



Dispute Resolution & Claim Management

ikon is a professional housing and regeneration consultancy focussing on high quality and sustainable development, working across the private, public and housing association sectors offering unique expertise in winning and delivering major projects as both client and consultant.

Key challenges for the affordable housing sector

Dealing with claims or disputes effectively can divert valuable resources from other areas of a business. It comes as no surprise however, that in a recession, contractual disputes and legal claims are on the increase. In the current market, clients will less readily accept delays and other construction-related problems and contractors and their supply chains operate within narrower commercial margins.

ikon recognises these are extremely challenging trading conditions for both contractors and clients. When losing money on a scheme could make the difference between the success or failure of a project, and even the future of the business itself, a claims culture becomes inevitable.

However, when disputes or claims do arise, discussions all too often stall due to competing demands placed on senior decision makers and entrenched or emotive positions adopted by those involved. Often resulting in matters remaining unresolved for months or even years, with long drawn out protracted exchanges at a vast cost to all parties.

ikon works with a clear focus, often with aligned fee arrangements, to streamline and drive the process to closure. Ultimately the time and manpower we can provide to settle claims can pay significant dividends for our clients.

In our experience, taking the time to consider what our clients really want to achieve, and what is a fair outcome before embarking on any route that could lead to legal action, proves invaluable. It can provide time to reflect more objectively and often find an alternative method of resolution leading to a swift settlement.



How ikon can help

- **Expertise:** extensive experience of dispute resolution techniques and successfully settling claims early on behalf of our clients.
- **Knowledge:** our teams have a detailed working knowledge of Mediation, Adjudication, Arbitration and Litigation and also Alternative Dispute Resolution (ADR) methods.
- **Forming relationships:** easing tensions to promote resolution, through open communication.
- **Flexibility:** clear reporting lines and an emphasis on verbal communication enable us to work with clients quickly and effectively.
- **Problem solving:** finding innovative solutions to promote settlement and get the deal done.
- **Independent:** we pride ourselves on providing open, frank and objective advice.
- **Advice tailored to your needs:** ikon's clear focus on our clients objectives means we can tailor our role to suit your needs.

What we offer

Our extensive technical knowledge and experience enables us to provide the following services:

- Dispute resolution
- Settlement negotiation
- Contractual advice
- Extension of Time assessment
- Loss and expense evaluation
- Final account valuation
- Claim management
- Expert witness
- Technical due diligence
- Commercial due diligence
- Commercial advice
- Financial appraisals



Recent commissions



Instruction from National Housebuilder

Complex technical claim requiring extensive expert witness and technical due diligence support, pursued on behalf of our client as a result of building defects manifesting themselves post-completion of a large residential development. Significant amounts of water ingress became apparent due to poor design detailing, causing extensive damage to multiple occupied units with remedial repair costs running to several hundred thousand pounds that was then sought to be recovered. The dispute was successfully settled at mediation as part of the Pre-Action Protocol as a formal pre-cursor to Litigation.



Instruction from Registered Social Landlord

Multi-party action arising from Landlord claim under a Development Agreement that fundamental conditions had not been met resulting in damages in excess of £1 million being sought from our client. This was an intricate process involving liability on the part of both the client's consultants and the contractor who had failed in their duty to deliver the obligations set out in the Development Agreement. After extensive discussions, a 'without prejudice' settlement was reached with the Landlord and his legal team prior to any form of formal legal action being required, with client costs offset against the consultant and contractor.



Instruction from Developer

Shortcomings in the design of foundations of a high value residential property resulted in significant structural failures, with the property having to be bought back from the resident by the client. An adjoining property was also showing signs of similar problems which were getting progressively worse. In-depth and invasive site surveys were required with a far reaching brief including: sensitive liaison with existing residents; expert witness; and technical and commercial due diligence to look at underpinning and re-build options costing several million pounds. The dispute was successfully settled far in excess of the client's expectations at mediation as part of the Pre-Action Protocol as a formal pre-cursor to Litigation.

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