



Steven Coles



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"Technically sound and very patient and detailed in his approach."
(Legal 500)



Steven Coles is regularly instructed in a wide range of insurance-related cases, often policy coverage disputes, also defence of third party claims, and insurers' subrogated recovery claims – under property policies, professional indemnity policies, public liability policies, contractors' all risks policies, employers liability policies, motor policies and others.

He deals in particular with claims arising from fire, flood, other damage to property, defective building works, defective products, professional negligence, other contract cases, and personal injury claims where insurance issues arise. Cases include; high value claims, and heavy claims in terms of witnesses, experts, documents and complexity of legal issues. He has acted as junior to various leading counsel, and on his own, sometimes against leading counsel.

He also accepts instructions by way of conditional fee agreement and on a **public access** basis, in appropriate cases.

Construction & Engineering

Selected Cases

- Advising in relation to a claim for about £250,000 losses caused by concrete warehouse floor not being constructed in accordance with contractual specification (2020)
- Advising insurers in relation to proceedings for about £750,000 arising out of building works and subsidence damage caused by works adjacent to a party wall (2020)
- Advising insurers in claims for some £2 Million losses arising out of a bridge collapse in the course of major civil engineering works (2020)
- Acting for the defendant and its insurers in defence of a £100,000 claim for damage to an adjacent property said to have been caused by the defendant's piling works (2020)
- Advising on standstill agreement in relation to claims from defective works to a public building (2019)
- Advising in a number of cases on construction adjudication and issues arising, including

enforcement

- Acting in a claim in respect of major defective building works to a block of flats which later partially collapsed (2014)
- Claims by the freeholder and the leaseholder of newly built warehouse premises, claiming about £3 Million against developers, contractors and piling subcontractors, arising out of cracking of floor slab due to defective piling works (2008)
- Appearing at trial where insurers sought to repudiate for non-notification and issues of interpretation over insurance for design / workmanship: *Kier v Royal Insurance* (1992) 30 Con LR 45. Claims by the freeholder and the leaseholder of newly built warehouse premises, claiming about £3 Million against developers, contractors and piling subcontractors, arising out of cracking of floor slab due to defective piling works. (2008)
- Appearing at trial on the issue of interpretation of contractor's discount clause: *Team Services v Kier* (1993) 36 Con LR 32 (Court of Appeal)

Insurance & Reinsurance

Selected Cases

- Advising insurers on policy coverage issues in respect of a claim for £375,000 under a household policy providing cover for unsatisfied judgments (2020)
- Advising insurers on policy coverage in relation to a £400,000 claim against contractors where an endorsement restricted the type of building covered (2020)
- Advising insurers in relation to a claim for fire damage to a house where the fire was deliberately caused (2020) – see also the cases *Middleton v MMA* (2014) and *Lloyd Evans v Zurich* (2010) below, which were decided on the issue of policy cover and exclusions for deliberate acts in such circumstances.
- Advising insurers on subrogated claim for recovery of about £300,000 paid to the defendant as a result of a fraudulent scheme (2020)
- Advising insurers on whether the injured claimant was an employee or independent subcontractor for the purpose of public liability and employers liability cover for a £250,000 claim (2020)
- Advising liability insurers on issues arising out of claims in respect of the death of a high-profile musician abroad, where claims could be for many Millions (2019)
- Advising insurers on issues of contractual liabilities and policy coverage under joint names policy for major building contract, where more than £200,000 damages claimed for water damage from failed pipework (2019)
- Advising on policy cover under a liability policy where a tenant claimed £200,000 losses against landlord for water ingress (2018)
- Advising on Third Parties (Rights Against Insurers) Acts 2010 and related issues in relation to defective works in a large redevelopment project (2018)
- Advising on policy coverage under a public liability policy in respect of a building collapse which killed one person and injured others (2018)
- Advising defendant's insurers in relation to claim for several £ Millions for fire damage to a block of flats (2017)
- Advising public liability insurers on policy coverage in respect of £1.6 Million claim against their insured defendant contractors arising from damage to a large inflatable dome for public exhibitions which was destroyed (2017)

- Advising insurers on policy coverage and related issues in relation to a claim for £400,000 damages for water ingress to a large building development (2017)
- Advising insurers on policy coverage in relation to a claim for £200,000 fire damage caused by the insured at premises where they were carrying out hot works (2017)
- Advising insurers on policy coverage in relation to a claim against contractors for £700,000 for deterioration of road surfaces where defective aggregate had been used (2017)
- Acting for claimant and insurers in fire claim by owners of a warehouse destroyed by fire, claims totalling over £5 Million (2015)
- Acting for insurers in proceedings over policy construction of a household policy covering unsatisfied judgments (2015)
- Appearing for insurers at trial in a policy coverage claim over whether property damage by a tenant's arson was covered under landlord's property policy or was excluded as a deliberate act: *Middleton v MMA* (2014) (and see also *Lloyd Evans v Zurich* (2010) below)
- Acting in claims for over £2 Million by three claimants against various defendants arising from serious injuries when a heavy shop fascia fell onto them; numerous claims between the various defendants and their insurers (2012)
- Acting in claim against insurers for £5 Million under a property policy for destruction of a factory by fire; issues over construction of policy conditions, and concurrent claim against insurance brokers for negligence (2012)
- Advising in subrogated claim by employer's liability insurers, claiming indemnity or contribution from the Italian manufacturer of a pulley system which broke, causing injury to an employee (2011).
- Appearing at trial in a policy dispute claim over whether property damage by a tenant's arson was covered under landlord's property policy or was excluded as a deliberate act: *Lloyd Evans v Zurich* (2010) (and see also *Middleton v MMA* (2014) above)
- Advising in claim against insurers under property policy in respect of oil damage to land and cottage from a damaged fuel tank (2010)
- Appearing in claim by a care home for property damage and substantial loss of profits arising from roofing works inadequately protected against heavy rainfall (2010)
- Claim for personal injuries from a tripping accident in a lift in an office building, with various contribution claims between building owners, lessees, and lift maintenance company and their insurers (2010)
- Claim for £800,000 in respect of land contamination from diesel leaking from tank on industrial premises (2009)
- Fire claim for £4 Million against builders and architects arising from inadequate fire stopping in the roof space of a large supermarket which burned down (2007)
- Claim for £1 Million under legal expenses insurance by solicitors as appointed representative under the policy (2006)
- Claim for £1 Million arising out of a fire at a public house (2004)
- Claim against insurers for £80 Million under a property policy for destruction of a leisure centre by fire; issue over misrepresentation and non-disclosure; and concurrent claim against insurance brokers for negligence (2003)

Personal Injury

Selected Cases

- Advising insurers on issues of policy cover, waiver, election and estoppel in relation to a workplace injury claim for about £250,000 (2020)
- Advising defendant's liability insurers on policy cover and misrepresentation / non-disclosure in relation to a fatal accident claim against the defendant for £800,000 (2019)
- Acting for defendant and insurers in relation to a contribution claim against defendant contractor by employers for liability to their employee for psychiatric injuries resulting from a violent robbery where defective installation of security measures by the defendant blamed (2018)
- Advising on the extent of policy cover under a personal accident policy in a case of catastrophic personal injuries suffered in an accident on holiday abroad (2018)
- Advising on policy liability in respect of healthcare officials arising out of alleged mis-prescription of drugs (2018)
- Advising on policy liability and related issues in relation to a personal injury accident at work where the claimant was a close relative of the defendant employer (2018)
- Advising insurers on issues of co-insurance / double insurance in relation to a personal injury claim (2017)
- Acting for defendant and insurers in a contribution claim by employers who settled their employee's claim for permanent injury to eye caused by failure of pressurised plumbing component (2017)
- Advising insurers on apportionment between defendants in a mesothelioma claim (2017)
- Advising insurers on co-insurance / double insurance issues arising out of the costs of defending manslaughter and health and safety prosecution (2017)
- Acting for defendant developers and their insurers in relation to a contribution claim by contractor in respect of injury to several employees from hazardous materials on building site (2017)
- Advising insurers on policy coverage in relation to pollution-related claims and policy exceptions, in relation to a claim for injury by Legionnaires' Disease (2017)
- Acting for claimant in relation to a claim for serious leg injuries arising out of a motorcycle accident (2014)
- Acting for defendant's insurers in fatal traffic road accident claim (2014)
- Acting for defendant's insurers in claim for £7 Million for brain damage caused by road traffic accident (2010)
- Claim for personal injury from a tripping accident in a lift, with contribution claims between building owners, lessees, and lift maintenance company (2010)
- Claim for injuries resulting in debilitating complex regional pain syndrome (2009)
- Appearing at trial in the case of *Telling v OCS Services* (2008), referred to in the White Book under CPR Rule 14, unreported but available on Lawtel – interlocutory decision on compromise of claim by pre-action admission
- Claim for serious burns in factory accident (2008)
- Clinical negligence claim, child lost both feet and part of a lung from life-threatening infection; issue over the standard of emergency treatment received (2008)
- Clinical negligence case, neurological injuries from cauda equina syndrome after surgery (2007)

Product Liability

Selected Cases

- Acting for claimants and their insurers in a product liability claim for about £2 Million arising from defective adhesive manufactured and supplied by the defendants, and supplied in turn by the claimants to various contractors who used it on numerous projects (2020)
- Acting for defendant's insurers in defence of a claim for £150,000 for damage to a house where a defective electrical appliance blamed (2020)
- Acting for insurers in subrogated claim for £200,000 fire damage to a house caused by defective television set (2017)
- Appearing for defendant's insurers in product liability / personal injury claim by paraplegic claimant against various manufacturers, suppliers and health authorities, claiming £1 Million for injuries from a defective wheelchair which collapsed. *Wood v Days Healthcare & Others* (2015)
- Acting for defendant suppliers in a claim for £1.5 Million against manufacturers and suppliers in respect of defective solder used in the manufacture of electronic printed circuit boards (2014).
- Acting for defendant suppliers and insurers in a personal injury claim against manufacturers and suppliers arising out of defective gate to a mobile lifting platform (2014)
- Acting for defendants and insurers in large claim by a paraplegic suffering injuries from a jacuzzi bath (2014)
- Acting for suppliers in a fire claim against suppliers and manufacturers arising out of defective capacitors used in frequency converter equipment (2014)
- Instructed to advise and appear at trial in a fire claim blamed on tumble dryer (2012)
- Subrogated claim by employer's liability insurers, claiming indemnity or contribution from the Italian manufacturer of a pulley system which broke, causing injury to an employee (2011)
- Claim for loss of profits arising from contamination of large quantities of toothpaste during manufacture (2007)
- Product liability trial and appeal involving ink for manufacture of printed circuit boards for computers: *Leicester Circuits v Coates* (2003) EWCA Civ 290

Professional Liability

Selected Cases

- Acting for local council's insurers in a claim against council and police for removal and sale of a flock of sheep, said to have been causing a nuisance to village, but removal and sale held to have been unlawful (2019)
- Advising insurers in claim for £300,000 fire damage to factory as a result of failure of fire alarm and fire suppression system (2017)
- Acting for defendant's insurers in claim for £800,000 against contractors and suppliers in respect of a fire to large residential property caused by defective wiring installation (2014)
- Acting for defendant's insurers in claim for £700,000 against installers of roofing insulation in respect of a fire at a large residential property (2013)
- Acting for claimant in solicitors' negligence claim arising out of a conveyancing transaction (2012)
- Solicitors' negligence claim arising from failure to advise on tax implications of transfer of a French leaseback property into a SIPP (2012)
- Claim against insurers for £5 Million under a property policy for destruction of a factory by fire;

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- issue over policy conditions; and concurrent claim against insurance brokers for negligence (2012)
 - Fire claim for £4 Million against builders and architects for negligence arising from inadequate fire-stopping in the roof space of a large supermarket which burned down (2007)
 - Claim against two sets of solicitors for failing to issue proceedings in time for a mother against a health authority, arising out of the birth of a disabled child (2005)
 - Claim against insurers for £80 Million under property policy for destruction of a leisure centre by fire, issue over misrepresentation and non-disclosure; and concurrent claim against insurance brokers for negligence (2003)

Property Damage

Selected Cases

- Acting for insurers in a claim for £300,000 losses caused by fire as a result of hot works by the defendant (2020)
 - Advising on the extent of defendant contractor's policy cover in relation to a £600,000 claim for losses caused by contamination by asbestos released in the course of the building works (2020)
 - Advising insurers on policy coverage in relation to a claim against the defendant for £200,000 losses arising from water damage to a retail property (2020)
 - Appearing for defendant's insurers on procedural issues arising out of £450,000 losses claimed from damage to underground mains water pipe (2020)
 - Advising defendant's insurers on issues arising in relation to a claim for £650,000 damages from a fire said to have been caused by hot works, and which spread to an adjoining house (2019)
 - Acting for defendant's insurers in a claim for over £250,000 for damage to a factory caused by an explosion from a gas escape (2019)
 - Advising defendant's insurers on a claim for £300,000 damages arising out of a large tree falling onto three houses (2019)
 - Acting for defendant developer's insurers in relation to a claim for £600,000 loss and damage to retail premises below by foul water leaking from pipework to flats above (2019)
 - Acting for insurers in claim for about £200,000 damages caused by fire at a block of flats (2019)
 - Acting for defendant's insurers in a claim for £200,000 damages for flooding to residential property caused by defective plumbing works (2018)
 - Advising defendant and insurers on issues of contractual liability for a crane collapse onto a large office building (2018)
 - Acting for defendant and insurers in a claim for damage to retaining wall and adjacent property as a result of building excavation works (2018)
 - Acting for defendant and insurers in a claim against contractor for damages as a result of fire and explosion at a factory (2018)
 - Acting for insurers in a claim arising out of water damage to hospitality suites at a large racecourse (2018)
 - Advising insurers on a subrogated claim for several £ Millions in relation to fire damage to a residential care home (2017)
 - Appearing at trial for defendant and insurers in relation to a claim for £900,000 loss of profits arising from two prototype aircraft being destroyed in a motorway crash as they were being towed (2017)
 - Acting for defendant and insurers in a claim for £900,000 damages for fire damage to a house and contents caused by contractor's damage to electricity cable (2017)
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- Claim for £5 Million by owners and lessees of a warehouse destroyed by fire (2015)
- Claim for £800,000 against contractors and suppliers in respect of a fire to large residential property caused by defective wiring installation (2014)
- Acting for defendant suppliers in a fire claim against suppliers and manufacturers arising out of defective capacitors used in frequency converter equipment, £500,000 claimed (2014)
- Claim for £700,000 against installers of roofing insulation in respect of a fire at a large residential property (2013)
- Claim against insurers for £5 Million under a property policy for destruction of a factory by fire; issue over construction of policy conditions; and concurrent claim against insurance brokers for negligence (2012)
- Acting at trial in subrogated claim by insurers together with insured's own claim for property damage and substantial loss of profits arising from damage to an automatic car wash (2011)
- Acting for insurers in subrogated claims for damage to various properties above from a fire breaking out in a ground floor restaurant. Contribution claims between the restaurant, supplier of the fat fryer, and manufacturer of the fat fryer (2011).
- Fire claim for £4 Million against builders and architects arising from inadequate fire stopping in the roof space of a large supermarket which burned down (2007)
- Involved at early stage on liability issues in Buncefield litigation (2006)

Qualifications

- MA (Cantab)

Memberships

- Commercial Bar Association
- London Common Law & Commercial Bar Association
- Personal Injury Bar Association
- Professional Negligence Bar Association
- Technology & Construction Bar Association

Recommendations

"He responds well to questions regarding his advice, and is happy to engage in debate upon the finer points of liability and causation – his advice is impressive and perceptive."

Legal 500, 2022

"Extremely intelligent, with a very patient manner."

Legal 500, 2021

"He is very analytical, forensic and has good 'instinct' on strategy."

Legal 500

"A calm presence, he is good with expert witnesses, has an eye for detail and is strong on technical issues."

Legal 500



"His technical excellence and calm manner put clients at ease."

Legal 500

"Technically sound and very patient and detailed in his approach."

Legal 500

"Technical skills combined with diligence."

Legal 500

"Instructed in a range of insurance-related cases."

Legal 500

"A very good insurance counsel."

Legal 500