



CONSTRUCTION, ENGINEERING AND  
INFRASTRUCTURE  
ENERGY AND NATURAL RESOURCES  
ARBITRATION AND ADJUDICATION  
GENERAL COMMERCIAL  
LITIGATION

## Olivia Anderson

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### PRACTICE

Olivia joined Atkin Chambers as a tenant in December 2023, following successful completion of her pupillage. Olivia has seen a broad range of construction and general commercial work at all stages of litigation and arbitration, across Chambers' core practice areas of construction, engineering and infrastructure, energy and utilities, and technology. Olivia has worked with a variety of bespoke and standard form contracts including JCT, NEC, RIBA and FIDIC forms.

Olivia graduated from the University of Oxford with a First-Class degree in History. Prior to joining Atkin Chambers, Olivia worked as an Associate Solicitor in the Global Projects, Energy and Infrastructure team at a London-based US law firm. As a barrister, Olivia applies that experience to provide client-focused and commercial advice.

### CONSTRUCTION, ENGINEERING AND INFRASTRUCTURE

Since becoming a tenant at Atkin Chambers, Olivia has worked on a wide range of construction and engineering disputes and drafted numerous pleadings and adjudication submissions. Recent experience includes:

- Managing a number of adjudications as sole counsel for both the referring and responding party, and drafting all necessary documentation. The adjudications she has led have involved among others, a true value dispute and dispute regarding allegations of defective design and/or workmanship.
- Successfully applying for summary judgment and/or strike out on behalf of a major transport network in the county court.
- Successfully representing a major transport network in the magistrates courts regarding a number of licencing appeals made against it.
- Attending to disclosure review in a major trial in respect of allegations of allegedly defective works.

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- Drafting Particulars of Claim against a house-builder/developer regarding defective works.
- Drafting a Defence for a contractor, defending against allegations of defective workmanship.
- Drafting a letter before claim as regards fire safety defects – in particular defective cladding, in relation to a claim under the Building Safety Act 2022.
- Drafting an advice on limitation in the context of the Defective Premises Act 1972 and Building Safety Act 2022 in a claim against professional consultants and/or specialist cladding sub-contractors.
- Drafting a number of advices regarding fire safety issues, limitation and contribution proceedings in a prospective claim against a developer and/or contractor.
- Drafting Particulars of Claim on behalf of an employer in a fire safety defect claim arising out of defectively designed and constructed cladding works by a sub-contractor (during pupillage).
- Drafting Particulars of Claim alleging negligent design of a pipeline system by hydraulic engineers (during pupillage).
- Drafting a Request for Information, Defence, and associated Scott Schedule in a claim against an architect arising out of defective design and/or construction (during pupillage).
- Drafting advice on limitation, breach of contract and professional negligence in relation to the design and construction of student accommodation by a main contractor pursuant to a JCT Standard Form of Building Contract 1998 Edition (during pupillage).
- Drafting advice on the ability of a employer to challenge an engineer's determination made under a bespoke FIDIC contract, in respect of ground condition assumptions (during pupillage).
- Drafting advice for an employer on compensation event issues in an amended NEC contract (during pupillage).
- Drafting advice on the contractual interpretation of clauses under an amended JCT Standard Build Contract (during pupillage).
- Drafting advice on time at large issues under a JCT Standard Build Contract (during pupillage).
- Drafting advice on limitation regarding allegedly defective works and an associated alleged breach of an indemnity provision in a construction contract (during pupillage).

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## ENERGY AND NATURAL RESOURCES

Olivia's energy and natural resources experience at Atkin Chambers includes drafting advice on the availability of adjudication in respect of a wind farm project.

Prior to starting pupillage, Olivia worked for three years as an Associate in the Global Projects, Energy and Infrastructure team of a US law-firm. There, her experience in energy and natural resources included advising lenders (including export credit agencies and/or banks) and project owners on the development and financing of power (renewable energy and conventional power), infrastructure (e.g. metro systems), and oil & gas projects. Olivia drafted and negotiated security and finance documents used in wind farm financings, LNG projects and airports, for example.

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## ARBITRATION AND ADJUDICATION

Olivia gained experience in a number of international arbitrations and adjudications during pupillage including:

- Drafting an advice on the availability of adjudication to a factor under an invoice discounting agreement in respect of a charge/ assignment to the factor of the benefit of a construction contract, and further advising whether that construction contract fell within the remit of the Housing Grants, Construction and Regeneration Act 1996 at all.
  - Drafting advices on the merits of challenges to the enforcement of an adjudication decision on the basis of breaches of natural justice and/or jurisdictional challenges.
  - Attending and assisting with an arbitration in relation to a claim by a contractor against a sub-contractor for alleged breaches of contract in respect of design, construction and inspection matters.
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## GENERAL COMMERCIAL LITIGATION

Olivia developed experience in a range of commercial disputes during pupillage, including:

- Drafting advice regarding the merits of a claim for unlawful means conspiracy and/or for repudiatory breach of contract.
- Drafting advice on the formation of a contract in circumstances where a new party was incorporated in the midst of negotiations.
- Drafting advice on limitation in respect of a breach of warranty / indemnity claim in a sale and purchase agreement.
- Drafting a skeleton argument for a preliminary issue hearing on a point of contractual interpretation arising out of the proper construction of a limitation of liability clause.
- Drafting advice on limitation in respect of an insurance claim.
- Drafting skeleton arguments for various interim applications, including for pre-action disclosure, permission to amend a statement of case, security for costs and summary judgement and/or strike out.

## QUALIFICATIONS AND AWARDS

- 2019: Qualified as a Solicitor
- 2012 - 2015: BA History at the University of Oxford (First Class)
- 2015: Mary Somerville Prize (University of Oxford)
- 2014: Somerville College Coombs Exhibition for Modern History (University of Oxford)