



Profiles

Name: Gaynor Chambers
Call: 1998
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Gaynor Chambers was called to the Bar in 1998 and has been a practising barrister in Keating Chambers since 1999. Gaynor has already built a strong reputation among the construction community due to her pragmatic and thorough approach and her previous experience and background in building surveying.

Gaynor's practice is wide ranging, with a particular concentration on energy, environmental and professional negligence disputes as well as general construction and engineering matters ranging from procurement to final account claims. She is experienced in advising on many standard forms, ranging from the IChemE Green and Red Book and MF/1 to partnering contracts such as the PPC2000 and TPC2005, and has a particular interest in and knowledge of the JCT 2005 contracts as one of the editors of "Keating on JCT Contracts".

Gaynor is equally familiar with conducting disputes through the TCC, arbitration or adjudication, represents clients at mediations and is a TECBAR accredited adjudicator.

Recommendations

Energy

"so bright it is hard to keep up with her"..."an incredible ability to process and assimilate huge volumes of information."
Chambers and Partners, 2012

Professional Negligence

"well organised and very bright."
Chambers and Partners, 2012

Construction

"her diligence and commercial insight have particularly impressed"..."bright and extremely committed"..."a sensible, bright and forthcoming advocate"..."sterling work in professional liability disputes, particularly with regard to oil and gas developments"..."fine reputation among the construction community"..."leaves no stone unturned"..."a hard-working and belligerent advocate".
Chambers and Partners 2005, 2006, 2008, 2009, 2010, 2011, 2012

Recent Work

Oil, Gas and Energy

- Junior in \$100m dispute related to a gas processing plant in the Middle East.
- Advice in relation to £10m dispute arising out of piping works at a UK biofuel plant (IChem E Red Book).
- Junior in a £10m dispute related to an innovative gas turbine in the UK.
- Advice on disputes related to the construction and operation of wind turbines under contracts ranging from £500,000

to several million pounds.

Environmental, Sewage and Wastewater Treatment

- Advising in several disputes arising out of energy recovery and leachate treatment plants, with claims ranging from £200,000 to £2,600,000.
- Junior in £85m dispute relating to the design and construction of a secondary treatment plant.
- Advice on environmental issues arising out of wastewater and other emissions.
- Advising in a dispute arising out of the environmental impact of dredging.
- Advice on disputes relating to contaminated land.

General Construction (Litigation, Arbitration and Adjudication)

- Advice on bonds and guarantees.
- Advising on matters arising out of partnering contracts such as PPC2000 and TPC2005, and the 2005 Suite of JCT Contracts, in particular the JCT Framework Agreement and JCT Major Projects Form.
- Advising and acting in disputes relating to asbestos releases in public and commercial buildings and other health and safety related matters.
- Advising and acting in various cases concerning subsidence, landslip and coastal erosion.
- Advising local authorities and other employers on matters ranging from procurement to final account and defects claims.
- Instructed as a Treasury junior in a multi million pound arbitration relating to design responsibilities and defects on a new-build project.
- Appeals from arbitrator's decisions.
- Drafting of adjudication notices, referrals and responses, including specific sections on particular legal points.
- Adjudication enforcement experience including *Griffin v Midas Homes Limited* [2002] 78 Con LR 152, [2002] Col 18 No 1 Con LJ 67 and preliminary advice in *Davis McClean Contractors Ltd v Swansea Housing Association Limited* [2002] CILL 1811, along with *Westminster Building Co Ltd v Andrew Beckingham* [2004] BLR 163, *Air Design (Kent) Ltd v Deerglen (Jersey) Ltd* [2008] BLM Vol.26 No 1 TCC and *YCMS Ltd v Grabiner* [2009] EWHC 127 (TCC).

Professional Negligence

- Advising and acting in arbitrations relating to the scope of cover under professional liability insurance policies.
- Junior in *Munckenbeck & Marshall v The Kensington Hotel Limited* [2000] 78 Con LR 71 (Architect's negligence).
- Junior in *Offer-Hoar v Larkstore Ltd* [2005] All ER (D) 45 TCC (a landslip case concerning negligence arising out of soil investigation report, issues on assignment of loss dealt with at first instance and in the Court of Appeal).

Mining

- Advising in relation to a mining surveyor's negligence and/or breach of duty under the Mines and Quarries Act 1954 and the Management and Administration of Safety and Health in Mines Regulations 1993, and mining subsidence claims under the Coal Mining Subsidence Act 1991.
- Appeared as a junior in *Mason v The Coal Authority* (QBD, 15/3/2001, unreported) dealing with the Coal Authority's liability in negligence when preparing reports on mineshafts and adits.

Shipbuilding

- Junior in a £9m dispute (and 28 day trial) concerning process and vibration issues on a North Sea oil platform.
- Advising in relation to commissioning and recovery of a North Sea oil platform.
- Advising on disputes arising out of the design and construction of super-yachts.

Selected Reported Cases

- **Simon Carves Limited v Ensus UK Limited** [2011] EWHC 657 (TCC); [2011] B.L.R. 340; 135 Con. L.R. 96
 - **Elliott Group Ltd. v GECC UK Ltd** [2010] EWHC 409 (TCC)
 - **YCMS Ltd v Grabiner** [2009] EWHC 127 (TCC), [2009] BLR 211, [2009] CILL 2692 TCC, 123 Con LR 202
 - **Air Design (Kent) Ltd v Deerglen (Jersey) Ltd** [2008] BLM Vol. 26 No. 1 TCC
 - **Cubitt Building and Interiors Ltd v Richardson Roofing (Industrial) Ltd** [2008] BLR 354 TCC, All ER (D) 106 TCC,
 - **Maersk Oil UK Ltd (formerly Kerr-McGee (UK) Plc v Dresser-Rand (UK) Ltd** [2007] EWHC 752 (TCC)
 - **Technotrade Ltd v Larkstore Ltd** [2006] 1 WLR 2926 (CA)
 - **Offer-Hoar v Larkstore Ltd** [2006] All ER (D) 419; [2005] EWHC 2742 (TCC)
 - **Westminster Building Co Ltd v Beckingham** [2004] 94 Con LR 107 and [2004] BLR 163 TCC
 - **Harvey Shopfitters Ltd v ADI Ltd** [2004] 91 Con LR 71 CA
 - **John Mowlem Construction plc v Secretary of State for Defence** [2002] 82 Con LR 140 TCC
 - **Griffin v Midas Homes Ltd** [2000] 78 Con LR 152 TCC
 - **Munkenbeck & Marshall v The Kensington Hotel Ltd** [2000] 78 Con LR 71 TCC
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Publications

- Researcher, Keating on Construction Contract - Ninth Edition (2012)
 - Getting To Grips With Complexity, Dredging and Port Construction, July 2011.
 - Keating on JCT Contracts [Looseleaf & CD-Rom] Member of Editorial Team.
 - Commentary on the 2005 JCT Suite of Contracts to be published by Sweet and Maxwell
 - Engineer's Dispute Resolution Handbook Editor: Robert Gaitskell (Thomas Telford, 2006) Author of chapter on dispute avoidance.
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Education and Professional Career

BSc (Hons) Building Surveying (1st)
 Post Graduate Diploma in Law (Commendation)
 Bar Vocational Course (Very Competent).
 Harmsworth Scholarship, Middle Temple
 Called to the Bar, Middle Temple 1998
 Pupillage, Keating Chambers 1998-99
 Keating Chambers 1999
 TECBAR accredited adjudicator
 Public Access Training 2008

Membership

Society of Construction Law and the Commercial Bar Association.

Other Information

Gaynor's main interests are food, wine and hiking.

Contact Us

If you would like to discuss ways in which Keating Chambers can assist you or your organisation, please contact Senior Clerk, [Nick Child](#), in the first instance, on +44(0)20 7544 2600. The teams of Clerks will be pleased to advise you on the member of Keating Chambers appropriate to your requirements.

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