

**FENWICK  
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The construction &  
energy law specialists

# LEGAL UPDATE FOR DEMOLITION ENGINEERS

## Design Liability, Contract Amendments and Payments

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# INTRODUCTION

# THE CONTRACT, THE CONTRACT & THE CONTRACT

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- Unforeseen Ground Conditions – *Clancy Docwra Limited v E.ON Energy Solutions Limited 2018*
- Engineer Personally Liable?/Scope of Works – *Williams Tarr Construction Limited v Anthony Roylance Limited and Anthony Roylance 2018*
- Different/More Onerous Design Conditions in the Contract – *MT Hojgaard A/S v E.ON Climate and Renewables UK 2017 – Supreme Court*

# HAVING TO PAY AN APPLICATION - NO MATTER WHAT IT SAYS....

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- Case 1 - *ISG Construction Limited v Ceevic College* 2014
- Case 2 - *S&T (UK) Limited v Grove Developments* – Court of Appeal 2018
- Fraud ...but may not be what you think it is

# CONCLUSIONS

Thank you

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