



SMARTARCH

CURRICULUM VITAE

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Smartarch Ltd

I am a Chartered Architect and Chartered Arbitrator who combines architectural practice with dispute resolution and forensic work. I have over 40 years' experience of private architectural practice, including being Director of an award-winning design-focused firm. I have worked on historic buildings and new buildings, in the residential, commercial and public sectors.

I have been in practice on my own account since 2004, initially as a sole trader and via Smartarch Ltd since September 2011. I provide consultancy advice on existing projects and on projects which have become embroiled in disputes. I have a wide range of clients which include building contractors, construction professionals, professional indemnity insurers, private individuals and commercial building owners. Matters in which I have been involved include building defects relating to damp-proofing, cladding, roofing, doors and windows, flooring and building services, as well as contract administration matters such as specification, certification, delays, inspections and completion. A regular feature of my work is to provide an independent opinion for professional indemnity insurers and/or clients and contractors on the performance of architects. I have close links with a number of architects' practices and other constructional professionals, providing occasional assistance from my experience of dispute resolution and building contracts, thereby ensuring that I am not isolated from current architectural practice.

I am a dispute resolver as a Chartered Arbitrator and as a Registered Adjudicator. I am on the Panels of Arbitrators of the Royal Institute of British Architects and the Chartered Institute of Arbitrators and have been taking appointments since 2002. As an Adjudicator I am on the Panels of the Royal Institute of British Architects and the Royal Institution of Chartered Surveyors and have been taking appointments since 1999, when the legislation was enacted. Arising from my architectural and dispute resolution experience I am an Inquirer for the Architects Registration Board and currently sit on the Hearings Panel of the Disciplinary Committee of the Royal Institute of British Architects.

Arising from my consultancy work, I have taken around 400 appointments as an expert witness and/or expert adviser since 1995 and have given evidence in the Technology and Construction

Court, the Mercantile Court, County Courts, Tribunals and in arbitration hearings. I have also provided expert evidence for adjudications. My oral evidence has been given both as a party expert and a single joint expert and for both claimants and defendants. I have also attended since 2002, many mediations as a party expert.

Between 2002 to 2004, I was employed by Probyn Miers Ltd and ran their office in Bath. I dealt with a wide range of dispute related matters as advisor, expert, adjudicator and arbitrator. The majority were via personal appointments and during that time I added substantially to the practice's workload.

Prior to Probyn Miers, I spent more than 4 years as Senior Associate at Stubbs Rich Ltd, a commercial practice of architects in Bath, whose workload included projects up to £25million for clients such as IKEA and MEPC. I built up a range of consultancy work which included defects investigations, technical audits and project monitoring as well as dispute related work. Technical audits included a £300M strategically significant project in Cheltenham and projects for Bristol University. The lessons learned from the mistakes and errors of others played a vitally important role in informing the procedural and technical aspects of live projects and I was actively involved in disseminating this information to colleagues. Whilst acting as adjudicator during this time, I became involved in one of the leading cases relating to payment of adjudicator's fees where a losing party challenged the fees, won at first instance and ultimately lost on appeal. Whilst at Stubbs Rich, I became an adjudicator on the RIBA panel and was awarded Fellowship of the Chartered Institute of Arbitrators.

Between 1996 to 1998, I was in practice on my own account, working on residential and commercial projects and as an expert witness. During this time, I was the claimant's expert in a significant action in the Technology and Construction Court against freeholder, surveyors, designer and contractor. I assisted counsel with issues arising during the evidence of others and spent 6 days in the witness box being cross examined by three defence barristers. My client, the claimant, was successful and resisted an appeal. The Judge at first instance graciously described my opinion as "treading the fine line between dogmatism and equivocation", a path I have endeavoured to continue to tread.

From 1987 to 1996 I was at Niall Phillips Architects in Bristol, a practice specialising in the innovative conversion of historic buildings and new buildings in sensitive locations. Projects included the conversion to a youth hostel of St Paul's Choir School in London and the conversion of Ebley Mill in Stroud into civic offices for the Local Authority. I was a Director from 1989 and was responsible for the procurement and contract administration stages of the practice's work. Many projects won Civic Trust and RIBA Awards and I played a major part in developing the practice's reputation. During this time and arising from my interest in building contracts and contract administration, I studied for the Master's Degree in Construction Law and Arbitration at Kings College London, which was awarded in 1995.

Between 1985 and 1987, I worked as an architect for Cailey Hutton and before that for various private practices in London and the West Country.

I commenced my architectural training at Gloucestershire College of Art and Design, Cheltenham, completing at Kingston Polytechnic where I gained the Diploma in Architecture in 1981. A year out during my training was spent working for Preben Jacobsen, the acclaimed Danish landscape architect.

I give occasional lectures on the perils and pitfalls in architectural practice that I have dealt with, the matters that seem to regularly arise and how they might be avoided. I have previously been an RIBA professional examiner on the professional practice courses at the Bartlett School of Architecture at UCL, the Welsh School of Architecture at Cardiff University, Oxford Brookes University and Bath University. I am a past chairman of the Western Counties Branch of the Chartered Institute of Arbitrators and am a member of the Society of Construction Law and the Adjudication Society.

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