



CONSTRUCTION, ENGINEERING AND
INFRASTRUCTURE
ENERGY AND UTILITIES
TECHNOLOGY
ADJUDICATION

Dalton Hale

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PRACTICE

Clients describe Dalton as “*knowledgeable, thorough, proactive and original in approach*” and “*an effective advocate*” with “*great attention to detail*”. He has a broad practice covering all areas of Chambers’ work, including construction, engineering, infrastructure, energy and utilities, insurance, and technology. He is listed for Construction in both Chambers UK Bar Guide and The Legal 500.

He frequently acts as sole counsel, as well as junior counsel as part of larger teams. He represents and advises clients both domestically and internationally and is instructed on various high-value and technically complex disputes, as well as on a number of smaller matters. He is experienced in all stages of litigation, arbitration and adjudication, as well as other forms of dispute resolution.

Dalton has a growing practice in high-value construction and engineering international arbitrations and advisory work, both in his own right, and as a led-junior. He has represented clients in relation to projects in the Middle East (Saudi Arabia, Qatar and the UAE), South America, Scandinavia and UK Overseas Territories.

CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Dalton has experience in a range of domestic and international construction, engineering and infrastructure disputes, both in the TCC and in domestic and international arbitrations. Recent work includes:

Cladding and Fire Safety

- Led by Stephanie Barwise KC, as one of three junior construction counsel to the largest group of bereaved families, survivors and former residents in the Grenfell Tower Inquiry.

- Acting for the Employer in its £50m claim concerning defective cladding and other fire safety defects in a substantial student accommodation development.
- Representing a developer in numerous ongoing cladding claims under the Defective Premises Act 1972 and the Building Safety Act 2022.
- As sole counsel, successfully representing a cladding sub-contractor at trial in respect of its claim against a main contractor for unpaid invoices and defending a counterclaim for defective cladding works.

Infrastructure

- As junior counsel, representing a multi-national design subcontractor in a US\$300m+ dispute concerning a large-scale metro project in the Middle East. Responsibilities included drafting requests for arbitration, pleadings and provision of advice on contractual interpretation, as well as taking the role of lead junior in a US\$10m sub-claim.
- Led by Chantal-Aimée Doerries KC representing the Employer in a £30m+ dispute concerning a PFI rail project in the UK.
- Advising on the interpretation of a CAR insurance policy, including LEG 3, in respect of the longest twin railway tunnels in Scandinavia.

Construction

- As junior counsel, led by James Howells KC, representing a Main Contractor in a AED 1.2 billion delay and disruption claim concerning a major project in the UAE.
- As sole counsel, successfully representing a contractor in an international arbitration concerning the construction of a World Cup Stadium in Qatar. The main issues in dispute concerned delay and disruption to the works, variations and a contractual mechanism concerning steel savings in design.
- Advising and settling pleadings in a £20m TCC claim concerning the construction of a secure warehouse facility in the UK. The central issue in dispute concerns the negligent design of surface water drainage system as well as negligent project management.
- Led by Camille Slow, representing Mansion place at trial in the TCC in Mansion Place Ltd v Fox Industrial Services Ltd [2021] EWHC 2972 (TCC), a case concerning the disputed existence of a “*gentlemen’s agreement*” to forego any entitlement to LADs.
- As sole counsel, successfully representing the Claimant in a three-day trial in the High Court (TCC). The dispute concerned a joint venture agreement to develop land into residential units. It was successfully established at trial that the defendant was in breach of contract by selling the subject properties to a linked company for less than market value.
- Advising in respect of a defective mooring system for a shipyard in Panama, following the failure of that system during coal unloading operations.
- Settling particulars in a rectification and unjust enrichment claim, concerning a major mixed used scheme in London.
- As sole counsel, advising and representing a demolition sub-contractor in a CIMAR arbitration concerning asbestos removal in a demolition and ground remediation sub-contract.

- Advising a main contractor in respect of a prospective professional negligence claim against an architect following the collapse of a retaining wall.
- Advising on the correct interpretation and effect of a retrospectivity clause in multi-million-pound dispute concerning the construction of a domestic shopping centre.
- Acting as junior counsel at trial in a TCC case concerning the correct interpretation of an insurance contract following the discovery of numerous substantial defects in a new build property. Further, assisting in the negotiations leading to the settlement of the case.

Procedural Matters

- In Dandara South East Ltd v Medway Preservation Ltd [2024] EWHC 2318 (Ch), successfully representing Medway in its application to stay proceedings brought in contravention of an expert determination clause. The judgment is understood to be the first that considers the question of whether the doctrine of separability applies to expert determination clauses.
- In Ravestein B.V. v Trant Engineering Ltd [2023] EWHC 11 (TCC), successfully defending an appeal under Section 69 of the Arbitration Act 1996 concerning the jurisdiction of an arbitrator to determine a dispute in the absence of a valid notice of dissatisfaction under the NEC3 Engineering and Construction Subcontract.
- Successfully applying for redactions of witness statements under Practice Direction 57AC in Mansion Place Ltd v Fox Industrial Services Ltd [2021] EWHC 2747 (TCC).
- Advising and representing the Sri Lankan Government in respect of a jurisdictional challenge in an international arbitration concerning a major 850-acre development near Colombo. Led by Stephen Dennison KC.
- Successfully representing a UK-based hotel business (employer) in its application to set aside default judgment entered against it in the TCC, allowing the matter to proceed to trial in a dispute concerning defective piling works.

ENERGY AND UTILITIES

Dalton has developed experience in a number of energy and utilities matters. Notable examples include:

- Junior Counsel, led by Serena Cheng KC, acting for the Claimant in its £18.8 million ICC claim concerning 299MW Renewable Energy Biomass Power Plant. The project is the largest dedicated biomass-burning power plant in the world.
- As sole counsel, advising and representing a contractor in a claim concerning works to a power station in the Falkland Islands.
- Advising an EPC subcontractor in respect of an O&M Agreement concerning a solar energy plant in the Middle East. The issues primarily concerned the correct interpretation of a related financial instrument; the merits of a proposed injunction against a call on the instrument; the international enforceability of any such injunction; and the merits and advisability of termination of the Agreement.

- Assisting in an ICC arbitration, by drafting opening submissions, cross-examination, and costs submissions, in a claim relating to the construction of a geothermal power plant.
 - Settling particulars for a defective works claim concerning the installation of fibre-optic cables in the UK.
 - Advising a utilities sub-contractor concerning a prospective claim against the parent company of an insolvent main contractor.
 - Advising and representing a utilities sub-contractor in a claim in tort against a third-party contractor who caused damage to its pipe works during construction.
 - Advising in a dispute concerning an energy from waste facility in the UK.
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TECHNOLOGY

- Acting as junior counsel in a Commercial Court matter concerning the provision of software for use in commodities trading, specifically in the oil industry.
 - Settling particulars for a claim, and representing the claimant at a CCMC, in a claim concerning the development of two websites, one concerning job seekers and the other social media analytics.
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ADJUDICATION

Dalton has experience in statutory and contractual adjudication, including enforcement. Examples include:

- Advising and representing a Claimant seeking declarations in the TCC under the Shorter Trials Scheme (Practice Direction 57AB) with the aim of reversing the decision of an adjudicator awarding liquidated damages in a dispute concerning a student accommodation development.
- Successfully representing a contractor in the High Court (TCC), enforcing an adjudication decision against a sub-contractor who resisted enforcement on the grounds of a breach of natural justice.
- Acting for a high net worth individual, defending a statutory adjudication brought by a development contractor in respect of unpaid third-party invoices on a £40m project for the renovation of an historic estate in the UK.
- Acting for an employer in an adjudication brought by a structural engineering subcontractor, concerning the cause and liability for delay in a large-scale rail project in the UK following a project manager's instruction and other concurrent delays.
- Acting for a building contractor and negotiating a satisfactory settlement concerning an adjudication brought against the employer in respect of unpaid invoices and damages for loss of profits following the contractor's termination of the agreement.
- Successfully representing an adjudicator in the recovery of his fees from a party who had withheld payment based on persistent jurisdictional objections.

NOTABLE REPORTED CASES

Dandara South East Ltd v Medway Preservation Ltd [2024] EWHC 2318 (Ch).

Ravestein B.V. v Trant Engineering Ltd [2023] EWHC 11 (TCC).

Mansion Place Ltd v Fox Industrial Services Ltd [2021] EWHC 2747 (TCC).

Mansion Place Ltd v Fox Industrial Services Ltd [2021] EWHC 2972 (TCC).

QUALIFICATIONS AND AWARDS

2014-2015 BPTC (Very Competent), BPP University.

2014 Lord Denning Scholarship, Lincoln's Inn.

2014 Hardwicke Scholarship, Lincoln's Inn.

2014 BPTC Advocacy Award, BPP University.

2013-2014 BCL, Mansfield College, University of Oxford (Conflict of Laws, Unjust Enrichment, Commercial Remedies and Principles of Civil Procedure).

2013 R G Lawson Prize for Competition Law (top in year), University of Manchester.

2010-2013 LLB, University of Manchester (First Class).

ADDITIONAL INFORMATION

Dalton is a member of TECBAR, COMBAR and the Society of Construction Law.

During 2015-2016 Dalton was Judicial Assistant to Lady Justice Arden, Court of Appeal.

RECENT RECOMMENDATIONS

"An extremely able lawyer who is able to deliver his advice clearly and with an eye to the wider commercial aspects of a dispute."

Construction, The Legal 500 2025

"Dalton is bright and very hard-working. He assimilates a large amount of information very quickly."

"Dalton Hale demonstrates an outstanding ability to process vast amounts of complex technical data into concise and precise advice."

"He gets stuck into a case and approaches things commercially and with clear focus."

"Dalton is a team player. He contributes to the wider discussion on tactics and the wider commercial aspects of any dispute."

Construction, Chambers UK Bar 2025

"Dalton is very bright, responsive and with strong drafting skills. His ability to think on his feet in a court room and present a focused and persuasive case to a judge is impressive."

Construction, The Legal 500 2024

"Dalton is an exceptional lawyer. He is extremely intelligent and brings ever-important pragmatism to the table. He is willing to have difficult conversations and deals with thorny issues diplomatically."

Construction, Chambers UK Bar 2024

"Excellent all round. He is responsive and attentive in conference, has a clear vision as to strategy and displays strong advocacy skills and tactical acumen."

"He is easy to work with and is always prepared to answer the phone to pick up any queries I may have."

"He is extremely capable, and excellent at quickly digesting and presenting information."

Construction, Chambers UK Bar 2023

"Dalton's technical ability is extremely good and his commitment to finding creative ways to deal with difficult issues is also a key strength. He is a safe pair of hands that can be trusted with complex claims."

Construction, The Legal 500 2023