- Acting in a TCC litigation concerning a contractor's claim in relation to facilities management services provided at 372 supermarkets over the course of three years. The retailer counterclaimed repayment in relation to 11 categories of defective or incomplete works at the same stores, over the same period. The case raised issues of e.g. contractual construction (which were ultimately resolved by the Court of Appeal) and the Court's jurisdiction to "extrapolate" its findings on the counterclaim as a whole from particulars of a small sample thereof. The matter settled on terms favourable to SRW after preliminary issues and appeal, but before trial of the main action. **Skanska Rashleigh Weatherfoil Ltd v Somerfield Stores Ltd.**
- Acting for the successful claimant in the TCC on a case concerning an application by Ringway Infrastructure Services Limited to the TCC for summary judgment to enforce an Adjudicator's decision that had found Vauxhall Motors Limited liable. The dispute that was referred to the Adjudicator arose out of a contract for the construction of a new vehicle distribution centre at Ellesmere Port, Cheshire where Vauxhall was the employer and Ringway was the contractor. **Ringway Infrastructure Service Limited and Vauxhall Motors Limited.**
- Appointed as party nominated arbitrator (ARIAS Rules) in respect of a dispute over an insurance claim resulting from the collapse of a sea wall in UK.

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## ENERGY, NATURAL RESOURCES AND UTILITIES

Stephen has developed a particular expertise in the above listed sectors. He is regularly instructed both in the United Kingdom and internationally to provide advice on the conduct of

major energy related projects and as counsel to conduct proceedings either in the courts or domestic and international arbitration. His experience includes:

- Acting on behalf of the owner in proceedings against the yard who were responsible for the design and construction of two new drilling rigs but failed to deliver the vessels by the contractual date for delivery. Disputes have arisen as to the causes of the delay, the contractual responsibility for such delay and the financial consequences.
- Acting in an international arbitration for a far-East shipbuilder that relates to disputes arising out of a contract for the design and construction of the construction of a fall pipe rock laying vessel. The dispute, which was heard in Singapore in Autumn 2010, concerns the value of, and delays to, the works carried out with many millions of dollars in issue.
- The conduct of an international arbitration, through to an interim award, relating to the design and construction of a semi-submersible rig that had been designed and constructed for high volume production for the exploitation of reserves located in deep water. The dispute gave rise to issues of contractual interpretation (limitations of liability), issues as to quality involving a wide range of technical and safety related issues both as to production and control systems, and requiring consideration of international standards and classification requirements including USCG, ABS and SOLAS.
- Advising on the proper construction of a contract for the refurbishment of a semi-submersible rig. The dispute requires consideration of obligations as to both time for performance and quality. The issues include the adequacy of the definition of the scope of work that had been contracted to be performed and the allocation of contractual risk for the consequences of any inadequacies.
- Advising on various disputes all arising out of the development of a major oil and gas field in the Middle East, the development of the infrastructure serving the field, the construction of the platforms, the co-ordination and supply of the vessels servicing the platforms and of the vessels laying the pipelines connecting both the platforms themselves and the on-shore facilities.
- Acting, through to an award, on an ICC arbitration relating to the design and construction of a multi-fuel combined cycle power station. Central issues in the case included compliance with contractual performance requirements and the application of the contractual framework for remedying defects and determining financial compensation. The case involved detailed consideration of multi-fuel combustion technology and of international requirements relating to power generation and grid operation.
- Acting, through to an award, on behalf of the contractor, in an international arbitration relating to the design and refurbishment of two off-shore oil and gas platforms. A complex factual background required to be evaluated and presented to the tribunal in a manageable form in order to address the central issues being responsibility for delayed

completion; ad hoc agreements to accelerate and the consequences of unilateral decisions taken by the contractor to accelerate completion and/or mitigate the effects of accrued delay. The case involved an understanding of the underlying design principles and of the logistics involved both on and off-shore including the technical and safety requirements to be satisfied, pipe-laying and the deployment of DLBs and other vessels. The dispute was to be determined in accordance with the laws of Indonesia.

- Acting as one of the arbitrators on a panel of three in and LCIA arbitration relating to an offshore windfarm.
  - Acting as co-arbitrator in an ICC arbitration in respect of a subsea pipeline.
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## PROFESSIONAL NEGLIGENCE

Stephen is well-regarded in the professional negligence field. He has extensive experience acting for claimants, defendants and their indemnity insurers in relation to claims brought against professionals of all kinds.

- He completed the conduct of an arbitration in Singapore concerning the duties owed by engineers in the design of piled foundations for a substantial city centre office development. The dispute required consideration of professional duties (owed by the professional to a design and build contractor) at tendering and post contract award stages of the project. The professional duties had to be analysed in the context of the particular geological conditions that were to be encountered thereby necessitating not only a detailed understanding of the relevant geological conditions, but also how those conditions might be reflected in mechanisms of failure.
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## INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

Stephen has undertaken a significant amount of work in the IT and telecommunications sector including acting on a High Court action relating to a PFI project for the introduction and development of a national IT project. This required the review of complex funding arrangements, contractual analysis of termination provisions and understanding of relevant software performance specifications.

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## QUALIFICATIONS AND AWARDS

Accredited Adjudicator

Expert Determinator

Manchester University (LLB)

## RECENT RECOMMENDATIONS

*"Stephen is an outstanding advocate. His ability to dissect the issues in a matter and articulate them is second-to-none. He is excellent with client communication."*  
Construction, The Legal 500 2024

*"Stephen is far the most effective and useful KC in the offshore construction and energy sector. He works relentlessly hard and efficiently and is always on top of his brief."*  
Energy, The Legal 500 2024

*"Stephen is very effective, decisive and responsive. He is a delight to work with."*  
International Arbitration, The Legal 500 2024

*"Stephen Dennison is calmness personified. He does exactly what you want from a silk: he comes in from above, has a look, identifies the key points, calms everyone down and tells you the truth."*

*"Stephen is great. He can command a room but is good with clients. He's sharp and knows what he's doing."*  
Construction, Chambers UK Bar

*"He is very good at cutting through all the detail and really focusing on issues."*  
Energy & Natural Resources, Chambers UK Bar 2024

*"If you have got a complex construction matter, there is no one better than Stephen."*  
*"Stephen is incredibly professional and very calm under fire."*  
International Arbitration: Construction/Engineering, Chambers UK Bar 2024

*"He's just so wise, and his gravitas when presenting to the court makes everyone else look inferior."*

*"He's very incisive, good with strategy, getting on top of things and at knowing the detail."*  
*"He's just very thorough and persuasive, very precise and a good advocate."*  
Construction, Chambers UK Bar 2023

*"He is a very direct, plain-speaking and effective advocate."*  
Energy & Natural Resources, Chambers UK Bar 2023

*"He's very incisive, good with strategy and good on his feet." "His calm and authoritative presentation of a case stands out."*  
International Arbitration, Chambers UK Bar 2023

*"He knows all there is to know about this kind of work."*  
Professional Negligence, Chambers UK Bar 2023

*"Excellent advocacy – quiet but very effective, great at thinking outside of the box, very*



*astute, and great with clients."*

Construction, The Legal 500 2023

*"Very astute and great with clients, he provides excellent advocacy and is great at thinking outside of the box."*

Energy, The Legal 500 2023

*"He is thorough, thoughtful and amazingly calm under pressure. A pleasure to work with and the clients adore him."*

International Arbitration: Counsel, The Legal 500 2023

*"His advice is clear and straightforward and he is sensible and effective."*

*"He is good with clients and has a gravitas about him."*

Construction, Chambers UK Bar 2022

*"His advocacy is very measured and calm, but very persuasive."*

*"He has a very nice style and is very good at cutting through the chaff and getting to the heart of an issue."*

Energy, Chambers UK Bar 2022

*"The kind of robust and plain-speaking adviser you want in a KC, he relishes a difficult case and is able to handle high-level clients, communicating his views in a way that gains their confidence."*

Professional Negligence, Chambers UK Bar 2022

*"Stephen is wonderful to work with. He is so calm at all times and respectful of every team member. He is a real details man and a great team player."*

*"He deals with substantial construction cases. He is really good, and clients are very impressed with him."*

International Arbitration, Chambers UK Bar 2022

*"He leads superbly with calm authority, with a very clear and persuasive style. He is one of the best in the business in high-value and complex offshore construction disputes."*

Energy, The Legal 500 2022

*"He is excellent, thorough and calm under pressure. He is an absolute joy to work with and a true team player."*

Construction and International Arbitration, The Legal 500 2022

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.