

## Digby Hebbard Partner

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## Overview

Digby Hebbard is a partner in the Dispute Resolution department at Fladgate.

He specialises in advising parties to domestic and international construction, engineering and building projects on commercial and contractual issues.

His expertise covers a range of sectors including transport and infrastructure, traditional construction, energy, nuclear, development, healthcare and heritage.

Digby's clients include main contractors, specialist contractors, funders, developers, cultural institutions, materials suppliers and water treatment operators.

He works closely with clients through project delivery. He assists with drafting and reviewing project documentation, identifying potential risks and developing strategies to navigate through them. Where unavoidable, Digby represents clients in adjudication, arbitration and litigation.

Digby is regularly noted as a recommended practitioner in the annual Legal 500 Directory. He is also a member of the Society of Construction Law.

He qualified in 2001 and joined Fladgate in 2015.

## Experience

- Conducting only the second ever adjudication case before the Supreme Court – Bresco Electrical Services Ltd (In Liquidation) v Michael J Lonsdale (Electrical) Ltd [2020] UKSC 25 after first having conducted this case through the High Court and Court of Appeal
- Advising a trade contractor in disputes arising from the redevelopment of the

## Expertise

[Construction law](#)

- [Construction Projects](#)
- [Construction Disputes](#)

[Dispute Resolution](#)

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## Industry

[Public Attractions](#)  
[Projects & Infrastructure](#)  
[Energy & Resources](#)  
[Leisure](#)  
[Construction & Engineering](#)  
[International](#)

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## Location

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## Contact Us

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## Battersea Power Station

- Advising the British Museum in connection with various refurbishment contracts
- Advising the EPC contractor in connection with the construction of a new nuclear reactor.
- Advising the EPC contractor on disputes arising from a £150m waste-to-energy facility, including arbitral proceedings.
- Advising the V&A Museum in connection with the design and construction of the new £50m Exhibition Road Quarter, which opened in summer 2017.
- Successfully defending an EPC contractor in c£5m adjudication proceedings brought by a subcontractor concerning a waste-to-energy plant.
- Negotiating an EPC contract for a €2bn gas project in Turkey on behalf of the contractor.
- Advising a prestigious cultural institution in relation to the development, construction and fit-out of a landmark gallery at Stratford Waterfront.
- Assisting an international contractor with its bid for a major transport infrastructure project.
- Successfully pursuing claims for a contractor arising from long-term repairs and maintenance contracts.
- Advising the National Portrait Gallery in connection with their £30m refurbishment.
- Advising a PFI contractor in relation to renegotiation of financing and operational agreements for series of infrastructure projects.
- Successfully prosecuting arbitral proceedings for a main contractor against its sub-consultant designer in relation to a major UK infrastructure project.
- Negotiating final account settlements with multiple contractors on behalf of the developer in relation to a £2bn mixed use development.
- Advising the developer in connection with a final account dispute with the main contractor arising from a hotel refurbishment project.
- Defending the main contractor in final account Technology and Construction Court proceedings commenced by the local authority in respect of a transport infrastructure project.
- Advising the Science Museum Group in connection with the construction of large storage facilities.
- Acting for a leading cultural institution in defending serial adjudications commenced by the main contractor in relation to gallery refurbishment contracts.
- Acting for the Royal Academy of Dramatic Act on the procurement and delivery of the refurbishment of its campus.
- Successfully prosecuting a final account adjudication for the main contractor against a local authority arising from an education scheme.
- Successfully prosecuting adjudication claims for fit-out contractors against employers in relation to various London commercial premises.
- Successfully resisting adjudication enforcement proceedings arising from a refurbishment of a property in South Kensington;
- Acting for employer in relation to TCC adjudication enforcement proceedings – *Bovis Lend Lease v Trustees of the London Clinic* [2009] EWHC 64.
- Advising a housing association in TCC enforcement proceedings – *Willmott*

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*Dixon Housing Ltd v Newlon Housing Trust* [2013] EWHC 798.

- Successfully prosecuting a Technology and Construction Court defects claim against the main contractor – *Linklaters Business Services v Sir Robert McAlpine and Ors* [2010] EWHC 2931.
- Acting for a housing association in defending multiple adjudications commenced by the main contractor in respect of a mixed-use development.

## Testimonials

Digby Hebbard...successfully resisted enforcement of a... claim over a refurbishment works dispute concerning a house in Central London; the case at Technology and Construction Court has refined and developed the law on breaches of natural justice. Hebbard led an instruction to draft and negotiate the £30m building contracts and associated documents in relation to the new Medicine galleries, groups entrance and Wonderlab acoustic ceiling for the Science Museum, South Kensington, as well as advising on the £50m new Exhibition Road Quarter project, the V&A's largest ever capital project.

*Legal 500 2018*

Fladgate LLP acted for a group of retail and institutional investors in litigation against RBS arising from its rights issue. Simon Ekins and Simon Brew are recommended alongside Mark Buckley, who is 'a great tactician', Bree Taylor, who is 'a tough, smart litigator', and the 'exceptional' Steven Mash. Alexander Wildschütz, David Weare and Digby Hebbard are also well regarded.

*Legal 500 2016*

The fast-growing practice at Fladgate LLP... was joined by litigator Digby Hebbard. Highlights for the team included advising Chorus Group on the £35m fit-out works for the Shangri-La Hotel in the Shard.

*Legal 500 2015*

The 'professional' team at Fladgate LLP has 'good commercial awareness'. The group acts for high-net-worth individuals and companies in claims against solicitors, accountants and construction professionals, and handles defence work for clients including Deloitte and the Medical Defence Union. Janet Keeley, Sophia Purkis, Jonathan Hibberts and Digby Hebbard are noted.

*Legal 500 2017*

Fladgate LLP has 'good-quality litigators for all commercial areas'. The practice is largely conflict free and able to act against most banks in financial services-related litigation...key advisers include...construction law expert David Weare, and Digby Hebbard, who pursues claims against construction project professionals.

*Legal 500 2017*

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'Response times and value-for-money are very good' at Fladgate LLP, where the team continues to undertake a range of instructions in key sectors such as hotels and leisure, renewable energy, and museums and exhibitions. Digby Hebbard advised the Science Museum Group on the construction of its new interactive and maths galleries, and David Weare assisted Hitachi Zosen Inova with an EPC contract to deliver an energy-from-waste facility on the outskirts of Edinburgh.

*Legal 500 2017*

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