



Harvey R Cooke

FRICS MCI Arb

Director

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Summary of Faculties

Director - Arbicon ADR Ltd, Chartered Quantity Surveyor, Building Surveyor, Project Manager, Construction Adjudicator, Expert Witness/Reports/Determination, Delay and Loss Analyst, Building & Structural Surveyor, Boundary and Dilapidations Disputes, Leading Authority on Construction Contracts/Law, Commercial Construction Contract Solutions and Dispute Resolution.

Professional Qualifications & Memberships

Fellow of the Royal Institution of Chartered Surveyors

Member of the Chartered Institute of Arbitrators

Member of the Adjudication Society

RICS Assessment Panel for APC - Sits as Chairman/ Assessor

Courses attended: RICS Expert Witness and Asta Power Project

Profile

Harvey is a multi-disciplined professional, a Chartered Quantity Surveyor and Construction Claims Consultant with 37 years of experience. Harvey is an expert in the management, measurement and valuation of all aspects of construction and civil engineering works. Harvey advises and works with Employers, Architects, Quantity Surveyors, Engineers, Contractors, Subcontractors, Solicitors and Barristers; familiar with all aspects of ADR and the Technology & Construction Court.

Harvey started his career as a PQS, then later worked for main contractors and sub-contractors, including the construction of many major construction projects. Harvey joined Arbicon in 2013 and in 2016 was made a Director of Arbicon, fully practicing in the delivery of construction projects, claims, adjudication and dispute resolution.

Harvey is one of the most experienced experts on the law and process of adjudication including the "Construction Acts", namely the Housing, Grants,

Construction & Regeneration Act 1998 and the Local Democracy, Economic Development and Construction Act 2009 and the associated Schemes for Construction Contracts that go with those Statutes. Harvey has expert knowledge on adjudication enforcement case law and has been involved in several landmark cases in the TCC. Harvey has acted for and against some of the biggest construction firms in the UK including Main Contractors, Subcontractors and Employer. Harvey worked for R G Carter for many years and was involved in some of the early well known cases when adjudication was in its infancy. Harvey has been project director for the main contractor on major schemes for blue chip Clients such as those procured by Tesco and has been responsible for the delivery of numerous public buildings and private developments.

Harvey is an expert on construction contracts and construction contract law, advising on JCT, NEC, FIDIC contract forms and is an expert in former contract forms such as GC Works, DOM 1 & 2 and ICE. Harvey is an authority on the interpretation of contracts including the understanding and application of Construction Statutes; Harvey is also an advisor, negotiator and an expert on contract procurement including writing contract amendments, Employers Requirements and Contractors proposals.

Harvey has at his fingertips the Arbicon team who he takes responsibility for thus issues for all Clients are always thoroughly examined giving the best possible advice available to any person or corporation involved in construction business. A rare combination of surveying and law skills, with particular expertise in resolving disputes out of Court and quickly promoting cash flow and resolving unwanted problems. Arbicon are now one of the leading firms of advocates for construction disputes and adjudication in the UK. Chartered Quantity Surveyors with specialist knowledge of the law in construction and adjudication are the best option for help in any construction dispute and Arbicon do not differentiate between large or small parties or disputes, resolution is made to work commercially whatever the case.

Harvey is a specialist in all aspects of Construction Contract ADR. Harvey is regularly appointed as an Expert Witness assisting the parties or the Court/Tribunal in getting to a resolution in disputes. Harvey's expert opinion has been used in adjudication, arbitration, the County and High Courts and he is a very experienced practitioner in these procedures.

Notable Cases, Projects & Skills

Harvey has worked on hundreds of cases and projects in a career spanning 37 years here is a partial sample of some notable ones:

IDE Contracting Ltd v RG Carter Cambridge Ltd [2004] EWHC 36 (TCC)

Lulu Construction Ltd v Mullaley & Co. Ltd [2016] (TCC) - Forensic Claim, Adjudication, Enforcement

National Indoor Arena - Dispute QS

Residential Mansion - Final Account Dispute - Variations, EOT, Loss and Expense, Multiple Adjudications

Development Agreement, Surrey - Costs Dispute - Expert Witness, Arbitration
Defects Disputes - e.g. NHBC/Owner/Builder - Forensic QS and Expert Reports
Office Conversion to Flats, Birmingham - Acoustic Defects - Adjudication/Prof Neg
Supermarkets/Cold Store/ "Tin Sheds" distribution depots - QS, EOT, loss and expense, adjudications
Retail Parks - QS, EOT, loss and expense, adjudications
Office developments - QS, adjudications, EOT/Loss and Expense
Housing Developments - New and refurb - QS, adjudications
Schools/Universities - New/Extended/refurb - QS, adjudications
Public Houses - New build and refurb - QS, adjudications, arbitration
Agricultural Buildings - QS, adjudications
RAF/USAF new builds/refurb and MTC contracts - QS
Hospitals - QS, adjudications
Extra Services Peterborough/Cambridge - QS
Shopping Centre, Brixton - Floor Defects dispute - adjudication
Restaurant Fit-outs, London - QS support, EOT, Loss and Expense, adjudications
Reporting on Onerous Clauses - QS
Bank valuations - QS
Affordable Homes Housing - QS
Repudiation cases - Expert reports, restitution and damages claims
Subcontractors - Numerous cases of contract evaluation/negotiation, default payment adjudication
CIN window network - expert support services
Professional Negligence - Architect Supervision failures - Advocate/Expert
Value Engineering
Project Management
Expert Reports
Building Pathology, materials and defects
Dilapidations and Schedules of Condition
Affordable Housing Contracts
Insolvency
Insurance Claims
Boundary Disputes

Contact

To get in touch with Harvey, please contact the Director's PA, Miss Samantha Town at advice@arbicon.co.uk for more information.

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