



Seb Oram

Year of Call: 2007

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Construction and engineering

Seb Oram regularly advises and acts in relation to construction disputes, and routinely deals with disputes arising under the common-form contract suites (such as JCT, NEC IMechE, RIBA and FIDIC). A large part of his practice concerns professional negligence in the construction and engineering context.

In each of his practice areas he represents parties in arbitration, and in the Business and Property Courts of England and Wales. He is a fluent Spanish speaker and will act, in particular, for clients in international arbitration, in disputes involving a Spanish-speaking element under all major institutional rules.

He also acts in adjudications under the 1996 Act and in the enforcement of adjudicator awards.

He is a member of the Society of Construction Law, the Technology and Construction Bar Association and a member of UK organising committee of the Spanish and Latin American Arbitration Society.

Recent cases

- ICC arbitration of a termination dispute and multi-million Euro claim for consequential losses, relating to a bioenergy power plant (ICC arbitration, ongoing).
- Damages claim under an international engineering contract for the manufacture, supply and delivery of railway stock (2022).
- Sub-contractor's multi-million US dollar claim for delay and disruption damages, on a regional infrastructure project to upgrade the electricity distribution network of the Bangalore metropolitan area, India (TCC, 2019-2021).
- Payment and defects claim under a framework contract for telecommunications network installations in the north of England (TCC, 2022).
- Professional negligence claim against mechanical systems designers, relating to the adequacy of a sub-floor heating system for a listed building (TCC, 2022).
- Professional negligence claim against structural engineers, relating to the design of a cladding frame for a major, regional shopping centre (TCC, ongoing).

Noteworthy and recent cases (Technology / Construction)

- **Readie Construction Ltd v Geo Quarries Ltd [2021] EWHC 3030, [2022] T.C.L.R. 1 (QBD)**
The availability of claims for the price of defective goods, under the Sale of Goods Act 1979, s.49, and the effect of 'no set-off' clauses.
- **Deluxe Property Holdings Ltd v SCL Construction Ltd [2020] EWHC 3354 (TCC)**
Claims for proprietary relief in respect of VAT mistakenly overpaid to a contractor under a construction contract.

- **Lejonvarn v Burgess (No.2) [2020] EWCA Civ 114, [2020] 4 All ER 461, [2020] 4 WLR 43, [2020] BLR 187, [2020] Costs LR 45 (CA)**
Professional negligence claim against architect; costs orders.
- **Burgess v. Lejonvarn [2017] EWCA Civ 254, 171 ConLR 118 (CA); [2018] 181 ConLR 204 (TCC)**
Professional negligence claim against architect; assumption of responsibility in tort for design and project management services provided gratuitously.
- **Ziggurat (Claremont Place) LLP v HCC International Insurance Co plc [2017] EWHC 3286 (TCC), (2017) 176 ConLR 161 (TCC)**
Explored the wording of the industry-standard contractor's bond, and the insurer's liability under it on the contractor's insolvency.
- **Seeney v. Gleeson Developments Ltd [2015] EWHC 3244 (TCC), [2015] All ER (D) 143 (Nov)**
Residential homebuyers' claim against national housebuilder, arising out of design and construction defects in a new-build home.
- **West 3 Mechanical Contractors Ltd v Mizen Design Build Ltd [2014] All ER (D) 40 (TCC)**
Defence of contractor's claim for payment, centring on defective installation of gas installation pipework.
- **Hunt and Ors v. Optima (Cambridge) Ltd and Anor [2013] EWHC 681 (TCC), (2013) 148 ConLR 27 (TCC)**
Defects and tenants' repair claim arising out of the development of 26 new-build properties.
- **JGD Construction Ltd v. Mills [2013] EWHC 572 (Ch), [2013] BPIR 811**
Appeal considering the extent to which the court has a discretion to make a final third party debt order, notwithstanding the fact that the judgment debtor has entered formal insolvency proceedings.

Articles

Construction law: The CDM Regulations 2015 and novated designer appointments - an update for Lexis Nexis by Seb Oram of 3PB Barristers.

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On the anniversary of the CDM Regulations 2015 coming into force, Seb Oram presents a LexisNexis webinar on their effect and on the practical issues that they raise for the Construction and Engineering sectors.

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The CDM Regulations 2015: changes and impact - an update by 3PB's construction law barrister, Seb Oram.

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Recommendations

Seb is an experienced barrister focusing on professional negligence claims against construction professionals, among others. He has experience litigating in the Court of Appeal as well as the TCC.

Strengths: "His drafting style is fabulous: very elegant and user-friendly."

Chambers UK 2024/Professional Negligence: Technology & Construction/London Bar

Strengths: "Sebastian's written advocacy is excellent, focusing on the key issues and avoiding bad points."

"Sebastian Oram is so bright and incredible."

Chambers UK 2023/Professional Negligence: Technology & Construction/London Bar

Strengths: "He always understands the underlying technicalities of the issue and he knows the right questions to ask. He's not just concerned with the specific task but with the progression of the matter." "He has a level of experience and judgement that far exceeds his years of call. Responsive, persuasive, calm and measured. An absolute pleasure to deal with."

Recent work: Acted in a claim against the designers and installers of stonework cladding on a shopping centre, for remedial works and consequential losses.

Chambers UK 2022/Professional Negligence: Technology & Construction/London Bar

Strengths: "Considered, robust, articulate, technically sound and has a great ability to absorb complex facts and cut to the heart of the issue."

Recent work: Acted in a claim against structural engineers for economic losses resulting from negligent advice about the adequacy of foundations for the vertical extension of a commercial building.

Chambers UK 2021/Professional Negligence: Technology & Construction/London Bar

Strengths: "He is good at explaining things in a calm, methodical and well thought out way. He listens to instruction and his overall demeanour is very confident." "Considered, robust, articulate, technically sound, and has a great ability to absorb complex facts and cut to the heart of the issue."

Recent work: Acted in a claim against structural engineers for economic losses resulting from negligent advice on the adequacy of foundations for the vertical extension of a commercial building.

Chambers UK 2020/Professional Negligence: Technology & Construction/London Bar

"He very quickly inspires confidence in the client and is a measured but very effective negotiator."

Recent work: Acted before the Court of Appeal in a claim arising out of the design, tendering and supervision of the structural relandscaping of a terraced garden, and considering whether a professional could be held liable for services provided gratuitously.

Chambers UK 2019/Professional Negligence: Technology & Construction/London Bar

Strengths: "You can bombard him with information and he sees straight through everything that needs to be swept aside. He gets to the crux of the issue. He is also a very effective communicator."

Chambers UK 2018/Professional Negligence: Technology & Construction/London Bar

'Clever, thorough, to the point, very good with clients, excellent in court with good presentational skills and persuasive approach, and very good at cross-examination.'

Legal 500 2024/Professional negligence/Leading Juniors/London Bar

A highly intelligent and articulate barrister who provides superb, insightful advice. A persuasive advocate who is also measured and calm.

Legal 500 2023/Professional negligence/Leading Juniors/London Bar

'A highly intelligent and articulate barrister who provides superb, insightful advice. A persuasive advocate who is also measured and calm.'

Legal 500 2022/Professional negligence/Leading Juniors/London Bar

'He has a great ability to absorb complex facts and cut to the heart of the issue. He is methodical and, in terms of bang for your buck, you get a much bigger bang with Seb than you would with other barristers of a similar year of call.'

Legal 500 2021/Professional Negligence/Leading Juniors /London

'Excellent on construction-related claims.'

Legal 500 2020/Professional Negligence/Leading juniors/London

'Incredibly detailed, solid and hardworking.'

Legal 500 2018/19/Professional Negligence/Leading juniors/London

Academic qualifications

- MA (Hons.) Law, Trinity Hall, Cambridge
- LL.M., University of Bristol

Professional qualifications & appointments

- Called 2007; Lincoln's Inn

Professional bodies

- Association of Business Recovery Professionals ("R3")
Chancery Bar Association
Society of Construction Law
Spanish and Latin American Arbitration Society (el Club Español e Iberoamericano del Arbitraje) – UK organising committee member.
Technology & Construction Bar Association (TECBAR)