



JAMES CLARKE

Partner
London

合伙人，建筑工程诉讼

E: james.clarke@bcplaw.com

T: [+44 \(0\) 20 3400 3507](tel:+442034003507)

BIOGRAPHY

James专业从事建筑工程诉讼与争议业务。他在各类正式和替代争议解决程序中代表客户（包括通过技术和建筑法庭、判决、仲裁和调解进行的程序）。

James就使用行业标准和定制合同格式的建筑工程项目，为承包商、专业顾问、分包商和开发商担任法律顾问、提供专家法律建议，经验十分丰富。他针对特定行业的问题为客户提供法律服务，如与缺陷、延误、设计责任、业务过失、付款、破产和终止有关的权利主张。

ADMISSIONS

- England and Wales

RELATED PRACTICE AREAS

- Construction Disputes
- Infrastructure
- Litigation & Dispute Resolution
- Renewables
- Oil, Gas and LNG
- Real Estate

RELATED INSIGHTS

Insights

Nov 15, 2023

Case flags risk of unclear ADR procedure

While main contract suites offer standard dispute resolution clauses, these are often amended in practice. A recent case gives a warning of what happens when such bespoke provisions are not clear.

News

Oct 19, 2023

Chambers UK Ranks BCLP in 41 practice areas and recognizes 74 lawyers

Insights

Sep 11, 2023

RAAC – What it is and what it means

As schools prepared to reopen this September after the summer break, hundreds were informed that, due to the use of Reinforced Autoclaved Aerated Concrete (RAAC) in their buildings (and its current state and condition), this would not be the case and they would need to remain closed or find alternative accommodation until remedial works could be undertaken. There are likely to be further closures in the future, as more schools are found to contain RAAC in need of urgent remedial works. It has recently become apparent that other buildings have been also affected by RAAC issues, for example court buildings and hospitals. This Insight takes a closer look at RAAC, why it has become an issue now and considers practical steps for those affected by RAAC.

Insights

Aug 10, 2023

Can liquidated damages clauses set general cap?

A pair of cases in the past two years have come to opposite conclusions about whether general damages can be capped by contract provisions for liquidated damages.

Insights

Jul 05, 2023

Time Limits for Arbitral Awards: A Case Summary

In *Alphamix Ltd v The District Council of Rivière Du Rampart (Mauritius)* [2023] UKPC 20, an appeal from the Supreme Court of Mauritius, the UK Privy Council has allowed the appeal and upheld the arbitrator's award, where the award had been annulled by the Mauritian court for being given three days after the date specified for providing an award.

Insights

May 17, 2023

The co-insurance defence: court of appeal confirms that underlying contract defines nature, scope and extent of co-insurance under project policy

The Court of Appeal has dismissed an appeal by FM Conway Ltd ("Conway") against the judgment of Eyre J in the Technology & Construction Court about the nature, scope and effect of co-insurance in the context of a contractor's liability for damage caused by defects on a construction project. My note of the TCC's first instance decision from May 2022 provides a summary of the background to the case, including the works, defects, damage and losses claimed. In that note, I also summarised the TCC's reasoning for dismissing Conway's co-insurance defence, which the Court of Appeal has now roundly endorsed. It was my view then that the TCC's judgment joined a growing line of important authorities on the relationship (and tension) between – on the one hand the allocation of risk between parties on a construction project – and on the other the scope and extent of insurance taken out in respect of such risks. Lord J...

Insights

Feb 22, 2023

Renewable Energy Case Update

Insights

Feb 09, 2023

Without prejudice privilege – guidance from the Privy Council

Webinars

May 30, 2022

BCLP Partners Participate in Webinar on Recent Cases and Trends in Construction Disputes