

Curriculum Vitae

Ian Toates

FRICS MAE

Consultant

Joined: 1974

Expertise

Ian is a former Partner and now Consultant of Henry Riley and has over 40 years' experience within the construction industry, is a Fellow of the Royal Institution of Chartered Surveyors and practising member of the Academy of Experts.

He is based in the Cambridge office and advises on Quantity Surveying and Contract Administration best practice procedures for the Riley Consulting group.

In addition to this Ian gives procurement, programme and contractual advice in respect of dispute resolution. This includes expert and joint expert witness, adjudication referral and response advice, early neutral evaluation of dispute issues and formal mediation expert advice.

Ian's Project type experience includes New Buildings and Refurbishment projects within the education, retail, commercial office and warehouse / residential mixed use, retail distribution, industrial, production facilities, defence, general and specialist residential care, all types of residential including "High end", commercial, health and fitness centres, and public buildings. He also has extensive experience of civil engineering projects including roads, lorry parking facilities, Motorway Services centres and land remediation.

Example Project Experience

Rutland County Council - £4.0M - £27.0M

- New Build Schools & Community Facility Buildings including sport & leisure buildings.

Huntingdon Regional College - £0.8 - £7.0M

- Regional college extensions and refurbishment.

Cambridgeshire County Council - £0.25 - £1.0M

- Various school extensions.

English Partnership/Allison Homes/ Peterborough City Council - Phase 1 - £80M. Phase 2 - £90M.

- Feasibility cost studies for the whole East Embankment mixed use scheme which comprised, land remediation, residential development (circa 1000 dwellings), marina, access pontoons and an open connection to the river.

Wolfson College, Cambridge - Various projects £0.5m £3.3m build cost

- Post Graduate Study Centre - cost consultancy
- Alterations to existing Student residence buildings. 2 no projects.

Gonville & Caius College, Cambridge - £7M-£11M

- Student Residence Building with 81 student/fellow rooms and associated facilities.
- Refurbishment of the Harvey Court Grade 2* listed student Residence building with 100 student rooms and associated facilities.

Mail Order Company Distribution Centre, Peterborough £1m-£18m

- Extension to Distribution building circa 25,000 sq. m, complete with infrastructure and hard standing area extensions
- New Amenity retail building.

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Curriculum Vitae

Ian Toates

Project Experience (Continued)

Huntingdonshire District Council / Peterborough City Council / Central Bedfordshire Council. £0.6 - £45m

- Various Mixed use Schemes and major housing schemes, 10-150 dwellings.

Accent Nene Housing Society - £150K - £2.5M per project

- Standard social housing units, disabled and wheelchair units, approx.. 2-35 units per project.

Welwyn Garden City Housing Association Ltd - £1.1M

- Extra care Supported Living units, At The Queen Victoria Memorial Hospital Site, Welwyn.

Retail Parks and Outlet Centres - £0.5m -£10M

- Clacton Village retail outlet shopping centre 50+ outlet shops
- Derby Improvements to local centre.

Anglia Regional Co-Op / Sainsbury's Supermarkets Ltd - £1 - £250M including mixed use schemes.

- Supermarket, residential and other retail developments

Schering Agrochemicals Ltd - £3.0 - £8.0M

- Various laboratory buildings
- Catering and Employee COSHH change & cleaning facilities buildings.

Ministry of Defence/DW USAFE Buildings - £0.8 - £7M

- Communications and Computer Analysis Centre Buildings
- Hangar and facilities buildings

Cambridge Evening News - £8M

- Owner occupied printing works

Ford Motor Co Ltd/ Jaguar Cars Ltd/ Honda Motors. - £0.4 - £6M

- Motor industry factory, Distribution and office extensions and renovations

QUANTUM EXPERT / ADJUDICATION COMMISSIONS

1997 Bridgman Doors Ltd v Willmott Dixon Ltd - Settlement under £50,000, Commercial.

- I was Quantum Expert Appointed by Bridgeman Doors Ltd. Matter settled prior to Court Trial – Disputed payments to Bridgman as Sub Contractor and settlement of Counter Claims.

1998- Davies v Bridgeman Doors - Settlement under £50,000; Commercial

- I was Quantum Expert appointed by Bridgeman Doors Ltd. Matter settled before Trial date set. Disputed charges to Bridgman Doors by Sub Contract Carpentry Firm.

1999 – Phillips v HESCO; Industrial

- I was Quantum Expert appointed by Phillips. Matter dismissed by the Courts because of delays caused by Clients Solicitor. No settlement.

2000- Phillips v Leeds Day Solicitors- Settlement. £50,000- £100,000; Industrial

- I was Quantum Expert appointed by Phillips. Settlement before trial – Faulty materials supplied - Power Station Infrastructure Improvement works.

2002 – Godfrey v Martin - Settlement under £50,000; Residential

- I was Quantum Expert appointed by Godfrey. Disputed Payments to Godfrey by Domestic House owner.

2007/8 – Extra MSA Services Ltd & Extra MSA Forecourts Ltd v Symonds Group Ltd - Settlement £1.5M- £2M. Transport & Infrastructure.

- I was Quantum Expert appointed by Extra MSA Services Ltd for a design negligence dispute. At two Motorway Services Centres. Settlement followed a Formal Mediation process, and before Court trial.

Curriculum Vitae

Ian Toates

Dispute Resolution Experience (Contd)

2008/09 – Bole & Van D Haak v Hunts Build & R Money t/a Richard Money Associates Damages Awarded circa £220K; Residential.

- I was Quantum Expert appointed jointly by Bole, VanD Haak (Claimant) & Richard Money Associates (Defendant). Hunts Build the other defendant was in Liquidation
- Design Error dispute – Domestic dwelling. Damages of circa £220,000 awarded by the Court. My expert advisory work involved assessing programme requirements for the alternative remedial works solutions.

2009 –2010 Standard Life Property Investment Ltd v Morgan Ashurst PIC Settlement at Mediation Confidential. Retail Warehouse Park.

- I was Quantum Expert appointed By Standard Life
- Design error dispute – Retail Park. I was the appointed quantum expert for the Claimant. Amount in dispute circa £3m programme requirements for the remedial works.

2010–2012 Sainsbury's Supermarkets Ltd v Interserve – Settlement at second Mediation Confidential. Warehouse Distribution Centre.

I was Quantum Expert appointed By Sainsbury's.

- Design and construction negligence claim in respect of remedial works to be completed at an operational warehouse.
- Amount in dispute was circa £10m.

2011 – 2012 Ward v CW Udale (Builders) Ltd. One off residence.

- I was appointed to defend two Adjudications referred by Udale; 1st regarding payment owed at termination of contract for a domestic house extension; 2nd regarding the Final Payment due when all work completed. Both claims by Udale were for circa £30K
- Both successfully defended with £ nil payment due.

2011- 2017 A Cambridge University College v A Major UK Building Contractor. Refurbishment of Grade 2* listed Student Residence

- I provided Quantum and delay analysis advice to the College.
- Disputed Quantum was circa £1.5m and contractor is asserting an entitlement to a further 4 months extension of time which they mitigated.
- Settlement agreed with no further Extension of time and lump sum settlement of less than £200,000

2013 –2015; A major Food Retail company v a Major UK Civil Engineering Land Remediation Contractor. – Commercial Settlement saved Client circa £4m to £5m; Warehouse Distribution site.

- I was appointed to provide Quantum and Programme delay analysis for the Food Retail Company in mitigation of major delay claims by the contractor.
- Disputed quantum circa ££8m and delay to completion circa 10 months.

2013- 2015; A major UK Care Home Provider v a Multi-disciplinary Construction design company. Settlement at Mediation Confidential; Care Homes

- I was appointed by the Claimant to provide Expert delay analysis advice
- The disputed quantum is circa £ 3m and the delay to completion was circa 2 years. Including a contractor insolvency issue.

2014 –2015 A major Food Retail company v a Major UK Construction Contractor – Settlement at Mediation confidential; Warehouse Distribution.

- I was appointed to provide Quantum and Programme delay analysis for the Claimant in a design and build negligence claim in respect of remedial works to be completed in an operational warehouse.
- Disputed quantum exceeded £2m and delay to completion circa 11 months.

Curriculum Vitae

Ian Toates

Dispute Resolution Experience (Contd)

2014- 2016 A major UK Care Home Provider v an Architectural design company. Settlement at Mediation £ Confidential

- I was appointed to provide Expert Quantum and associated delay analysis advice for a negligent design and delay claim regarding the construction of a care home.
- The disputed quantum is circa £1.5m and the delay to completion of all works was circa 1 year.

2014- 2016 A major UK Care Home Provider v A Structural Engineering design company. Settlement at Mediation £ Confidential.

- I was appointed to provide Expert Quantum and associated delay analysis advice for a negligent design and delay claim regarding the construction of a care home.
- The disputed quantum is circa £0.5m and the delay to completion of all works was circa 1 year.

2014 – 2015 Insulclad Europe Limited (In Liquidation) v Dryvit UK Limited. Settlement at Mediation £ confidential

- I was appointed to provide Expert Quantum advice for a negligent design and delay claim regarding the negligent design for Insulated Render systems applied to 13no 15-25 storey residential buildings.
- The disputed quantum over £10m.

2015- 2017 Major Property Investment Company v Major UK Construction Contractor; Settlement prior to Trial confidential; Warehouse Distribution Park.

- I was appointed to provide Quantum Advice for the Claimant in a design and build negligence claim in respect of remedial works to be completed in operational distribution warehouses.
- Disputed quantum £2m to £3m.

2015- 2016; Major UK Construction Contractor v Major UK Ground Source Heat Pump Installation Subcontractor. Education. Private Settlement.

- I was appointed to provide Quantum Advice for the Defendant in a design and build negligence claim in respect of remedial works to a GSHP installed in an office and innovation centre campus building.
- Disputed quantum exceeded £1m

2015 – 2020 A major Food Retail company v two Major UK Construction Contractors (two separate disputes). Deck Car Parks.

- I am appointed as Quantum Expert for the Claimant in two design and build negligence claims in respect of remedial works to be completed to various Decked Car Parks.
Disputed quantum Dispute 1(5 car parks) claim value exceeds £12m. Matter settled by negotiation November 2020 following full disclosure.
Disputed quantum Dispute 2(1 car park) claim value exceeds £6m. This claim settled at Mediation March 2019

2016 A Consortium of Land owners and Developers for the Expert determination of Primary Infrastructure costs for a development of 2200 dwellings at Bishops Stortford. Private confidential settlement. Building costs for dwellings and infrastructure total of circa £360m

2016- 2017: A Consortium of Land owners and Developers for the Expert determination of Primary Infrastructure and dwelling building costs for a development of circa 900 dwellings at Harlow for the purpose of determining the amount to be paid for land. Building costs for dwellings and infrastructure total of circa £140m. Private confidential settlement.

Curriculum Vitae

Ian Toates

Dispute resolution Experience (Cont'd)

2017- A Consortium of Developers and Local Authority.

Advising on the efficacy of Dwelling build costs used in viability assessment for 4000 dwelling scheme in North Luton. Total Building costs for Dwellings and infrastructure in North Luton circa £550m.

2017- A Consortium of Developers and Local Authority.

Advising on the efficacy of Dwelling build costs used in viability assessment for 3700 dwelling scheme. Total Building costs for Dwellings and infrastructure in Grantham circa £475m.

2017_ Sainsbury's Supermarkets Ltd; Major Retail and Residential Mixed Use Development in Ilford costing circa £210m.

Local Authority challenged estimated build costs. My rebuttal report on building cost together with the rebuttal reports prepared by commercial surveyors regarding land value and development profit convinced the Local Authority to withdraw their referral to Planning Inquiry.

2017-2019 A Major Landowner/ Developer v A Major Residential Developer for a development of circa 2450 dwellings and associated infrastructure works, Aylesbury.

Assistant to Arbitrator in a dispute over land value to be paid. My role was to advise the Arbitrator upon the correct level of building cost to apply in the calculation of land value. My Input encouraged parties to settle before Arbitration final hearings. Arbitrators Award concluded.

2017-2018 Wyndeham Heron Ltd v MRGB Realisations Ltd (In Liquidation) and Rotadyne Ltd (In Liquidation) Subrogated claim for recovery of loss by fire damage to Printing Works.

I was appointed Joint Expert for both Defendants defending a claim of circa £13m. Private and confidential settlement at Mediation which was less than half of the amount claimed.

2017- 2019. Major Property Investment Company v Major UK Construction Contractor; Rectification of design defects in a Retail Park shopping centre Trowbridge.

I was appointed to provide Quantum Advice for the Claimant in a design and build negligence claim which settled at mediation

2018 –2019. Landowner v A Major Residential developer for a development of circa 240 dwellings and associated infrastructure works at Scarborough.

I was appointed to advise the independent expert Land Valuer on development construction costs for the Expert Determination of land value. Determination concluded.

2018 –2019. Landowner v A Major Residential developer for a development of circa 150 dwellings and associated infrastructure works at Coxhoe, Durham.

I was appointed to advise the Arbitrator on development construction costs for the Arbitrators award in respect of land value. Arbitrators Award concluded.

2018 –2019. Landowner v A Residential developer for a development of circa 24 dwellings and associated infrastructure works at Newcastle upon Tyne.

I was appointed to advise the independent expert Land Valuer on development construction costs for the Expert Determination in respect of land value. Determination concluded.

2018 –ongoing. A Major Residential developer v A Solicitor a professional negligence claim regarding Option Agreements for a development of circa 2500 dwellings and associated infrastructure works in Oxfordshire.

I am appointed to advise on development construction costs for the assessment of the correct value of land.

2019 –Private Residence Owner v Multi-disciplinary Construction consultancy. Regarding alleged negligent construction cost estimating for a single dwelling in Gt Missenden. Private settlement.

I am appointed to identify the correct levels of overall construction cost that should have been reported, based on information then available, at early stages of the design development process. Cost estimates produced were over 45% lower than tenders received which affected affordability.

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Dispute resolution Experience (Cont'd)

2019 Ongoing. Northumbria Healthcare NHS Trust v Lendlease Construction (EMEA) Ltd.

I am appointed as Quantum Expert for the Claimant in this matter regarding defects in the design and build construction of the Northumbria Specialist Accident and Emergency Hospital at Cramlington, Newcastle upon Tyne.

2019. Landowner v Major House Building Developer for a development of circa 250 dwellings and associated infrastructure works in West Sussex.

Assistant to Arbitrator in a dispute over land value to be paid. My role was to advise the Arbitrator upon the correct level of building cost to apply in the calculation of land value for the development in West Sussex. Arbitrators Award concluded.

2019-2020. Landowner v Major House Building Developer for a development of circa 500 dwellings and associated infrastructure works in Stratford Upon Avon Warwickshire.

Independent Expert in a dispute over land value to be paid. My role was to advise the Landowner group on the correct level of building cost to apply in the calculation of land value for the development in Stratford-Upon-Avon Warwickshire to be used in the negotiation of the price to be paid for the land. Confidential settlement.

2020 Ongoing. Royal Liverpool NHS Trust v Carrillion (In Liquidation) and Heyrod Construction Ltd.

I am appointed as Quantum Expert for the Claimant in this matter regarding defects in the design and build construction of the Royal Liverpool University Hospital in Liverpool.

2020. Landowner v Major House Building Developer for a development of circa 120 dwellings and associated infrastructure works in Hampshire.

Assistant to Arbitrator in a dispute over land value to be paid. My role was to advise the Arbitrator upon the correct level of building cost to apply in the calculation of land value for the development in Hampshire. Arbitrators Award concluded.

2020 Ongoing Landowner Group v Major House Building developer for a development of 93 dwellings and associated infrastructure.in Aston Clinton Aylesbury.

I am appointed to advise the Independent Expert Land Valuer regarding Construction costs for this development in an Expert Determination which is now concluded.

2020 Ongoing Landowner Group v Major House Building developer for a development of 231 dwellings and associated infrastructure.in Kirkham, Blackpool.

I was appointed to advise the Independent Expert Land Valuer regarding Construction costs for this development in an Expert Determination which is now concluded.

2020 Ongoing Landowner Group v Major House Building developer for a development of 235 dwellings and associated infrastructure in Wombwell, Barnsley, S Yorks.

I am appointed to advise the Independent Expert Land Valuer regarding Construction costs for this development in an Expert Determination of an overage payment.

2020 Landowner v Developer for a development of 1400 dwellings and associated infrastructure in Weston Super-Mare.

I was appointed to advise the the Landowners Independent Expert Land Valuer regarding Construction costs for this development in an Expert Determination of Land value relative to the purchase of part of this overall site. Parties have settled.