



## Paul Smylie

Associate

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Paul has experience acting for employers, contractors and sub-contractors in litigation, mediation and adjudication, as well as providing legal and commercial advice on disputes on live projects. He also has considerable experience of defending claims against construction professionals.

Paul has a strong understanding of the construction industry, having previously worked in a major construction consultancy firm assisting with delay and quantum analyses.

Paul was a principal researcher for the first edition of Paul Reed QC's *Construction Professional Indemnity Insurance*.

*Examples of Paul's expertise include:*

- acting for a claimant management company in respect of alleged cladding and firestopping defects at a residential property, including a successful application for strike out and summary judgment;
- acting for a mechanical and electrical contractor in multiple adjudications concerning its final account in respect of the redevelopment of a major UK railway station;
- acting for a main contractor in an adjudication against its groundwork sub-contractor concerning defects in the construction of the roads at a vehicle testing centre;
- acting for a main contractor in an adjudication defending allegations that it was in breach of a sub-contract by omitting works and exercising a termination at will provision to allow it to employ another party to complete the sub-contract works;
- advising a main contractor in respect of a claim against its consultant engineer regarding alleged defects in the design of the concrete superstructure of a residential development which were discovered during construction;
- advising a multi-disciplinary practice regarding the purported termination of its appointment as architect and replacement as contract administrator in respect of the construction of a new care home;
- advising an employer in respect of the termination of the main contractor's appointment on a £10m project for the expansion and refurbishment of an office building;
- acting for an insurer defendant in a claim under the Third Parties (Rights Against Insurers) Act 2010 in respect of alleged defects in the designs of masonry walls at a residential development, prepared by a structural engineer which became insolvent, and associated delays;

- acting for a design and build cladding sub-contractor in respect of alleged fire safety and structural defects in the external walls of a student accommodation development;
- acting for a quantity surveyor in respect of a claim by the employer for allegedly over-certifying the value of works prior to the main contractor becoming insolvent;
- acting for a defendant project manager in multi-party litigation concerning delays and cost overruns in respect of an extension to a higher education institution.

### **Academics**

Paul graduated from Oxford University with an upper second class law degree and achieved a distinction in his masters in International Business and Commercial Law at Manchester University.

### **Memberships**

- member of the Society of Construction Law.