



Melissa specialises in construction law and international arbitration.

Her experience spans litigation, arbitration, adjudication, mediation and dispute board proceedings. She regularly acts as sole counsel in a wide range of technically complex construction sectors domestically and internationally: energy (including oil and gas, hydroelectric plants and solar power plants); infrastructure (including roads, bridges and rail); residential and commercial building projects (including ultra-prime developments, hotels, shopping centres and residential schemes); and large-scale PFI projects, amongst other sectors.

Melissa has a wide-ranging international practice: the disputes she has worked on recently involve projects in the Middle East, the Far East, the Caribbean, South America, Mainland Europe and Africa. She is also regularly involved in high-value, legally complex domestic disputes.

PRACTICE AREAS

- Construction
- International Arbitration
- Commercial

PRACTICE AREAS

CONSTRUCTION

Examples of Melissa's recent work include:

- Acting for an EPC contractor in a dispute (with a value in excess of €500 million) concerning the construction of a large hydroelectric plant in Africa (amended FIDIC Silver Book).
- Acting as sole counsel for a large M&E subcontractor defending a multi-million pound litigation claim in relation to an ultra-prime residential development in London.
- Acting for the contractor in a multi-million dollar SIAC arbitration arising out of the rehabilitation,

design and construction of a road of national significance in Asia (FIDIC Pink Book). Issues include delay and extensions of time, early completion, and the enforcement of dispute board decisions.

- Acting as junior counsel for a Dutch infrastructure contractor in a multi-million Euro delay dispute regarding the construction of the foundations of a production plant.
- Acting as junior counsel for a co-defendant in a multi-party TCC claim relating to the construction of a retail development in the UK.
- Advising a power plant contractor in relation to a cUS\$300m dispute with its joint venture partner for the construction of a power plant in the Middle East.
- Acting as junior counsel for Highways England in the TCC in Connect Plus (M25) Ltd v Highways England Co Ltd [2018] EWHC 140 (TCC). This involved the proper interpretation of a £6.2 billion, 30-year PFI contract for the M25 motorway.
- Acting as junior counsel for the employer in an ICC arbitration concerning a US\$500m claim/counterclaim arising out of a Caribbean infrastructure project.
- Acting for the employer in a multi-million dollar SIAC construction arbitration concerning the construction of commercial premises.
- Acting and advising as sole counsel in adjudications for contractors and employers, including adjudication enforcement hearings in the TCC. Melissa represented the claimant as sole counsel in its successful application for summary judgment for over £2 million in Breyer Group PLC v Adam Michael Scaffolding Services [2018] EWHC 3959(TCC). Other recent reported enforcement cases include 4MA Ltd (t/a 4M Group) v Nash [2019] 4 WLUK 210 and BM Services Inc Ltd v Greyline Builders Ltd [2018] EWHC 3884 (TCC).
- Advising contractors and employers in a wide range of international energy and infrastructure disputes. Recently, Melissa has advised on disputes arising out of the construction of solar power plants in the Middle East and South America and the construction of a bridge in Asia.

INTERNATIONAL ARBITRATION

International arbitration constitutes a significant proportion of Melissa's practice. She has particular experience of arbitrations under ICC, SIAC and UNCITRAL rules.

Examples of notable recent work include:

- Acting for an EPC contractor in a dispute (with a value in excess of €500 million) concerning the construction of a large hydroelectric plant in Africa (FIDIC Silver Book).
- Acting for the contractor in a multi-million dollar SIAC arbitration arising out of the rehabilitation, design and construction of a road of national significance in Asia (FIDIC Pink Book). Issues include delay and extensions of time, early completion, and the enforcement of dispute board decisions.
- Advising a power plant contractor in relation to a cUS\$300m dispute with its joint venture partner for the construction of a power plant in the Middle East.
- Acting as junior counsel for the employer in an ICC arbitration concerning a US\$500m claim/counterclaim arising out of a Caribbean infrastructure project.
- Acting for the employer in a multi-million dollar SIAC construction arbitration concerning the

construction of commercial premises.

COMMERCIAL

Melissa has a broad commercial practice. Examples of Melissa's work include:

- Acting, as junior counsel, in a £23 million action under the Financial Services and Markets Act, arising from regulatory charges brought by the Financial Conduct Authority. Melissa represented the Managing Director of the main operating subsidiary.
- Being instructed as part of a team acting as a s166 skilled person, appointed by the Financial Conduct Authority, reviewing consequential loss claims following the mis-sale of Interest Rate Hedging Products by a major high street bank.
- Acting, as sole counsel, for the Financial Ombudsman Service to successfully strike out a claim brought against it for damages.
- Successfully representing the claimant in a partnership dispute.

MEMBERSHIPS

- Society of Construction Law
- TECBAR
- Middle Temple

QUALIFICATIONS

- 2011: BPTC, Manchester Metropolitan University, Outstanding (ranked 1st in the year).
- 2010: GDL, BPP Manchester, Distinction (ranked 2nd nationally, out of approximately 1500 students).
- 2009: BA Hons History, Pembroke College, Cambridge, First.

SCHOLARSHIPS & PRIZES

- 2011: Certificate of Honour, Middle Temple.
- 2011: Four awards from Manchester Metropolitan University for the best performance in the relevant subject area of the BPTC (Business Law, Civil Litigation, Resolution of Disputes out of Court and Criminal Litigation).
- 2010-11: Queen Mother Scholarship, Middle Temple.
- 2009-10: Cohen Scholarship, BPP Manchester.

- 2009: Foundress Prize and Foundation Scholar, Pembroke College, Cambridge

ADDITIONAL INFORMATION

PUBLICATIONS:

The fall of orthodoxy? Discussion of Triple Point Technology (Construction Law Quarterly. Proceedings of the Institution of Civil Engineers – Management, Procurement and Law 172(5): 218–223)

I (or is it you?) don't like Mondays: Moylett v Geldof (Practical Law Dispute Resolution Blog) May 2018

Sutton v Rydon, a Triumph of Common Sense (Practical Law Construction Blog) June 2017

We are not enemies of the people (Practical Law Dispute Resolution Blog) May 2017

Practical points on forum non conveniens in Deutsche Bank AG v CIMB Bank Berhad (Practical Law Dispute Resolution Blog) February 2017

Negligence, deliberate concealment and unlawful means conspiracy: three lessons from Adams v Atlas International Property Services (Practical Law Dispute Resolution Blog) December 2016

CASES:

4MA Ltd (t/a 4M Group) v Nash [2019] 4 WLUK 210

Connect Plus (M25) Ltd v Highways England Co Ltd [2018] EWHC 140 (TCC)

BM Services Inc Ltd v Greyline Builders Ltd [2018] EWHC 3884 (TCC)

Breyer Group PLC v Adam Michael Scaffolding Services [2018] EWHC 3959 (TCC)

LONDON

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman,
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085