

Nicholas Collings



Call Date: 1997
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Practice

Nicholas specialises in commercial litigation and arbitration with a particular emphasis on construction, engineering, energy and utilities, technology and related disputes.

He has broad experience of all methods of dispute resolution with expertise in domestic and international arbitration, mediation and adjudication.

Nicholas is recommended in the most recent edition of Chambers and Partners as a leading Junior in the field of construction.

Construction, Engineering and Infrastructure

Nicholas has represented a large number of employers, contractors, sub-contractors and consultants on many cases, both domestic and international, concerning numerous types of building and civil engineering projects. On the pure construction side he has acted on a wide range of disputes including those relating to defects, measurement and valuation, delay, procurement and contract administration. His expertise on engineering matters extends to mechanical and electrical, structural, civil and geotechnical cases. Recent experience includes acting for:

- (a) Construction
 - the UK Government in a claim for delay and disruption in the construction of a motorway;
 - the main contractor in a TCC claim concerning the design and construction of a major residential development in central London;
 - the main contractor in a claim for delay and disruption in the construction of a Ministry of Defence facility;

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- the main contractor in a final account claim relating to a major refurbishment of high street banks;
- M&E subcontractors in a claim relating works carried out in a private hospital;
- a design and build contractor in a claim concerning the construction of a sports centre and associated leisure facilities;
- employers in respect of claims arising out the construction of university halls of residence.

(b) Engineering

- engineers in respect of disputes relating to the design of Wembley Stadium.
- engineers in a TCC claim relating to the design and construction of a leisure centre in London;
- engineers in an expert hearing of the Court of Abu Dhabi for a claim concerning the design and supervision of a GRP sewage pipeline project;
- engineers in an arbitration relating to the design and construction of a hotel and residential complex in Dubai;
- the employer in a TCC claim concerning the installation of an air conditioning system in an underground storage facility;
- a sub-contractor in relation to disputes relating to the design and supply of trains for use on an underground railway;
- engineers in a claim relating to the design of a leisure centre in Kazakhstan
- an underground railway undertaking in relation to safety measures required for engineering works over and adjacent to the underground railway;
- suppliers of diesel engines in a claim concerning alleged design defects in an engine in worldwide use.

Professional Negligence

He acts for claimants and defendants (as well as their professional indemnity insurers) in respect of claims brought against a wide range of construction professional advisers including architects, engineers and surveyors. Recent experience includes acting for:

- the employer in a TCC claim concerning engineers' advice in relation to dredging works;
- the architect in a claim in the TCC concerning alleged over-design of a block of flats;
- engineers in an arbitration concerning the design of a sewage treatment plant;

- the employer in a claim concerning an architect's administration and certification of works under a JCT contract;
- the employer in a claim in the TCC and the Court of Appeal in relation to the design of a paper recycling facility;
- the landowners in a claim against surveyors concerning the survey and valuation of a large country estate.

Energy, Natural Resources and Utilities

Nicholas has wide experience acting for contractors and suppliers in litigation arising out of the design and construction of petrochemical and power plants and pipelines. Examples of his recent work include acting for:

- the main contractor in an arbitration concerning the design and supply of gas turbines for use in a combined cycle power plant;
- design and build contractor in an arbitration concerning the design of generators installed in a UK power plant;
- a gas supplier in relation to claims relating to defects and damage to underground pipelines.

IT and Telecommunications

He has experience in the IT and Telecommunications' field acting for suppliers, contractors and users in relation to telecommunication systems and computer software and hardware systems. Examples of his recent work include acting for:

- the main contractor in an arbitration concerning the design and installation of audio and visual equipment for railways;
- a UK publisher in relation to a claim over a defective accounting software package;
- a financial futures trader in relation to a claim for defective trading software;
- city solicitors in relation to a claim against the supplier for defective supply and installation of telecommunications equipment.

Reported cases

Multiplex Construction (UK) Ltd v Mott Macdonald [2007] EWHC 20 (TCC), 11 Con LR 63

R J Knapman v Richards [2006] EWHC 2518 (TCC)

Rosco Civil Engineering Limited v Dwr Cymru Cyfryngedig [2004] Adj. LR 07/15
Specialist Ceiling Services Northern Limited v ZVI Construction (UK) Limited [2004] BLR 403

Mostcash plc v Fluor Limited [2002] EWCA Civ 975, [2002] BLR 111

Ferson Contractors Limited v Levolux AT Limited [2002] EWCA Civ 11

The Bay Resort Hotel and Resort v Cavalier Construction Company [2001] UKPC 34, APP LR 07/16

Discairn Project Services Limited v Opecprime Developments Limited [2001] BLR 285

Qualifications and Appointments

Nicholas is an Accredited Adjudicator with the Chartered Institute of Arbitrators and Tecbar and has a good working knowledge of French and Spanish.

1996 - 1997 Inns of Court School of Law

1993 - 1996 University of Bristol: LLB (Hons.)

Other Professional Interests

Nicholas is a member of Combar, Tecbar and The Society of Construction Law.

Recommendations

"A lawyer with no shortage of backing, he is celebrated by instructing solicitors for being 'by turns focused but relaxed, and to the point but artful'"
Chambers and Partners 2009, Construction

"The 'methodical and confident approach' of Nicholas Collings consistently achieves a successful conclusion to his cases"
Chambers and Partners 2008, Construction

"Nicholas Collings' broad spectrum of work reflects his high ability"
Chambers and Partners 2006, Construction

(He) "is making his mark. He is able to get straight to the core of the point and then tear in to the other side"
Chambers and Partners 2005, Construction