

Ian Wright

Call 1989

"Very knowledgeable, responsive and expresses himself well."  
(Legal 500 2014)



+44 (0)20 7797 8100

wright@crownoofficechambers.com

Ian Wright specialises in construction, engineering and other technical matters. Clients include private and public sector organisations, developers, building professionals and contractors.

Principal work includes: standard form and bespoke building, engineering and commercial contracts; defects in design and workmanship; contractual performance; delay and loss and expense claims; foundation failures; mechanical and electrical works; railways and light rail systems; power plants; process plant; construction and buildings insurance; tree root nuisance; professional conduct matters; and the negligence of construction professionals.

Combines extensive legal experience with keen commercial awareness and is able to bring in-depth technical knowledge gained previously as a chartered civil and structural engineer to the analysis of issues, advice and problem solving. Excellent communication and interpersonal skills and an ability to integrate with the legal team. Skills are derived from experience as an advocate and adviser in cases in the TCC and other tribunals; acting as arbitrator, adjudicator, mediator and negotiator; and from his former career as a consulting engineer.

Junior counsel in the successful defence of the largest claim (\$100m) ever brought in the UK against consulting engineers: Mirant Asia-Pacific Construction (Hong Kong) Ltd v Ove Arup & Partners International Ltd [2007] EWHC 918 (TCC).

Accepts appointments as an arbitrator, adjudicator, expert in expert determinations and mediator.

Ian welcomes [public access](#) clients.

## Construction & Engineering

After graduating from Manchester University in Engineering in 1969, Ian was employed by various major consultants and contractors in the UK and Middle East on the design and supervision of a wide range of major building and civil engineering projects.



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Prior to being called to the Bar was in private practice as a consulting engineer with Wright Mottershaw Partnership in Manchester. The practice carried out design and contract administration for building, civil engineering and repair projects on behalf of private and public sector clients and developers. Also acted as an engineering adviser and/or expert in litigation and arbitration proceedings. Resigned from full-time practice in 1987 in order to qualify for the Bar.

Due to Ian's dual qualifications he is often instructed in more technical disputes in specialist areas of engineering expertise: building structures and components in concrete, steel, masonry and timber; foundation design and construction in difficult ground conditions; and the investigation and appraisal of traditional and high-rise buildings.

## Selected Cases

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- Advised and settled Statement of Claim on behalf of major manufacturer, against New Town developer. Claim for £250k in respect of defects in metal roofing and finishes.
- Advised on contract, and briefed as junior counsel in contractor's £6 million claim against private opencast licensee for variations to scope of work.
- Advised former British Rail on formation and interpretation of terms and conditions of contract for North Pole Channel Tunnel terminal. Advice given was subsequently endorsed by specialist QC.
- Advising infrastructure owner in claim under Railway Industry Dispute Resolution Committee (RIDDR) procedures against train operator following derailment.
- Advising infrastructure owner in dispute with government body over major viaduct maintenance agreement.
- Counsel for contractor in £1.1m claim against subcontractor arising out of failure of vibro replacement ground improvement for major sewage treatment plant.
- Counsel for property owner in £1.2m claim against D+B contractor over defective ventilation systems in student accommodation.
- Counsel for consulting engineers in dispute over design of major sewage treatment works.
- Counsel for plant designer and manufacturer in £3.5m claim concerning defects in gas boiler systems for power generation. £1.5m counterclaim.
- Counsel for infrastructure owner in £1m claim against owner of rolling stock following derailment and damage to bridge and track.
- Counsel for infrastructure owner in £500k claim against manufacturer of stock for London Underground following derailment.
- Counsel for infrastructure owner in £1m+ claim against contractor following failure of major water main
- Counsel for design and build contractor in claims totalling £4m against design and construction team of the Sheffield LRT system.
- Defence of £1m+ claim against consulting services engineers.
- Defence of local authority in £250k claim by commercial tenant under lease in respect of defective air conditioning systems.
- Defence of contractor in £750k claim by employer arising out of construction of pavement for container terminal.
- Defence counsel in £300k claim by haulage company against manufacturer of "5th. wheel"

trailer coupling following fatal accident.

- Instructed in claim for £150k against contractor and architect in respect of defects in concrete and timber elements and curtain walling.
- Instructed on behalf of major contractor in £5m claim arising out of design changes affecting specialist pre-stressed concrete elements during £11m contract for the building of the nuclear encapsulation plant at Sellafield.
- Instructed on behalf of major retail chain in arbitration concerning £1m fitting out contract in “flagship” store in West End for major retailer.
- Instructed by employer in £200k claim by contractor on major railway station refurbishment.
- Instructed on behalf of mechanical and electrical engineering contractors in various claims ranging from £100k to £1m.
- Instructed in £15m claim by open cast contractor on £123 million, 15 year, mining contract.
- Instructed on behalf of opencast contractor in various claims up to £3.5m.
- Instructed to provide “definitive” advice and guidance document for major insurance company on liability, evidence and procedures in tree root nuisance claims.
- Instructed on behalf of insurers, local authorities, developers, and property owners in actions concerning tree root nuisance.
- Instructed on behalf of NHS Trusts to advise on and review the provisions of standard form contracts and the corresponding NHS Estates Guides.
- Instructed on behalf of public development corporation in defence of claims under ICE 5th. by contractor in respect of storage tank (£750k) and outfall (£750k) in tidal waters. Junior counsel in arbitration.
- Instructed on behalf of water company in £0.8m claim by local authority following failure of water main and damage to block of flats.
- Instructed on behalf of manufacturer of specialist process equipment (including heat exchangers) for installation on oil and gas production platforms, in £0.7m claim against major oil company. Written advice (subsequently endorsed by QC) provided to other side and prompted settlement of claim.
- Dispute concerned the clearance of the site of a former gas works in accordance with the recommendations of ICRC 59/83, and a section 106 agreement under T&CPA 1990 (Settled before hearing).
- Instructed on behalf of specialist contractor in arbitration of £150k claim over performance and output of dredger engaged in excavation of trench in tidal waters for outfall pipeline.
- Instructed on behalf of public development corporation in defence of claims under ICE 5th by contractor in respect of storage tank (£750k) and outfall (£750k) in tidal waters. Junior counsel in arbitration.
- Instructed on behalf of major retail chain in arbitration concerning £1m fitting out contract in “flagship” store in West End for major retailer.
- Junior counsel for contractor in arbitration over £7 million claim against former British Coal for variations to contract, unforeseen ground, water treatment, variation in rock hardness and design changes to restoration work.

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## Professional Liability

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### Selected Cases

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- Junior counsel for consulting engineers in defence of \$100m claim arising out of failure of power station foundations. After 5 year of litigation, claimant failed to recover any damages.
- Counsel for consulting engineers in £1m+ claim by house builder arising out of design of earthworks, drainage and infrastructure on site for 400 houses.
- Counsel for consulting engineers in £800k claim by developer over 'top-down' design and layout of 2-level underground basement car park.
- Counsel for consulting engineers in arbitration of £750k claim over defective bridge columns, including complex technical issues over the design and casting of stainless steel.
- Counsel for quantity surveyor in £150k claim by a Housing Association.
- Counsel for consulting engineers in £750k claim over defective ground slab in warehouse.
- Instructed on behalf of a firm of architects to advise in potential action against professional indemnity insurers.
- Instructed on behalf of land surveyors in claim over complex setting-out of structure and cladding on £5m retail complex.
- Defence of £300k claim against architects by airport authority over terminal design.
- Instructed on behalf of architect in £850k claim by employer arising out of administration of refurbishment contract.
- Claim of £200k by school trust against firm of architects for defective design.
- Instructed on behalf of local authority in £250k claim for defective design of M&E system against consulting engineers.
- Defence of project manager in £300k counterclaim by employer in arbitration proceedings.
- Advised Environment Agency in claim against designers following failure of flood defences.
- Advising and appearing for employer in £4m claim against consulting engineer for defective design of container terminal hardstanding, drainage, and crane beams.

## ADR

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### Adjudicator Appointments

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- Adjudicator in £700k claim by employer arising out of defective lift installations in prestige high-rise blocks.
- Adjudicator in £3 million claim by contractor against employer arising out of construction of major gas pipeline.
- Adjudicator in £6million claim by specialist tunnelling contractor against main contractor arising out of ground conditions during tunnel construction under major river.
- Adjudicator in claim arising out interpretation of payment and repairing obligations under 30 year Local Investment Finance Trust (PFI type) agreement

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## Expert Determination

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- Appointed by a professional body as legal expert to interpret contractual provisions in dispute between employer and contractor over failure of £8 million incineration plant to achieve contractual throughput.
- Appointed by agreement of the parties to determine dispute between contractor and employer in respect of design obligations under NEC Contract with Contractor Design Portion for the design and construction of buildings which incorporated complex cable structures.

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## Mediator Appointments

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- Mediator in dispute involving 6 parties in £800,000+ claim by employer arising out of design and construction of flagship retail store.
- Mediator in dispute between contractor and M+E subcontractor
- Mediator in £150k dispute between 4 parties over design and construction of foundations for major terrace of domestic properties.
- Mediator in 3 party dispute over conversion of a domestic property for use by disabled persons.
- Mediator in claim against designer and contractor over fitting-out of a restaurant.
- Mediator in boundary dispute between developer and private landowner.
- Mediator in complaint against Metropolitan Police involving alleged assault & wrongful arrest.
- Mediator in dispute over alleged sexual harassment by bank employee against customer.
- Counsel for property owner in £1.2 million claim against D+B contractor.
- Counsel for architect in 3 party mediation over defective waterproofing of warehouse.
- Counsel in mediation of £4m claim involving failure of pavement in container terminal.
- Counsel or legal adviser in various mediations arising out of defective building or M&E works.

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## Criminal Regulatory & Environmental

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### Selected Cases

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- Temporary works failure in tunnel resulted in fatal accident. Instructed on behalf of insurers for consulting engineers to advise on liability and quantum.
- Inquest (with HMRI sitting as adviser to Coroner): Counsel for train operator following death of guard after collision of trains. Dispute between operator and track provider concerning communications network and operating procedures following privatisation of the railways.
- Advice to various insurance companies following accidents on sites.
- Arbitration proceedings involving contractor specialising in the clearance and treatment of contaminated land and landfill sites. Dispute concerned the clearance of the site of a former gas works in accordance with the recommendations of ICRCL 59/83, and a section 106 agreement under T&CPA 1990. (Settled before hearing)
- Claims by opencast mining contractor over water treatment prior to discharge to river system.
- Advised Housing Association on amendments to standard form contracts for use on contracts



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- for remediation of contaminated sites.
  - Defence counsel in trial of contractor over contamination of adjoining land by escape of petroleum products.
  - Advised and settled defence in claim arising out of oil pollution of river following leakage from oil storage tank.
  - Appeal (5 days) by architect / developer concerning various notices for work under the Building Regulations.
  - Advising and appearing for railway infrastructure owner in various prosecutions brought against by Health & Safety Executive under Health & Safety at Work legislation.

## Qualifications

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- DIC, Imperial College, University of London (1975)
- MSc, Imperial College, University of London (1975)
- BSc (Hons), University of Manchester (1969)

## Memberships

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- Institution of Civil Engineers
- Institution of Structural Engineers

## Recommendations

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"Very knowledgeable, responsive and expresses himself well."  
Legal 500 2014

"Impressive in dealing with tricky problems in a calm, measured and most helpful way."  
Legal 500 2014

"A great guy whose mastery of detail reflects his engineering background."  
Legal 500 2013

"An excellent strategist."  
Legal 500 2012