Simon Hay, DipArb, DipArch, RIBA, FCIArb, IFSM

Director, Chartered Architect

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Background

Simon is an experienced Chartered Architect and Expert Witness. He has been appointed on many disputes, producing CPR 35 reports focused on the performance of architects, contractors, and the professional team. He has expertise in façade and fire compliance issues and cladding and roofing. Brickwork is particularly interesting, having led the brick industry as CEO of the Brick Development Association for some years.

Simon has led design teams in building an extensive portfolio of projects ranging from extending Grade 1 listed buildings to new builds such as a previous Green Building of the Year. He has designed and supervised significant developments and understands public and private commissions. Projects constructed include HQ office buildings, schools, hospitals, retail, residential, and industrial buildings.

Simon has also providing detailed advice tp several Stirling Prize-listed nominees by, including the 2016 winner Damien Hirst's Newport Street Gallery, the shortlisted 2015 Whitworth Gallery, and the people's choice for the 2021 Stirling Prize, the Cambridge Mosque.

Simon has been appointed on various disputes, producing CPR 35 reports focused on architects, contractors, sub-contractors, and design. He has provided single and joint expert advice on adjudications, arbitration, mediation, and court appearances. He has been cross-examined on many occasions.

Simon knows and understands the major forms of contracts, including ICE, JCT, NEC, and bespoke forms.

Education and Certifications

- **Architecture, DipArch (RIBA Parts I, II, III):** University of Westminster
- **Arbitration, DipArb:** University of Reading, College of Estate Management
- **ABBE Level 3 Passive Fire Protection**

Professional Memberships

- **Registered Architect** (ARB)
- **Chartered Member:** Royal Institute of British Architects (RIBA)
- **Fellow:** Chartered Institute of Arbitrators (FCIArb)
- **Member:** The Institute of Fire Safety Managers (IFSM)
- **Member:** International Masonry Society (MIMS)
- **Member:** Society of Construction Law (SCL)
- **Member:** The Academy of Expert Witness (TAE)

Continuing Education

- **OSHA and Related Training:** Construction Safety and Health; Fall arrest training

Geographies

- **APAC**
- **Middle East**
- **UK and Europe**

Sectors

- **Buildings**

Expert Witness / Advisory Experience

Buildings

Fire Investigations

Simon has investigated potential fire defects and compliance with relevant British Standards and Building Regulations on behalf of building owners, housing associations contractors, and architects.

Cladding 10 Tower Blocks, UK
Allegedly not complying with building regulations concerning thermal performance and fire regulations. Assisting the contractor.

High-Rise Tower and Estate, Wales, UK
High- and low-rise blocks are reviewing fire compliance and water ingress, assisting the building's owner.

Residential Blocks, London, UK
Numerous disputes on compliance of residential buildings over 18 m assisting housing associations, contractors, and tenant bodies.

Residential Blocks, London, UK
Numerous disputes for buildings under 18m concerning cavity barrier installation and fire compliance, assisting housing associations, contractors, and tenant bodies.

New Build Tower Block, London, UK
Fire compliance investigation into recently completed high-rise block on behalf of the freeholder. Cladding ACM material and PIR insulation.

Timber Frame Multi-Storey Building, UK
Investigation of a timber-clad multi-occupancy for fire compliance on a residential building, assisting the designer.

Five South Coast Residential Blocks, Various Locations
Alleged failure to construct blocks per fire compliance requirements investigation, negotiation, and remedial analysis assisting housing association.

Four Blocks, London, UK
Safe construction constructed with brick and block safe construction. Assisted D&B contractor with correctly built blocks. Compliance with building regulations and fire requirements was established.

Large Mixed-Use, High-Rise Development, Manchester, UK
Residential and studio space and hotel assisted the party in the multi-party dispute.

General

Simon has investigated defects and provided proposals for remedial actions on disputes.

Educational Building, Manchester, UK
High-rise brick-faced building falling brickwork as frame compressed. Inadequate horizontal compressible movement joints. Assisted the university in identifying issues and solutions.

Rugby Research, UK
Workmanship on new brickwork research facility for advanced transport facility. Assisted the contractor in the claim.

Substantial Country House Refurbishment, UK
Virginia Water designer falling below the required standard of competence. Numerous issues and defective design and workmanship issues.

Retail development, UK
Assisting the contractor who did not construct the contracted lettable area in breach of contract.

County House, Buckinghamshire, UK
Substantial defects. Advised owner in dispute with contractor.

Water Ingress City Public Building, UK
Water ingress and consequential damage at a historic central London public building defective architect design. Assisted contractor.

Disputes Concerning Damp Ingress in Residential Buildings, UK
Damp ingress due to a failure to provide the correct specification and appropriate design.

School, Berkshire, UK
Failure to design movement routes in an educational building contravenes Building Regulations. Assisted client.

Residential, UK
Failure of the architect to install opening windows for residential complex purge ventilation per building regulations. Assisted the building owner.

Planning

Past Chair of the RIBA Hertfordshire Association of Architects
Provided expert opinion to the Planning Authorities on planning issues in Hertfordshire. This included large country houses and large developments.

Architect's Roof Design, Hertfordshire, UK
Failure of an architect to advise on roof alterations to the country house under construction. The planning authority refused alterations. Demolition and rebuilding of substantial areas of property. Assisted owner in a protracted dispute.

Cladding

Designs and installation for several rain-screen cladding systems are now commonly used in the industry. These have included using the helping hand brackets and easy-to-adjust fixing systems. Development of ACM systems and adhesive fix systems.

Cladding, London, UK
Large column casing which has fallen from a height-assisted contractor.

High-Rise Failure, Manchester, UK
Mixed-use tower residential and hotel. Premature glazing failure investigation into coatings. Assisted contractor.

Docklands, London, UK
Water penetration to sloping curtain walling on London development. Assisted specialist contractor.

Educational – Brick Slips, UK
Façade failure of brick slips. Assisted main contractor. Defective design by the architect.

Tiling/Finishes

Hotel West End, London, UK
Investigation and cross-examination of failing tiling installations in a central 5-star London hotel. Assisted the owner.

Country House, Buckinghamshire, UK
Joint expert report on failing tiling to colonnade with loose and dropping tiles due to a failure in the specification and poor workmanship.

Canterbury, UK
Defective plasterboard installation. Assisted the main contractor against the specialist contractor.

Development

Extensive Mixed Development, Middle East
A significant signature development designed to boost national aspirations had stalled due to fluctuations in funding. The development included a signature hotel, shopping centre, commercial sector, and a residential tower. The international design consultancy had yet to receive fees for the many alterations and varied instructions from the client body, including new buildings on the development.

High Rise Block, Singapore
Adjudication. Advising client and architect in dispute with the contractor installing inadequate internal walls throughout the project.

Roofing Disputes

Roofing Conservatory Company, UK
It successfully appealed against VAT levelled at the standard rate. The court held that HMRC was not entitled to levy VAT at the standard rate on a re-roofing system that provided climate-mitigating insulation for existing conservatories.

Several Country Houses, UK
Failures of extensive lead sheeting. Assistance provided to the contractor in all cases.

Portsmouth Dockyard, UK
Investigation into re-slating of the scheduled listed structures analysis of the development of slating historical development.

Roofing
Organised and supervised re-roofing for long-running insurance claims of a large property. Supervised and signed off reconstruction.

Lead Roof
There are three separate large country roof disputes; the roof has issues due to condensation. Assisted in settlement.

Installation of PV panels
Two unconnected disputes on fitting regarding alleged errors in fitting PV panels to existing roofs.

Water Ingress/Damp

Landlord and Tenant Tribunal, UK
Joint expert representing a London Borough and the leaseholder.

North Wales Remedial Proposals, UK
Water penetrated the cavity wall in severe exposure. The existing residential and shopping centre complex suffered extreme dampness, and water penetration assisted freeholder.

Residential Sheltered Building, UK
Home Counties assisted the Owners Committee in gaining a settlement from developers over substantial brickwork window and roofing failures.

Disabled Access

Joint Expert in County Court Dispute, UK
Appointed by the court to advise on disabled access in an extended, grant-aided dwelling.

Floor Installations

Medieval Church, Norwich, UK
The substantial newly installed oak floor had failed due to an architect's incorrect design, specification, and supervision. The dispute was resolved with appropriate restitution to rectify the installation error assisted Church.

Listed Country House, UK
The property had been extensively extended, with a large frontage building. The contractor installed a substantial oak floor to the new building, breaching accepted guidelines and specifications.

Façade Dispute

Residential New Build Complex, Home Counties, UK
This substantial building was brick-clad; the developer condemned the entire façade and assisted the specialist brick subcontractor.

New Built Music Complex, UK
Public schools in brick facades rebuilt assisted schools.

Knightsbridge Residential Terrace, UK
Development using historical materials advice to specialist brick contractors.

Housing association contractor, North-West London, UK
Five estates with substantial cracking to facades assisted contractor.

Contract/Workmanship Dispute

Central Midlands Police HQ and Custody Suite, UK
Report and inspections for sub-contractors.

Expert Determination for Façade, UK
Assisting all parties, a significant, new country house in Sussex. Dispute of soffit hung materials between sub-contractor and main contractor. Investigations and recommendations lead to accepting proposals and agreements between both parties. Basement dispute due to water ingress

Investigation into Façade, UK
Student accommodation in Central London. Leading to the demolition and rebuilding of the works. Assisted architect.

Historic Structures

Listed Oak Frame 15C House, Herefordshire, UK
The oak timber frame had been partially replaced. The owner complained of water ingress, workmanship, conservation, and foul drainage issues. Assisted the specialist conservation project manager in dispute.

Refurbishment on a Listed Building, Belgravia, UK
Assisted the architect, who held the architect responsible for substantial delays and failure to control the budget. The architect also employed the rest of the consultant team.

Berkshire Renovation to Country House, UK
Assisted the client. The architect failed to provide project control and costings workmanship and design below the standard expected.

Central London Refurbishment Listed Building, UK
The architect had proceeded with construction despite substantial damp issues discovered in the property.

Grade 2 Listed House, West London, UK
Property refurbishment and the failure of the contractor to conform to contractual obligations.

Grade 1 Listed Government Office, Whitehall, UK
Disputes on workmanship on large refurbishment contracts involved in-depth appraisal of contracts and analysis of built work performance.

Project Experience

Buildings

Commercial and Residential

Lead Architect Projects, Various Locations
Projects completed as lead architect include office building city retaining one façade; two office buildings in Milton Keynes; waterfront dock offices in Battersea; Buckingham Gate office building; Finsbury Square has two separate office buildings; industrial estate Mitcham; smaller business park projects; shopping centre on the south coast; shopping centre Stevenage; plans for leisure centre Buckinghamshire; Cricket Pavilion; private swimming pool; basement construction; sixth form centre Milton Keynes; schools; alterations to

Hertfordshire Grade 1 school; social services building Buckinghamshire; hospital postoperative care facility Ipswich; housing estate planning; conversion and extensions of country houses varied.

Advisory Architect Projects, Various Locations
Advice on facades and roofing to foremost architects on numerous projects in central London. Stirling prize-winning buildings.

Advisory Architect Projects, Various Locations
Eternit UK company architect advising on roofing and cladding designed the Eternit cladding systems and supervised the installation of systems.

Advisory Architect Projects, Various Locations
Guilform advised on cladding solutions to a range of buildings, including the design and installation of systems.

Professional Experience

- **Rimkus (Formerly Capital Consulting International, CCi)** **2022 – Present**
  - Director, Chartered Architect
- **Diales (Driver Trett Group)**
  - Technical Director
- **Brick Development Association**
  - Chief Executive Officer

Publications

- **Rainscreen Cladding principles and requirements** (Driver Trett Magazine) 2019.
- Brick Development Association: Brickwork for Severe Exposure: Movement Joints in Masonry: **Sustainable Recycled Brickwork; Good Site Practice; Brick Bonds and Mortar.** Various Building Studies 2012-2017.
- ProTen (National Remedial Company): **Timber preservation; Damp Remediation in Buildings; Basement Design.** 2015.
- Eternit UK. Rainscreen Cladding Technical Brochure. 1999: **Eternit Good Slating Technical Brochure 1998.**