

Peter Aeberli

Year of Call: 1990

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Neutrals - Adjudicators

Peter has acted as an adjudicator on in the region of 300 construction disputes involving claims up to about £15 million and projects up to about £100 million.

"The adjudicator decided, in what both parties accepted was a thorough and well reasoned decision, that the defendant had to pay the claimant the sums for which I have given summary judgment." Knight v. Urvasco [2008] EWHC 3956. *"I would like to express my appreciation of the proficient approach and treatment by the one member DAB ..."* (Eastern European State entity).

Peter has been named or listed as an adjudicator in respect of a number of high value and prestigious contracts, including a major development by a top premier league football club, a PFI waste management project in Wakefield, a biomass facility in the north of England, a Project Agreement, PFI Construction Contract, Interface Agreement and Facilities Management Contract for social housing on a number of sites in the North of England, London Crossrail, the London 2012 Adjudication Panel and T5 (Heathrow Terminal 5).

A selection of Adjudications on which Peter Aeberli has been appointed within the last few years include:

- CIC nomination: Transnational gas pipeline: NEC 3 amended; about £8 million claimed
- LCIA nomination: Station tunnelling: NEC3 amended; Account, about £12 million claimed
- RIBA nomination: Professional services. Bespoke terms: About £200k claimed for services
- CI Arb nomination: Northern Ireland infrastructure: Bespoke design build and operate contract; Declaratory as to long term obligations
- RICS nomination: Scottish School: Alleged subsidence, about £4 million claimed; Reported at *Transform Schools (North Lanarkshire) Limited v Balfour Beatty Construction Limited* [2020] CSOH 19
- RICS nomination: Liquefied Natural Gas plant: Bespoke terms: Termination and account About £6.5 million claimed
- RICS nomination: Office project: JCT as amended: Alleged glazing defects, about £650k claimed
- RICS nomination: Residential accommodation; Bespoke vesting agreements: About £400k claimed as damages
- RICS nomination: Central London offices: JCT terms; Post termination account; about £6 million claimed
- ICE nomination: Off-shore harbour works: FIDIC Dredging and Reclamation works: €16 million claimed
- ICE nomination: Ground and landscaping works: NEC3 amended: Final account, about £4 million claimed; *John Doyle Construction Limited v. Erith Contractors Limited* [2020] EWHC 2451 [35]
- ICE nomination: Airport runway: NEC3 amended: Declaratory as to time
- ICE nomination: Tram facility: JCT terms: Declaratory as to alleged defects
- ICE nomination: Process plant: Bespoke EPC contract: About £1.8 million claimed for alleged defects

- Agreed nomination: Residential and commercial M&E services: Bespoke terms: £6 million claimed
- Agreed nomination: £50 million Materials Jetty associated with construction of a nuclear facility: NEC 3 amended. Declaratory
- Agreed nomination: £50 million Marine Jetty: NEC3 amended entitlement to levy liquidated damages; about £1.5 million in dispute
- Agreed nomination: Higher education facility: Engineering services; Bespoke agreement. About £3 million claimed for delays
- Agreed nomination: Nuclear facility: NEC3 amended. Alleged compensation events, about £800k claimed
- TecSA nomination: £50 million Data Centre: JCT DB (2011) as amended: £6.5 million claimed
- TecSA nomination: Term contract for services: Bespoke terms: Account, about £350k claimed.

Peter also devised and ran a training course for representatives in Construction Adjudication, on behalf of various professional bodies in Ireland including the RIAI, Engineers' Ireland and the Bar Council, the Adjudication Conversion Course in preparation for the introduction of statutory adjudication of construction disputes in Ireland and, for the Irish Law Society.

Recommendations

"Thank you very much indeed for your assistance yesterday. ... we could not have got there without your skill and persistence." - **London city solicitors – Mediation instruction**

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"We would also like to convey our thanks to the Arbitrator ... We look forward to working again with the Arbitrator soon." - **London city solicitors**

Academic qualifications

- MA (Edin)
- BA (Oxon)
- Dip Arch
- RIBA
- ARIAS
- FCI Arb

Professional qualifications & appointments

- Accredited Adjudicator
- Accredited Mediation Advocate
- Accredited CEDR Mediator
- Chartered Arbitrator
- Chartered Architect
- Diploma in International Commercial Arbitration

Professional bodies

- Arbitrator member of the Society of Construction Arbitrators
- Major Projects Adjudication Group
- Swiss Arbitration Association
- ICC Commission on Arbitration
- Crossrail Panel of Adjudicators