



NEWSLETTER
FEBRUARY 2006
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.

- Thursday,
9th February “Lawyers playing doctors and nurses - some views on PFI in the health sector”
Speakers: Michael Craik and Catherine Burke
Chairman: David Mosey
Venue: National Liberal Club, Whitehall Place, London SW1 6.15pm
Please note that this talk is a change to the one previously published and that it is being held on a Thursday and not the usual Tuesday.
- Thursday,
9th February “Pre-action protocol for arbitration and adjudication”
Speakers: John Tackaberry QC and Richard Anderson
Chairman: Denis Wiles
Venue: Ward Hadaway, 102 Quayside, Newcastle NE1 6.15pm
Organiser: deniswiles@scl.org.uk
- Friday,
17th February Special Olympics Lunch at the Brewery
Speakers will be Jack Lemley, Chair of the Olympic Delivery Authority and Dalton Grant, international high-jumper and member of the Singapore London 2012 bid team. Cost £55 per person.
See separate item below 12.30 for 1pm
- Tuesday,
21st February Joint SBCC/SCL Annual Lecture
“The Handling of Construction Disputes in Scotland and England”
Speakers: The Hon Mr Justice Jackson and The Hon Lord Clarke
Joint Chair: Mike Towers and Lindy Patterson
Venue: The Signet Library, Parliament Square, Edinburgh 6.15 for 6.30pm
Organiser: lindy@patterson@scl.org.uk
Please note that this event is a change to the one previously published. The tour of the new Royal Bank of Scotland will hopefully be rescheduled to a date in March.
- Thursday,
23rd February (title of talk to be announced)
Speaker: Anthony Bingham
Chairman: Jeremy Williams
Venue: Hugh James Solicitors, 114 St Mary Street, Cardiff CF10 6.15pm
Organiser: alisonshort@scl.org.uk

Tuesday, 28 th February	“NEC3” Speaker: Brian Eggleston Venue: Renaissance Hotel, South Normanton, Derby DE55 Organiser: jocelyntaylor@scl.org.uk	6.15pm
Monday, 6 th March	Joint SCL/SCS meeting “Notices of delay and disruption under construction contracts” Speaker: Denis O’Driscoll Venue: Rochestown Park Hotel, Rochestown Road, Cork Organiser: johnlyden@scl.org.uk	6.30pm
Tuesday, 7 th March	“Construction industry well served by the legal process?” Speaker: Michael Blacker Venue: National Liberal Club, Whitehall Place, London SW1	6.15pm
Tuesday, 21 st March	“Insuring the integrated team” Speaker: Steve Bamforth Venue: Hambledon Suite 1, The Rose Bowl, Southampton SO30 Organiser: marianharris-deans@scl.org.uk	6.00pm
Wednesday, 22 nd March	“Pre-action protocol for arbitration and adjudication” Speaker: John Tackaberry QC Venue: Wragg & Co, 55 Colmore Row, Birmingham B3 Organiser: arulsevaratnam@scl.org.uk	6.15pm
Wednesday, 29 th March	Joint SCL/King’s College, London event “The Great Delay Analysis Debate II” Protagonists: Alastair Farr, Steve Briggs, John Hammond & Keith Pickavance Venue: The Great Hall, King’s College London Cost just £20. See separate flyer/booking form attached	6.00pm
Tuesday, 4 th April	“New CDM regulations” Speaker: Gillian Birkby Venue: National Liberal Club, Whitehall Place, London SW1	6.15pm
Tuesday, 2 nd May	Presentation of the SCL Hudson 2005 prize winning paper (see announcement below) Venue: National Liberal Club, Whitehall Place, London SW1	6.15pm
Tuesday, 9 th May	“A little about time at large. Calculating a reasonable time to complete in the absence of a completion date” Speaker: Keith Pickavance Chairman: Jocelyn Taylor Venue: Nabarro Nathanson, 1 South Quay, Sheffield S2 Organiser: jocelyntaylor@scl.org.uk	6.15pm
Wednesday, 10 th May	“A little about time at large. Calculating a reasonable time to complete in the absence of a completion date” Speaker: Keith Pickavance (Glasgow venue to be announced) Organiser: lindypatterson@scl.org.uk	6.15pm

- Tuesday,
16th May “Negligent participants in construction projects: The duty of care problems”
Speaker: Peter Aeberli
Chairman: Martin Green
Venue: Brunswick Lecture Theatre, Leeds Metropolitan University 6.15pm
Organiser: jonathanhawkswell@scl.org.uk
- Wednesday,
17th May The Society’s AGM and Annual Dinner (for SCL members only)
Venue: Middle Temple Hall, London WC2 6.00pm
A flyer and booking form will be sent to members.
- Tuesday,
6th June “Olympic Projects. International Dispute Resolution – from Beijing to London”
Speaker: Adrian Hughes
Chairman: Jonathan Hosie
Venue: National Liberal Club, Whitehall Place, London SW1 6.15pm
- Tuesday,
4th July Joint SCA/SCL meeting
(further details to be announced)
Venue: National Liberal Club, Whitehall Place, London SW1 6.15pm

SCL Hudson Prize 2005

The SCL Hudson Prize Judging Panel is pleased to announce the following results in the 2005 competition:

- 1st Prize** “*Right building – wrong place? Wrong building – right place?*”
Philip Britton, King’s College, London
- 2nd Prize** “*Repudiation, termination and quantum meruit*”
Julian Bailey, CMS Cameron McKenna
- Commendations:** “*Barkin’ Back: a new look at Betterment?*” **Ronan Champion**, EC Harris
and “*Courts v Construction. Accrual of a cause of action for payment in engineering contracts*” **Wendy MacLaughlin**, Navigant Consulting.

The First and Second Prize winners will present their papers to the Society meeting on 2nd May. The members of the Judging Panel express thanks to all who entered and congratulations to the recipients of Prizes and Commendations.

Anthony Lavers
Professor of Law
Chair of Judging Panel.

The Norman Royce Prize Paper

The Society of Construction Arbitrators has announced that they are to institute an annual prize in memory of the late Norman Royce. A prize of £2,000 will be awarded to the author of the best paper on a topic relevant to or touching on domestic or international construction disputes, including, but not limited to, their resolution and avoidance; and the lessons to be learnt from them. The closing date for entries is 1st July 2006. Further details can be found on the SCA’s website at www.arbitrators-society.org

SCL Olympic Brewery Lunch

As previously announced, to celebrate the success of the 2012 Olympics bid and its significance for construction, members and their guests are invited to a special London Olympics Lunch at the Brewery on Friday, 17th February. We are delighted that the guest speakers will be Jack Lemley, the newly appointed Chair of the Olympic Delivery Authority and Dalton Grant, international high-jumper and member of the Singapore London 2012 bid team. Tickets cost £55 per person.

Demand for tickets has been even heavier than expected and so Council has decided to make available five more tables of 10 for any firms who have not yet secured a table. Individual tickets are still available to all members but it is expected that the maximum will be reached early in February. To secure your booking, please send your cheque (payable to the Society) to Jackie Morris at the admin office.

Renewal of membership 2006

Many members have already renewed their subscription for 2006. Thank you. For those who have not yet done so, a reminder that subscriptions are now due. If you did not receive, or have mislaid, your renewal invoice, then Jackie Morris can email a duplicate copy to you.

A reminder also to those member who live and work abroad that you can choose to renew either as a full member, or as an overseas e-member but please note that if you choose to renew as an overseas e-member, then you must pay online; online payment being the only payment method available to e-members.

Out of date contact details

There has been an increase in the number of emails returned to us undelivered. Please therefore don't forget to let us know when you change any of your contact details. If you move firms, then you take your membership with you, providing we know where to contact you! However, if we lose touch and your name is removed from the membership list then – although you don't have to go through the application process again – you will be required to pay the full joining fee (currently £165) to be reinstated to the membership list. We don't need a formal letter of notification from you – an email to Jackie Morris at admin@scl.org.uk giving your change of postal address, telephone, fax and email is all that's needed.

SCL Junior Members

If you are under 40 or new to the world of construction law, then you can register as a junior member. The junior committee arranges site visits, conferences with King's College London and social events such as the summer Boat Trip on the Thames.

To register as a Junior Member, log in to the SCL website (www.scl.org.uk) in the usual way, choose the 'Members' link at the top, and then the 'Junior members' link on the left. You will find an explanation of Junior Membership, and a simple form to register. You do not need to enter your name/details, as these are already recognised by the website after you logged in; you only need to confirm your eligibility by giving either your date of birth, or stating that you are junior in your area of expertise.

Nicholas Gould, SCL's Vice chairman, is responsible for the Junior members and he can be emailed on nicholasgould@scl.org.uk

SCL Publications

The Only Game in Town? Reflections on the PFI experience in the United Kingdom, a paper given by John Redmond (former chairman of the Society) to the European Society of Construction Law Conference in Oporto last Spain, will shortly be going on the website. A copy will also be emailed to all members - as a reminder of the wealth of material available to members. A number of papers are printed and circulated, but many more can be found in the publications section of the website. To access these papers (free to members and academics) all you need to do is to log onto the website using your chosen username and password (if you have not yet registered as a member, see instructions in separate item below). Also, once you have registered, you can access your own membership details and opt to be sent an email copy of every 'web only' paper as soon as it is available.

UK businesses and associations unite to tackle corruption

UK businesses and associations with interests in the domestic and international infrastructure, construction and engineering sectors have agreed a comprehensive *Anti-Corruption Action Statement* as part of a programme to promote industry-led actions which can help eliminate corruption.

The *Action Statement* has been developed and endorsed by the Anti-Corruption Forum, which comprises the Association for Consultancy and Engineering (ACE), British Consultants and Construction Bureau (BCCB), Institution of Civil Engineers (ICE), Institution of Structural Engineers (IStructE), Transparency International (UK) (TI(UK)), and representatives of the business community.

The *Action Statement* calls on all those with interests in the infrastructure, construction and engineering sectors to take effective and co-ordinated action to reduce corruption, on both a domestic and international basis, and on both the supply and demand sides. It identifies the various categories of participant in the sectors, including governments, project owners, banks, export credit agencies, companies providing the equipment and services for a project, business associations and professional institutions. It recommends preventive and enforcement actions which could be taken by those participants. A copy of the *Anti-Corruption Action Statement* is available on the Ethics page of SCL's website.

How to register on the website as a member

In order to get members' access to the website you must register online as a member. Registration is easy.

Go to the website homepage www.scl.org.uk click Member Registration (listed below the Member Login box on the right hand side of the homepage) and enter your details and a username and password of your own choosing. Your membership number is also asked for (if you don't know it, then admin can tell you).

Thereafter, you can simply log onto the website using your username and password. When you log in you will see a navigation link to 'Members' which is where you can update your contact details, email subscriptions and data protection information – as well as search for information about other SCL members who have agreed for their data to be accessible to other members on the website (currently over 500 members).

New Website Search Engine

A useful search facility has been added to the SCL website. In the right column of the homepage you will see 'Quick Search'. Enter your word(s) and choose which of three sections to search - 'About Us', SCL newsletters, and summaries of papers. We hope that this facility will make it easier for members to find what they are looking for on the site.

The website is constantly being improved. If you have any questions, problems or suggestions, please contact our webmaster, Edward Peters, at webmaster@scl.org.uk

Contributions invited from Members

What construction law related topic would you like to see presented as a talk? Please email your suggestions to Jackie Morris on admin@scl.org.uk and we will do our best to organise a talk in your area.

You are also invited to contribute to the newsletter. If you have an item related to construction law that you feel would be of interest to others, then please email text to Jackie Morris at admin@scl.org.uk. A member of Council will thereafter decide whether to include the item in the next newsletter. Please note that we do not accept advertisements or items of a commercial nature.

Offer of interest ?

SCL Member Douglas Treacher has informed us that he has working copies of each of the 2 volumes of the 1963 Edition of the Standard Form of Building Contract, which he will pass on to another SCL Member who can make good use of them for a reasonable consideration. Please contact Douglas direct if you wish to take him up on this offer on 01283 575 438.

New Members

Finally, we are pleased to welcome the following new members who joined the Society in January:

Trevor Bird, Wattana, Thailand
Jenny Davis, Edinburgh
Cecil Harris, Roseau, Dominica
Deirdre Ni Fhloinn, London
John Rimmer, Basingstoke, Hants
Keith Waiting, Manama, Bahrain
John Worboys, Stirling
Robert Weatherley, Cambridge

Gavin Brown, Andover, Hants
Michael Eden, Bayview, Australia
James McCluskey, London
Andrew Philip, Edinburgh
Carl Thompson, Sheffield
Richard Tiefenthaler, Benmore, South Africa
Timothy Triplett, Overland Park, United States