



a Capital company

Expert witness for professional negligence claim

Examining a loss of profits claim



Our client, renowned architects Foster + Partners, was taken to court by Riva Properties Limited.

Riva Properties Limited claimed Foster + Partners failed to complete the design of a hotel project within a targeted budget.

The challenge

Foster + Partners were hired by the claimant to design a new 500 room, five-star hotel near Heathrow airport. The initial budget was £70m.

Foster + Partners produced designs for a building that was to cost £195m, saying that the costs could be value engineered down to £100m after planning permission had been sought. Riva Properties upped their budget to £100m.

Riva Properties couldn't get funding for the project in the aftermath of the financial crisis, but they pursued Foster + Partners on a professional negligence claim for failing to work within their budget. The claim was for loss of profits, the professional and other initial costs incurred and for the cost of finding another design team for the project.

How did the firm help?

Jon Barron was an expert witness for Foster + Partners, called to examine the loss of profits claim and the costs incurred by Riva Properties Limited.

The outcome

Riva Properties were awarded £3.6m in compensation from Foster + Partners for the initial costs and to find a new design for the hotel and obtain subsequent planning permission. No compensation was awarded for the loss of profits element of the claim.



Jon Barron was an expert witness for Foster + Partners, called to examine the loss of profits claim and the costs incurred by Riva Properties Limited.



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