



NEWSLETTER : NOVEMBER 2009

Programme

Unless marked otherwise, the following meetings are free to members and guests.

Location maps are now always available on the website.

All are welcome but for those meetings where the organiser's telephone or email is given, it would be helpful if you could please let them know of your intention to attend.

- Tuesday,
3 November "The Use of Mediation in Construction Disputes"
Speaker: Nicholas Gould
Chairman: Liam Holder
Venue: The Town Hall, Blagrove Street, Reading, RG1 6.00 for 6:15pm
Organiser: *mamas.stavrou@brewerconsulting.co.uk*
- Tuesday,
3 November "Adjudication: Case Law Update"
Speaker: Sean Brannigan QC, 4 Pump Court
Chairman: Martin Green
Venue: Lecture Theatre 118, The Northern Terrace, Civic Quarter,
Leeds LS1 3HE 6.15pm
Organiser: *jhawkswell@thkp.co.uk*
- Wednesday,
4 November "Construction Act Reforms"
Speaker: Professor Rudi Klein
Chairman: Ronan Champion
Venue: The Rose Bowl, Botley Road, West End, Southampton SO30 6.00pm
Organiser: *kathryn.gore@bllaw.co.uk*
- Tuesday,
10 November "Public Procurement: Challenges to contract awards"
Speaker: Colin Reese QC
Chairman: Nicholas Dennys QC
Venue: National Liberal Club, Whitehall Place, London SW1 6.30pm
- Thursday,
19 November "Complex Disruption Claims"
Speakers: Wendy McLaughlin and Michael Stokes
Chairman: Nerys Jefford QC
Venue: Jury's Inn Hotel, Midsummer Boulevard, Central Milton Keynes,
Milton Keynes, Buckinghamshire MK9 2HP 6.15pm
Organiser: *michael@michael-gerard.co.uk*
Please note this meeting was originally scheduled to take place on 25th June.
- Monday,
23 November "The IChemE forms of contract for the UK"
Speaker: Gordon Bateman
Chairman: Simon Lewis
Venue: Dickinson Dees LLP Camden House, Princes' Wharf,
Teesdale TS17 6QY 6.00pm
Organiser: *Simon.Lewis@dickinson-dees.com*

- Wednesday,
25 November Net Contribution Clauses – The debate
Speakers: Euan Donaldson, Jacobs Engineering UK Limited; Paul Berg, Griffiths & Armour; Lorraine Boyle, Locktons; Colin Macleod, Dundas & Wilson
Chairman: Lindy Patterson
Venue: RICS, 9 Manor Place, Edinburgh EH3 7DN 6.00pm
Organiser: *Louise.shiels@dundas-wilson.com*
- Thursday,
26 November Junior SCL Christmas Lecture
Speaker: Matthew Molloy, MCMS
Chairman: Richard Bailey
Venue: The White Swan, Farringdon Road, London EC4A 4AB
Organiser: *rbailey@fenwickelliott.co.uk* 6 for 6.30pm
- Thursday,
26 November Junior Site visit to the new Radisson Blu Hotel in Bristol (see separate item below)
Venue: Radisson Blu Hotel, Broad Quay, Bristol BS1 4BY 6.00pm
Organiser: Andrew Evans (*aevans@vwl.co.uk*)
- Monday,
30 November The University of Salford in association with the SCL
“Contract? What contract? Adjudicators and the amendments to the HGCRA 1996”
Speaker: Claire Packman, 4 Pump Court
Venue: CUBE, 113-115 Portland Street, Manchester M1 6FB 6 - 7.00pm
Organiser: *peter.fenn@umist.ac.uk*
This seminar is free to SCL Members. For further details please contact w.b.mcadam@salford.ac.uk
- Tuesday,
1 December “Professional Liability and Construction Law: Risk retained and risk transferred”
Speaker: John Powell QC, 4 New Square
Chairman: Lord Justice Jackson
Venue: National Liberal Club, Whitehall Place, London SW1 6.30pm
- Tuesday,
1 December “Nowt for being second? Not necessarily: Developments in tender contracts give hope to the disgruntled”
Speaker: Professor Anthony Lavers, White & Case
Chairman: Tony Norris
Venue: Morgan Cole Solicitors, Park Place Cardiff CF10 3DP 6 for 6.15pm
Organiser: *Iwan.Jenkins@morgan-cole.com*
- Tuesday,
3 December “How will the Civil Law Reform Bill affect limitation in construction cases?”
Speaker: Anthony Speaight QC
Venue: Shakespeare Putsman LLP, Somerset House, Temple St, Birmingham B2 5DJ 5.45 for 6.00pm
Organiser: *selvaratnam@mail.com*
Please note this meeting was originally scheduled to take place on 1st December.
- Tuesday,
8 December Junior SCL Christmas Lecture
“Fact and Law”
Speaker: John Riches
Chairman: Richard Bailey
Venue: Orange Rooms, 1-2 Vernon Walk, Southampton SO15 2EJ 6 for 6.30pm
Organiser: *kathryn.gore@bllaw.co.uk*
- Friday,
12 February Diary note for Lunch at the Brewery, London
Booking opens in late November 2009
- Spring 2010 Further events are listed at www.scl.org.uk/events

Non-SCL UK Events

The Seventh Annual JCT Povey Lecture: On Thursday, 12 November, Francis Salway, Chief Executive of Land Securities Group PLC and 2008/9 President of the British Property Federation, will give the seventh annual JCT Povey Lecture entitled 'Leading on Sustainability'.

Leading International Conference on Construction Law & Dispute Resolution – to be held in Mauritius on 25 -26 November 2009

Full details of these two events can be found on the SCL website.

SCL Australia

SCL has a number of sister societies across the world including those in Hong Kong, Singapore and the Middle East. Most recently SCL Australia was formed. Their new Chairman Ian Bailey, S.C. gave a short presentation at an informal gathering in London in early October, noting that their fledgling society already has over 200 members, has a regional network across six states and has an impressive series of talks and events planned.

It is hoped, in time, that members of UK and Australian Societies will be able to access each others papers. For more information about the launch of their new SCL, newsletter and details of those involved, please see their website www.scl.org.au

SCL Hudson Prize 2009 – win £2,000!

Entries are invited for the 2009 Competition from all entrants with an interest in construction law and an idea which they wish to share. The judging panel places emphasis on originality of thought and approach. The length of essay is a maximum of 5000 words. (While footnoting or other method of referencing sources does not count towards this total and is encouraged, some recent entrants appear to have tried to avoid the word limit by loading footnotes with matters of substance, sometimes running to several paragraphs, in a disproportionate and inappropriate way. This is almost always counter-productive).

Eligible subjects can be drawn from any part of construction law widely defined, including (but not restricted to) construction and engineering contracts, contract administration, claims, arbitration and dispute resolution, construction litigation, the law of torts, company law, property law, taxation (although this must be related to construction) and any other aspect of law or procedure relevant to the construction industry. First prize is £2,000. Entrants can also be highly commended or commended. All who are awarded prizes or commendations receive a year's free membership of the Society.

Past winners have included members of almost all the disciplines relating to construction law including barristers, solicitors (including a trainee) quantity surveyors, engineers, academics, architects, and several hybrids qualified in more than one discipline. Further details of the competition, the closing date for which is Monday, 4 January 2010, can be obtained from the website. Any queries can be referred to me via Jackie Morris in the first instance at admin@scl.org.uk

Good luck to all entrants.

Anthony Lavers - Chair of the Judging Panel

Junior SCL – New Regional events.

In addition to Junior SCL events in London and Southampton, there will be a Junior Site Visit on Thursday, 26 November in Bristol. This will be the first Junior SCL event for the South West Region - a chance to see behind the scenes at the new Radisson Hotel. There is no charge for attendance but places will be allocated on a first come, first served basis. Please note: Although the site visit is open to all, preference will be given to SCL Junior members.

Sustainability Report due in early 2010

SCL members have been invited to participate in a confidential survey to find out how companies involved in the development sector are reacting to the challenges inherent in "greening" existing commercial stock, and how the necessary investment, benefits and costs must be shared amongst all stakeholders – including investors, developers, contractors, advisers and end users. The data will be used to produce a report that is being prepared by British Property Federation, law firm Taylor Wessing and award winning research and communications consultancy Spada. This research follows the earlier award winning report *Behind the Green Façade*.

This research will be of interest to SCL members and any organisation that participates will be sent a copy of the full report. To participate in the survey please [Click here](#) or go to:

<http://guest.cvent.com/SURVEYS/Welcome.aspx?r=CA127B92-1F67-4DD5-8658-0EDA48508DD2>

Responses will

- Provide an insight into the industry's views to inform and influence Government policy
- Provide views, backed by research, that can be put forward at December's Copenhagen climate change summit, and other summits that will follow
- Help evolve workable solutions on how the cost of necessary investment, and the cost savings that will follow, should be shared between all stakeholders

Additionally, for those interested, the British Property Federation Sustainability Conference – *Driving Change in Existing Buildings* will be held on Tuesday 17th November hosted by Taylor Wessing. For more information please visit the BPF website at <http://www.bpf.org.uk/>

New Members

Finally, we are pleased to welcome the new members who recently joined the Society:

Fred Dennis, Sheffield
Angela Geldenhuys, London,
Michael Harvey, London
David Tuffin, Kingston Upon Thames
Mohamed Shafik, Sharjah, UAE
Daniel Flouch, London
Goh Choon Hock, Singapore
Daan Goedkoop, Gouda, Netherlands
Nick Todd, London
Matthew Crawley, Chesterfield
Stewart Murrell, Hexham
Martin Carey, County Tipperary, Ireland
Tony Clough, London
Lee Baker, Dubai, UAE

Emma Laverty, Maidenhead
Úna O'Connor, Dublin
Rowena Lodge, London
Hicham Barakat, Edmond,, USA
Leonardus van Dijk, Tamboré-Barueri, Brazil
James Craddock, West Sussex
Craig Horton, Wurtulla, Australia
Scheherazade Walter, Perth, Australia
Stuart Kennedy, Kingstown, St Vincent
Martin Payne, Dubai, UAE
Susannah Wilson, Birmingham
Steve Wright, Northampton
Elise Gillians, Dubai, UAE
Simon Gregg-Noel, Newcastle upon Tyne