

## 3PB Barrister Profile



### Stuart V. Kennedy

Call 1999

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#### Early Neutral Evaluation

Prior to coming to the Bar, Stuart had already established a successful career in the construction industry. Having worked for a professional quantity surveying practice, a main contractor and been a director of a major sub-contractor, he then established his own quantity surveying practice. Stuart is therefore able to combine his practical knowledge of the industry with his legal expertise to provide practical legal advice.

Stuart Kennedy is recommended in Band 2 of the International Arbitration:Construction/Engineering: London of the Chambers and Partners 2011 Directory.

?Stuart Kennedy of 3 Paper Buildings also takes his place in the table for the first time in recognition of the significant practice he has developed in this area. His practice is cross-jurisdictional and he recently acted for the claimant in a dispute with the Hong Kong government?.

#### Academic

Stuart has a First Class Honours degree in law and won the Barstow Scholarship on the Bar Course at the Inns of Court School of Law. The Scholarship was awarded for obtaining the third highest marks out of over 700 candidates, a feat all the more remarkable as Stuart was studying on the part-time course whilst working full time!

#### Dispute resolution

He has long been involved in resolving construction disputes as quantity surveyor, an adviser/advocate and as an arbitrator/adjudicator. He was appointed to the Panel of Adjudicators of the Chartered Institute of Arbitrators in 1997 and the RICS Panel of Adjudicators in 2000. He is a member of the Worshipful Company of Arbitrators.

#### International

Stuart has been involved in a number of international projects including the new Hong Kong Airport and the new airports in Oslo and Athens , as well as other projects in Europe and the Middle East . In June 2001, Stuart was called to the Bar of St. Vincent and the Grenadines.

#### Areas of practice

Stuart Kennedy's practice as a barrister naturally focuses on construction, where he acts as an advocate in litigation, arbitration, adjudications and mediations. He regularly accepts appointments as an Arbitrator, Adjudicator and Mediator, either nominated by one of the Appointing Bodies or by agreement between the parties. He is a Fellow of the Royal Institution of Chartered Surveyors and a Fellow of the Chartered Institute of Arbitrators, and a member of TECBAR, the Society of Construction Law and of the Western Circuit. He also lectures at conferences and seminars.

### **Professional negligence**

As well as dealing with a wide range of building disputes, Stuart regularly acts for and against surveyors, architects and engineers in Professional Negligence claims. Stuart is able to combine his legal knowledge with his first hand practical experience of the construction industry to excellent effect. As a Fellow of the Royal Institution of Chartered Surveyors and a Fellow of the Chartered Institute of Arbitrators, Stuart is familiar with the role of Professionals and the standards they should work to.

### **Reported cases**

*Sinclair v Woods of Winchester Ltd* [2005] EWHC 1631 (QB) (14 July 2005), [2006] EWHC 3003 (TCC) (22 November 2006)

Stuart has appeared in a number of reported cases concerning enforcement of Adjudicator's Decisions including:

*Glencot Development and Design Co. Ltd v Ben Barrett & Son (Contractors) Ltd* [2001] BLR 207.

*Trustees of Stratfield Saye Estate v AHL Construction Ltd* [2004] EWHC 3286(TCC).

*Palmac v Park Lane Estates Limited* [2005] EWHC B1 (TCC).

*Allen Wilson Shopfitters v Anthony Buckingham* [2005] EWHC 1165 (TCC)

### **Professional Qualifications and Appointments**

- Accredited Adjudicator
- Accredited Mediator
- Chartered Arbitrator