



Rebecca Penney

Senior Associate

rpenney@fenwickelliott.com

Rebecca has a broad range of experience in construction and engineering disputes, acting for employers, contractors and subcontractors in disputes arising from the design and construction of large-scale infrastructure projects and both residential and commercial developments.

Rebecca specialises in litigation and dispute resolution. She has wide-ranging experience of arbitration, proceedings issued in the Technology and Construction Court ("TCC") and adjudication proceedings, as well as dispute resolution and mediation.

Rebecca has experience of all major forms of domestic contracts, including JCT, NEC and bespoke contracts for large-scale developments.

Specialist expertise

Rebecca specialises in contentious construction matters and dispute resolution. She has wide-ranging experience of Technology and Construction Court ("TCC") proceedings and mediation, as well as adjudication experience, particularly involving payment mechanism disputes.

Examples of Rebecca's expertise include:

- acting for a defendant joint venture contractor in respect of various arbitration proceedings relating to the construction of a large-scale tram extension project in the UK;
- acting for a claimant joint venture contractor in TCC proceedings relating to the operation of a framework agreement and call-off contract based on the NEC 3 Term Service Contract;
- advising a timber frame sub-contractor in relation to various defects that have manifested in a large-scale residential development in the UK;
- acting for the main piling subcontractor in a multi-party £170 million dispute in the TCC arising out of alleged defects in the design and construction of a wine production and distribution warehouse in Avonmouth, featured as one of The Lawyer's "Top 20 Cases of 2014";
- acting for a firm of M&E consultants defending claims brought by a property developer arising out of the alleged defective design of a mechanical ventilation and heat recovery system in a large-scale residential development;
- acting for a subcontractor in mediating a high-value dispute arising out of the design and construction of a distribution warehouse facility;

- acting for a housing association against a large domestic contractor in a complex dispute relating to the design and construction of a residential development that suffered widespread damage as the result of a fire;
- acting for domestic contractors in defending adjudication proceedings relating to disputes regarding payment mechanisms and payless notices;
- acting for the employer in bringing a claim in the TCC against a design engineer for losses arising from extensive flood damage to a luxury residential development.

Other activities and memberships

- Rebecca is a member of the Society of Construction Law.
- Rebecca regularly contributes towards industry-related articles and case notes.