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## RICHARD COPLIN

Call: 1997

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### Areas of practice

- Construction & Engineering
- Professional Negligence

### Clerks' Details

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### Practice overview

Richard Coplin is a qualified engineer and spent several years in the energy industry before becoming a barrister. He specialises in dispute resolution in the construction, engineering, energy and technology sectors. Richard acts for clients on claims in the English courts, particularly the Technology and Construction Court (TCC), but he also has extensive experience of adjudication having acted on numerous adjudication claims over the years along with matters of enforcement. He is particularly well regarded for his work on professional negligence claims relating to architects, engineers, surveyors and valuers.

Arbitration in the UK and abroad is another important element of Richard's practice having worked on several multi million pound arbitration claims in recent years relating to large infrastructure and stadium projects in the UK and ICC arbitrations in the Caribbean, Europe and the Middle East, including DIAC arbitrations under UAE law.

Richard has particular strengths in understanding and advising in respect of legal issues arising out of complex engineering matters, particularly in the fields of mechanical and structural engineering and in areas such as offshore construction, energy and power, acoustics, manufacturing, materials science, corrosion and transportation.

Richard's extensive experience of complex construction contracts has seen his career develop into related commercial fields, successfully arguing cases as diverse as the proper construction of

election rules for an unincorporated association, the effects of promises not to sue, and the application of the Football League and Football Association Rules to a transfer dispute before an FA tribunal.

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## Recent Cases

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### Construction & Engineering

- Acted in the UAE on behalf of a main contractor in relation to an AED 50,000,000 dispute under the DIAC arbitration rules and UAE law regarding termination of a sub-contract following the cancellation of a large government infrastructure project.
- Acted on behalf of the geotechnical engineers in relation to a surcharging scheme in defeating a substantial multi million pound claims for delay, disruption and other losses based on settlements between the main contractor and sub-contractor.
- Acted on behalf of a sub-contractor in recovering interim payments through Part 8 proceedings.
- Acted on behalf of a funder in striking out a substantial claim for loss of profit arising out of the alleged negligence of contractors.
- Acted on behalf of an insurer and successfully resisting the appeal in the Court of Appeal in relation to the proper construction of a compromise agreement.
- Acted on behalf of a residential occupier in obtaining a significant payout for a crane over sailing the resident's property.

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*“Richard’s service levels are exceptional and always gives pragmatic, commercial advice. His ability to read a situation and deliver exactly what is needed is second to none.”*

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- Acting on behalf of contractors in an arbitration where significant losses were claimed by a developer/employer relating to the alleged substantial devaluation of its property.
- Acted for the main contractor joint venture in multi million pound ad hoc arbitration proceedings relating to the construction of a new runway at an international airport in Western Europe.
- Acted for the employer in ICC arbitration proceedings relating to the construction of a shopping complex in Poland.
- Instructed and advised in relation to the development of luxury properties in Barbados.
- Represented a residential developer in a two-week trial relating to alleged defects in the construction of a large residential property.
- Represented the main contractor in the TCC courts on a claim relating to a profit sharing agreement.
- Acting for the employer on several High Court actions relating to the construction of two floating production storage and off loading (FPSO) Vessels.
- Advised on claims arising from power station boiler corrosion.

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*“He is friendly, creative and sensible - a go-to on construction.”*

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### Sports Stadiums

- Instructed by a major international architectural practice in an arbitration of a £2.5 million dispute relating to alleged professional negligence in the provision of a grandstand at a world famous racecourse.
- Acted on behalf of structural engineers and advised extensively in relation to a dispute regarding a national football stadium. This case involved highly complex and technical structural engineering matters and the interfaces between various engineers' scopes of responsibility leading to the successful mediation of a multi-party dispute.
- Instructed in relation to a dispute relating to the design of a training facility for a well known football club.

### Professional Negligence

- Instructed by Architects in relation to waterproofing issues at Britain's only natural thermal spa facility.
  - Acted for a major supermarket chain in TCC proceedings relating to claims against arising from subsidence of the main floor slab at a new supermarket development.
  - Defending Surveyors against claim of negligence relating to commercial property valuations.
  - Defending engineers against claims of alleged negligence relating to the failure of a commercial property's foundations.
  - Defending various consulting (mechanical, structural, geotechnical, civil and electrical) engineers against in proceedings relating to alleged negligence.
  - Representing various claimant main contractors on claims of negligence against consulting engineers.
  - Defending various surveyors, quantity surveyors, architects, valuers in various types of proceedings (court, arbitration, adjudication).
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*“One of the best. Engages with issues and clients to provide clear robust advice on complex issues. Not afraid to speak his mind.”*

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### Selected Reported Cases

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- CIP Properties v Galliford Try Infrastructure Ltd [2015] EWHC 481 (TCC)
- Liberty Mercian Ltd v Cuddy Civil Engineering Ltd [2013] EWHC 2688 (TCC)
- Leander Construction Ltd v Mulalley & Company Limited [2011] PNLR 12 (TCC) and [2011] EWHC 3449 (TCC)
- Tinseltime Limited v Eryl Roberts and others [2011] BLR 515 (TCC) and [2011] EWHC 1199 (TCC)

- *Priory Caring Services Limited v Capita Property Services Limited* [2010] 129 Con LR 81 (CA), and [2010] EWCA Civ 226
- *Pierce Design International Ltd v Johnson* [2008] 115 Con LR 110
- *London Fire and Emergency Planning Authority v Halcrow Gilbert Associates Ltd* [2007] EWHC 2456 (TCC)
- *A&S Enterprises Ltd v Kema Holdings Ltd* [2005] BLR 76 TCC
- *Mersey Docks Property Holdings v Birse Construction Ltd* [2005] 99 Con LR 122 TCC
- *Outwing Construction Ltd v H. Randall and Sons Ltd* [1999] BLR 156

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## Education & Professional Career

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MA in Engineering Science, Exeter College, Oxford	1989
Diploma in Law, City University	1996
Called to the Bar (Middle Temple)	1997
Pupillage, Keating Chambers	1997-98
Keating Chambers	1998

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## Memberships

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Commercial Bar Association (COMBAR)  
Society of Construction Law

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## Seminars, Publications & Papers

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- Contributor, Keating on Offshore Construction & Marine Engineering Contracts - First Edition (2015)
- Contributor, Keating on Construction Contracts - Ninth Edition (2012)
- Contributor, Keating on Construction Contracts - Eighth Edition (2006)
- The Engineer's Dispute Resolution Handbook

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## Additional Information

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Richard plays football regularly and follows West Ham United. He enjoys climbing and walking in the countryside.