

David Fearon

Call 2013



Clerks' Details

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Appointments

- ADR Group accredited civil and commercial mediator
- TECBAR Panel
- Association of Northern Mediators
- ADR Group Mediator Panel

Memberships

- Gray's Inn
- Law Society
- Northern Circuit
- Fellow of the Chartered Institute of Arbitrators (FCIArb)
- Chartered Quantity Surveyor (MRICS)
- Chartered Builder (MCIOB)
- Technology and Construction Bar Association
- Society of Construction Law
- Adjudication Society
- Northern Circuit Commercial Bar Association

Commercial CV

Overview

In addition to being a specialist in construction, engineering and process engineering work, David deals with general commercial dispute resolution in relation to a wide range of matters. These include general property related disputes, supply only contracts, labour only contracts, supply of goods and services, IT, disputes with utility providers, specialist manufacturing contracts and associated issues and damage arising from hazardous materials, negligence and nuisance.

David has acted for a wide variety of clients including insurers, individuals, business owners, international employers, developers, consultants, major, medium and small contractors and specialist sub-contractors.

His professional qualifications, extensive practical experience and technical knowledge aid him in providing early case assessments and advise and dispute resolution support on contractual and professional negligence matters.

David has experience of and accepts appointment as adjudicator, arbitrator, legal adviser to arbitrator and mediator.

David a registered public access practitioner.

Recommendations

David was named *Construction Disputes – Barrister of the Year – UK* at the [Lawyer Monthly Legal Awards 2018](#).

The Legal 500

“A real depth of experience and specialist knowledge of the construction sector. He is probably the most effective and formidable cross-examiner I have ever seen.”

“A tenacious advocate with strong industry experience.”

“Clients love his calm, smooth manner.”

“A great strategist with a good client manner.”

Chambers and Partners

“He is a fantastic construction lawyer, has a good presence with the clients and varied experience, and is able to relate to people.”

“He has huge experience. He was previously a quantity surveyor, which means he has fantastic technical knowledge, is very popular with clients and is pragmatic and commercial.”

“He understands and gets on with the client. He is very hard-working and is prepared to put in all the time necessary, even on holiday.”

“Has an advantage at the Construction Bar as he has had a career in the industry previously, so he understands how things work in practice.” “He has a technical background and knows the industry very well.”

“An excellent practical lawyer, who talks the language of the industry.” “His attention to detail and knowledge of the law is unmatched. He is great fun to work with.”

“His practice comprises both contentious and non-contentious matters, with his quantity surveying background giving him an advantage”.

“Because he’s been on both sides of the fence he knows how it all works.”

“Fearon has a background in construction as a quantity surveyor and project manager, and is known for his “pragmatic way of looking at things, carefully balancing the cost and the benefit”.

“A commercially sharp, able negotiator...”

“...he is experienced in dispute resolution, as well as non-contentious construction matters.”

Cases

SUNDRY COMMERCIAL LITIGATION

Specialist IT contractor in relation to claims for payment arising from dealing with “Millennium Bug”

Sale of business and licence agreement for musical instrument manufacturer
Football club on disputes with its utilities providers.

Specialist subcontractor on claims arising from fatality due to crane collapse on site. Insurer and insured on claims arising from fire; allegations of fire damage to adjacent property.

Specialist fabrication subcontractor; claims arising from manufacture of steel goods.

Group of franchisees in dispute with franchisor on contract and payment

Glass manufacturer on dispute with utilities provider in respect of damage caused to the glass manufacturers kilns and other plant by reason of power failure.

Specialist testing subcontractor in relation to dispute arising from testing of drain and water piping.

PROPERTY RELATED CASES

Major UK Plc in defence of a £7,000,000 agreement for lease dispute.

Homeowner’s claim against insurance arising from subsidence

Advice on Party wall disputes

NHS Trust on dispute in relation to water ingress to one of its properties

Local authority on breaches of tenant’s obligations in lease of motorcycle track.

Claim by hotel owner arising from flooding of property from adjacent land

Private clients in dispute against neighbours in adjacent property, damage to which had caused damage to their property.