
Table of cases

The following abbreviations of reports are used:

AC, App Cas	Law reports, Appeal Cases
All ER	All England Law Reports
ALJR	Australian Law Journal Reports
ALR	Australian Law Reports
APCLR	Asia-Pacific Construction Law Reports
BCL	Building and Construction Law
BCLC	Butterworth's Company Law Cases
BLM	Building Law Monthly
BLR	Building Law Reports
BURR	Burrow
Camp	Campbell's Reports
C&F	Clark & Finnelly's House of Lords Cases
Ch App	Chancery Appeal Cases
Ch, Ch D	Law Reports, Chancery Cases/Division
CILL	Construction Industry Law Letter
CLC	Commercial Law Cases
CLD	Construction Law Digest
CLR	Commercial Law Reports (Canada)
Com Cas	Commercial Cases
Con LR	Construction Law Reports
Const LJ	Construction Law Journal
CP	Common Pleas
CSIH	Court of Session Inner House
CSOH	Court of Session Outer House
Ct Cl	Court of Claims Reports
DLR	Dominion Law Reports
EG	Estates Gazette Cases
ER	English Reports
EWCA (Civ)	England and Wales Court of Appeal Civil Division
EWHC	England and Wales High Court
Ex, Exch, Ex D	Law Reports, Exchequer Cases/Division
F&F	Foster & Finlayson's Nisi Prius Reports
FSR	Fleet Street Reports
GWD	Green's Weekly Digest
H & C	Hurlstone and Coltman's Exchequer Reports
H & N	Hurlstone & Norman's Exchequer Reports

HLC	Clark & Finnelly's House of Lords Reports New Series
JP	Justice of the Peace & Local Government Review
JPL	Journal of Planning Law
KB	Law Reports, King's Bench
LGR	Local Government Reports
LJCP	Law Journal Reports, Common Pleas
LJ Ex	Law Journal Reports, Exchequer New Series
LJQB	Law Journal Queen's Bench
Lloyd's Rep	Lloyd's Reports
LR	Law Reports
LT	Law Times Reports
M & W	Meeson and Welsby's Exchequer Reports
NE	North Eastern Reports
NSWLR	New South Wales Law Reports
NY	New York Court of Appeal
NZLR	New Zealand Law Reports
P & CR	Planning and Compensation Reports
PD	Law Reports, Probate Division
QB	Law Reports, Queen's Bench
R	Rettie, Crawford & Melville, Session Cases
SCR	Supreme Court Reports
Sc LR	Scots Law Reports
ScotCS	Scottish Court of Session
ScotHC	Scottish High Court Decisions
(TCC)	Technology and Construction Court
TLR	Times Law Reports
UKHL	United Kingdom House of Lords
UKPC	United Kingdom Privy Council
WAR	Western Australian Reports
WASCA	Western Australia Supreme Court: Court of Appeal
WLR	Weekly Law Reports
WWR	Western Weekly Reports (Canada)

A & D Maintenance and Construction Ltd v Pagehurst Construction Services Ltd (2000) 17 Const LJ 199	223, 262
Abbey Developments Ltd v PP Brickwork Ltd [2003] EWHC 1987 (TCC)	105, 106
Aerospace Publishing v Thames Water Utilities [2007] EWCA Civ 3; (2007) 110 Con LR 1.....	151
Aktieselskabet Reidar v Arcos [1926] All ER 140	70, 71, 72
Alder v Moore (1961) 2 QB 57 CA	76
Alexiadi v Robinson (1861) 2 F & F 679	220, 265
Alfred McAlpine Capital Projects Ltd v Tilebox Ltd [2005] EWHC 281 (TCC); (2005) 104 Con LR 39.....	65
Alfred McAlpine Homes North Ltd v Property & Land Contractors Ltd (1995) 76 BLR 65.....	148, 149, 154, 167, 294
Alghussein Establishment v Eton College [1988] 1 WLR 587	25, 84
Allied Maples Group Ltd v Simmons & Simmons [1995] EWCA Civ 17; (1996) 46 Con LR 134.....	153
Altus (The) see Total Transport Corporation v Amoco Trading Co	71
Amalgamated Building Contractors Ltd v Waltham Holy Cross UDC [1952] 2 All ER 452	32, 249

Amantilla Ltd v Telefonos PLC (1987) 9 Con LR 139.....	5
AMEC Building Ltd v Cadmus Investment Co Ltd (1997) 13 Const LJ 50.....	105, 150, 155
AMEC Process and Energy Ltd v Stork Engineers & Contractors BV (<i>No 3</i>) [2002] EWHC B1 (TCC).....	174
Angelic Star, The [1988] 1 Lloyd's Rep 122.....	66, 67
Anglian Water Services Ltd v Laing O'Rourke Utilities Ltd [2010] EWHC 1529 (TCC); (2010) 131 Con LR 94	419
Appleby v Myers (1867) LR 2 CP 651.....	113
Architectural Installation Services Ltd v James Gibbons Windows Ltd (1989) 46 BLR 91	305, 429
Arenson v Arenson [1975] 3 All ER 901.....	14
Argyropoulos & Pappa v Chain Compania Naviera SA, unreported, 1 February 1990, abridged in 7-CLD-05-01	31
Ariston v Charley Records Ltd, The Independent 13 April 1990.....	61
Arnold and Co Ltd v Attorney General of Hong Kong (1989) 5 Const LJ 263, (1990) 47 BLR 129 CA (Hong Kong)	60
Ascon Contracting Ltd v Alfred McAlpine Construction Isle of Man Ltd (2000) 16 Const LJ 316	41, 47, 127, 189, 226
Ashville Investments Ltd v Elmer Contractors Ltd (1987) 37 BLR 55.....	470
Associated Distributed Ltd v Hall and Hall [1938] 1 All ER 511	75, 76
Astilleros Canarios SA v Cape Hatteras Shipping Co Inc and Hammerton Shipping Co SA [1982] 1 Lloyd's Rep 518.....	374
Attorney General for the Falkland Islands v Gordon Forbes (Falklands) Construction Ltd (2003) 19 Const LJ T1 49.....	208
Auto Concrete Curb Ltd v South Nation River Conservation Authority (1994) Const LJ 39	322
Avoncroft Construction Ltd v Sharba Homes (CN) Ltd [2008] EWHC 933 (TCC); (2008) 119 Con LR 130.....	79
Azimut-Benetti SpA (Benetti Division) v Healey [2010] EWHC 2234 (Comm); (2010) 132 Con LR 113.....	63
Babacomp Ltd v Rightside [1974] 1 All ER 142.....	22
Babcock Energy Ltd v Lodge Sturtevant Ltd (1994) 41 Con LR 45	151
Bacal Construction (Midlands) Ltd v Northampton Development Corporation (1976) 8 BLR 88	9, 103, 114, 322
Balfour Beatty Civil Engineering Ltd v Docklands Light Railway Ltd (1996) 78 BLR 42	352
Balfour Beatty Construction Ltd v The Mayor and Burgesses of the London Borough of Lambeth [2002] EWHC 597 (TCC); [2002] BLR 288	186, 187, 225
Balfour Beatty Construction (Scotland) Ltd v Scottish Power plc [1994] UKHL 11; (1994) 71 BLR 20	121
Balfour Beatty Ltd v Chestermount Properties Ltd (1993) 62 BLR 1	24, 32, 39, 87, 184, 250
Ballast Wiltshire v Thomas Barnes & Sons Ltd, 29 July 1998, unreported	62
Banco de Portugal v Waterlow & Sons Ltd [1932] AC 452	126
Barque Quilpue Ltd v Brown [1904] 2 KB 261.....	27, 84, 99
Bath and North East Somerset District Council v Mowlem [2004] EWCA Civ 115 (2004) 100 Con LR 1.....	76
Baylis v Mayor of the City of Wellington (1886) 4 NZLR 84	90
Beattie v Gilroy (1882) 20 Sc LR 162.....	351
Beechwood Development Company (Scotland) Ltd v Stuart Mitchell (t/a Discovery Land Surveys) [2001] ScotCS 30.....	150, 159

Behzadi v Shaftsbury Hotels Ltd [1992] Ch 1.....	20
Bell (A) and Son (Paddington) Ltd v CBF Residential Care and Housing Association (1990) 46 BLR 102	89, 271, 272
Berley (E) Industries v City of New York (1978) 385 NE (2d) 281.....	160
Bernard's Rugby Landscapes Ltd v Stockley Park Consortium Ltd (1997) 82 BLR 39.....	197, 198
Bernuth Lines Ltd v High Seas Shipping Ltd [2005] EWHC 3020 (Comm.); (2006) 1 Lloyd's Rep 537.....	133
BFI Group of Companies Ltd v DCB Integration Systems Ltd (1987) CILL 348	74
Bickerton (TA) v North West Metropolitan Regional Hospital Board [1970] 1 All ER 1039	105
Biffa Waste Services Ltd and Another v Maschinenfabrik Ernst Hese GmbH and Another [2008] EWHC 6 (TCC); (2008) 118 Con LR 104.....	67
Bilton (G) & Sons v Mason (1957) unreported	331
Bilton (Percy) Ltd v Greater London Council (1982) 20 BLR 1.....	23, 28, 85, 387
Blackburn v Flavelle (1881) 6 App Cas 628.....	410
Boot (Henry) Construction Ltd v Central Lancashire New Town Development Corporation (1980) 15 BLR 8	239, 242, 295, 302, 303, 390, 402
Boot (Henry) Construction Ltd v Malmaison Hotel (Manchester) Ltd (1999) 70 Con LR 32.....	24, 35, 36, 39
Boot (Henry) Ltd v Alstom Combined Cycles Ltd [1999] EWHC Technology 263; [1999] BLR 123.....	335
Boskalis Westminster Construction Ltd v Liverpool City Council (1983) 24 BLR 83.....	245
Bowmer and Kirkland Ltd v Wilson Bowden Properties Ltd (1996) 80 BLR 131.....	322, 346
Bramall & Ogden v Sheffield City Council (1983) 1 Con LR 30.....	79, 80, 394
Bremer Handelsgesellschaft MBH v Vanden Avenne-Izegem PVBA [1978] 2 Lloyd's Rep 109.....	129, 130
Brikom Investments Ltd v Carr (1979) 2 All ER 753	88
British and Commonwealth Holdings plc v Quadrex Holdings Inc [1989] 3 All ER 492	22
British Glanzstoff Manufacturing Co Ltd v General Accident Fire & Life Assurance Corporation Ltd (1913) AC 143.....	90
British Airways Pension Trustees Ltd v Sir Robert McAlpine & Sons Ltd & Others (1994) 72 BLR 102	197, 198, 292
British Steel Corporation v Cleveland Bridge & Engineering Co Ltd (1981) 24 BLR 94.....	6
British Sugar plc v NEI Power Projects Ltd (1987) 87 BLR 42.....	120
British Westinghouse v Underground Railways Company [1912] AC 673	125
Brodie v Cardiff Corporation [1919] AC 337	304
Bruno Law v US (1971) 195 Ct C1 370	194
Bruno Zornow (Builders) v Beechcroft Developments (1990) 6 Const LJ 132.....	47
Bryant (C) & Son Ltd v Birmingham Hospital Saturday Fund [1938] 1 All ER 503.....	116
Burden (R B) Ltd v Swansea Corporation [1957] 3 All ER 243	294, 324
Bush v Whitehaven Port & Town Trustees (1888) 52 JP 392.....	145
Campbell Discount Co Ltd v Bridge [1962] AC 600; [1961] 2 All ER 97.....	76
Campbell v Edwards [1976] 1 All ER 785	14
Canterbury Pipelines Ltd v Christchurch Drainage Board (1979) 16 BLR 76	27, 85
Cantrell and Another v Wright & Fuller Ltd (2003) 91 Con LR 97	25, 135, 364
Carillion Construction Ltd v Felix (UK) Ltd [2001] BLR 1.....	44
Carr v J A Berriman Pty Ltd (1953) 27 ALJR 273	105, 298

Carslogie Steamship Co Ltd v Royal Norwegian Government (The Carslogie) [1952] 1 All ER 20.....	34, 35
Cellulose Acetate Silk Co Ltd v Widnes Foundry (1925) Ltd [1933] AC 20.....	57, 66, 82, 83
Central London Property Trust Ltd v High Trees House Ltd (1947) KB 130	88
CFW Architects (a firm) v Cowlin Construction Ltd [2006] EWHC 6 (TCC); (2006) 105 Con LR 116.....	144, 150, 156, 159
Chambers v Goldthorpe [1901] 1 KB 624.....	14
Chandris v Union of India [1956] 1 All ER 358	118, 379, 380
Chaplin v Hicks [1911] 2 KB 786	152, 206
Charles Rickards Ltd v Oppenheim [1950] 1 KB 616	12, 21, 88
Cine Bes Filmcilik VE Yapimcilik v United International Pictures [2003] All ER (D) 312 (Nov).....	63
City Axis v Daniel P Jackson (1998) 64 Con LR 84.....	150
City Inn Ltd v Shepherd Construction Ltd [2003] BLR 468upholding [2001] ScotHC 54.....	129, 284, 358
City Inn Ltd v Shepherd Construction Ltd [2010] ScotCS CSIH 68 upholding [2007] CSOH 190,	11, 13, 37, 188, 227, 280
City of Manchester v Fram Gerrard Ltd (1974) 6 BLR 70.....	398
Clegg Parkinson & Co v Earby Gas Co (1896) 1 QB 56	302
Clusky (trading as Damian Construction) v Chamberlain, Building Law Monthly April 1995, p6	340
Clydebank Engineering Co v Don Jose Yzquierdo y Castenada [1905] AC 6.....	57, 59, 62, 74
Commissioner for Main Roads v Reed & Stuart Pty Ltd & Another (1974) 12 BLR 55.....	105
Construction Partnership UK Ltd v Leek Developments [2006] EWHC B8 (TCC).....	133
Convent Hospital v Eberlin & Partners (1988) 14 Con LR 1.....	336
Conway v Crow Kelsey & Partner (1994) 39 Con LR 1.....	15
Cooden Engineering Co Ltd v Stanford [1952] 2 All ER 915 CA	76
Co-operative Insurance Society v Henry Boot Scotland Ltd [2003] EWHC 1270 (TCC); partially reported: (2003) 19 Const LJ 109	115, 357
Cooper v Langdon (1841) 9 M & W 60	108
Cory Ltd v City of London Corporation [1951] 2 All ER 85	27, 84, 99
Costain Civil Engineering Ltd and Tarmac Construction Ltd v Zanin Dredging and Contracting Company Ltd (1996) 85 BLR 85	6
Costain Ltd v Charles Haswell & Partners Ltd [2009] EWHC 3140 (TCC); (2009) 128 Con LR 154.....	137, 146, 147, 186, 476, 478
Cotton v Wallis [1955] 3 All ER 373.....	336
County and District Properties Ltd v John Laing Construction Ltd (1982) 23 BLR 1.....	16, 324, 325
Courtney & Fairbairn Ltd v Tolaini Brothers (Hotels) Ltd (1974) 2 BLR 100.....	265
Cremdean Properties Ltd v Nash (1977) 244 EG 547	114
Crosby (J) & Sons Ltd v Portland UDC (1967) 5 BLR 121	164, 193, 194, 195, 196
Croudace Construction Ltd v Cawoods Concrete Products Ltd (1978) 8 BLR 20.....	120, 121
Croudace Ltd v London Borough of Lambeth (1986) 6 Con LR 70.....	13
Crowshaw v Pritchard & Renwick (1899) 16 TLR 45.....	400
Davis Contractors Ltd v Fareham Urban District Council [1956] 2 All ER 145 HL; [1955] 1 All ER 275 CA	10, 145, 147

De Beers UK Ltd (Formerly: The Diamond Trading Company Ltd) v Atos Origin IT Services UK Ltd [2010] EWHC 3276 (TCC)	138
Demers v Dufresne [1979] SCR 146	15
Department of the Environment for Northern Ireland v Farrans (Construction) Ltd (1982) 19 BLR 1	179
Derry v Peek (1889) 14 App Cases 337	114
Diestal v Stephenson [1906] 2 KB 345	69, 81
Dillingham Construction Pty Ltd v Downs (1972) 13 BLR 97	116
Diploma Constructions Pty Ltd v Rhodgkin Pty Ltd [1995] 11 BCL 242	284
Dodd Properties (Kent) Ltd v The City of Canterbury (1979) 13 BLR 45	174
Dodd v Churton [1897] 1 QB 562	28, 85, 390
Donnison v The Employers' Accident and Livestock Insurance Co Ltd (1897) 24 R. 681	132
Doyle Construction Ltd v Carling O'Keefe Breweries of Canada (1988) Hudson's Building and Civil Engineering Contracts, 1995, 4.133	293
Doyle (John) Construction Ltd v Laing Management (Scotland) Ltd [2002] BLR 393	197, 199, 200
Dudley Corporation v Parsons & Morrin Ltd, 8 April 1959, unreported	335
Dunlop Pneumatic Tyre Co Ltd v New Garage & Motor Co Ltd [1915] All ER 739; [1915] AC 79	58, 59, 60, 64, 70, 73, 77, 81
East Ham Corporation v Bernard Sunley & Sons Ltd [1965] 3 All ER 619	293
Edgeworth Construction Ltd v F Lea & Associates [1993] 3 SCR 206	15
Edison (The) <i>see</i> Liesbosch, Dredger v SS Edison	174
Ellis-Don Ltd v Parking Authority of Toronto (1978) 28 BLR 98	144, 155
English Industrial Estates Corporation v George Wimpey & Co Ltd [1973] 1 Lloyds Rep 51	69
English Hop Growers v Dering [1928] 2 KB 174	64, 73
ERDC Group Ltd v Brunel University [2006] EWHC 687 (TCC); (2006) 109 Con LR 114	7
Exports Credits Guarantee Department v Universal Oil [1983] 2 All ER 205	75
Fairclough Building Ltd v Rhuddlan Borough Council (1985) 3 Con LR 38; (1985) 30 BLR 26	308
Fairclough Building Ltd v Vale of Belvoir Superstore Ltd (1990) 28 Con LR 1	95
Fairfield-Mabey Ltd v Shell UK Ltd (1989) 45 BLR 113	34
Fairweather (H) & Co Ltd v London Borough of Wandsworth (1987) 39 BLR 106	10, 33, 34, 136, 145, 147, 280, 281
Fairweather (H) Ltd v Asden Securities (1979) 12 BLR 40	269
Fee (J & J) Ltd v The Express Lift Co Ltd (1993) 34 Con LR 147	23
Fernbrook Trading Co Ltd v Taggart [1979] 1 NZLR 556	249
Ferrum GmbH v Owners of the Mozart (1984) TLR 2 November 1984	90
Finnegan (J F) Ltd v Ford Seller Morris Developments Ltd (1991) 53 BLR 38	264, 274, 352
Finnegan (JF) Ltd v Sheffield City Council (1988) 43 BLR 124	141, 149, 158, 159
Finnegan (J J) Ltd v Community Housing Association Ltd (1995) 65 BLR 103	272
Fletcher v Minister of Town and Country Planning [1947] 2 All ER 496	259
Ford Motor Company v Armstrong (1915) 31 TLR 267	64, 70
Forsyth v Ruxley Electronics and Construction Ltd & Others (1995) 73 BLR 1	124
Freeman & Son v Hensler (1900) 64 JP 260	101, 110, 298

GAB Robins Holdings Ltd v Specialist Computer Centres Ltd [1998] EWCA Civ 924; (1999) 15 Const LJ 43.....	192, 193
Gallagher v Hirsch (1899) NY 45.....	105
Galliford Try Ltd v Mott MacDonald Ltd [2008] EWHC 1570 (TCC); (2008) 120 Con LR 1.....	14
Galoo Ltd & Others v Bright Grahame Murray TLR 14 January 1994.....	35
Garnac Grain Co Inc v Faure & Fairclough [1968] AC 1130.....	127
Gaymark Investments Pty Ltd v Walter Construction Group Ltd [1999] (2005) 21 Const LJ 71.....	29, 129
Gear (WW)Construction Ltd v McGee Group Ltd [2010] EWHC 1460 (TCC); (2010) 131 Con LR 63.....	131, 285
General Accident Assurance Corporation v Noel [1902] 1 KB 377.....	72, 73
Gleeson (M J) (Contractors) Ltd v Hillingdon Borough Council (1970) 215 EG 165.....	47, 61, 69, 78
Gleeson (M J) plc v Taylor Woodrow Construction Ltd (1989) 49 BLR 95.....	68
Glenlion Construction Ltd v The Guinness Trust (1987) 39 BLR 89.....	141, 142, 143, 220, 237
Glen v The Church Wardens & Overseers of the Parish of Fulham (1884) 14 QBD 328.....	135
GMTC Tools and Equipment Ltd v Yuasa Warwick Machinery Ltd (1994) 73 BLR 102.....	198
Golden Bay Realty Pte Ltd v Orchard Twelve Investments Pte Ltd [1991] 1 WLR 981.....	74
Greater London Council v Cleveland Bridge & Engineering Co Ltd (1987) 8 Con LR 30.....	110, 210, 288, 398, 400
Hadley v Baxendale (1854) 9 Ex 341.....	58, 60, 77, 118, 119, 160, 169, 175, 176, 178, 179, 395, 397
Hall and Shivers v Van der Heiden (No 2)[2010] EWHC 586 (TCC).....	92
Hall & Tawse South Ltd v Ivory Gate Ltd (1997) 62 Con LR 117.....	7
Hampshire County Council v Stanley Hugh Leach Ltd (1991) 8-CLD-07-12.....	353
Hancock v B W Brazier (Anerley) Ltd [1966] 2 All ER 901.....	98
Harbinger UK Ltd v GE Informaion Services Ltd [2001] 1 All ER (Comm) 166.....	253
Harbutt's Plasticine Ltd v Wayne Tank and Pump Co Ltd [1970] 1 All ER 225 CA.....	91
Harrison (M) & Co (Leeds) Ltd v Leeds City Council (1980) 14 BLR 118.....	204, 298
Hedley Byrne & Co Ltd v Heller & Partners Ltd [1964] AC 465.....	15, 19, 114, 322
Henderson v Merritt Syndicates [1995] 2 AC 145; (1994) 69 BLR 26.....	15, 322
Hermcrest plc v G Percy Trentham Ltd (1991) 53 BLR 104.....	276, 452, 456
Heron II (The) <i>see</i> Koufos v Czarnikow Ltd.....	119
Herschel Engineering Ltd v Breen Property Ltd [2000] EWHC Technology 178; (2000) 16 Const LJ 366.....	223
Hersent Offshore SA and Amsterdamse Ballast Beton-en-Waterbouw BV v Burmah Oil Tankers Ltd (1979) 10 BLR 1.....	284, 378, 379
Holbeach Plant Hire Ltd v Anglian Water Authority (1988) 14 Con LR 101.....	179
Holland (John) Construction & Engineering Pty v Kvaerner R J Brown Pty Ltd and Another (1996) 82 BLR 83.....	198
Holland Hannen & Cubitts (Northern) v Welsh Health Technical Services Organisation (1981) 18 BLR 80.....	100, 107, 115, 298
Holloway Holdings Ltd v Archway Business Centre Ltd, 19 August 1991, unreported.....	89, 272
Holme v Guppy (1838) 2 M & W 387.....	23, 27, 84

Hong Huat Development Co (Pte) Ltd v Hiap Hong & Co Pte Ltd (2000) CILL 1787.....	27
How Engineering Services Ltd v Lindner Ceilings Partitions plc 17 May 1995, unreported	191, 200, 226
How Engineering Services Ltd v Lindner Ceilings Partitions plc [1999] 2 All ER (Comm) 374	155
Hudson v Hill (1874) 43 LJCP 273	448
Hughes v Metropolitan Railway Co (1877) 2 App Cas 439	172
Humber Oil Terminals Trustee v Harbour and General (1991) 59 BLR 1	426
Hydraulic Engineering Co Ltd v McHaffie, Goslet & Co (1878) 4 QBD 670 CA.....	378
Hydrocarbons Great Britain v Cammel Laird Shipbuilders (1991) 53 BLR 84.....	247
IBA v EMI and BICC (1980) 14 BLR 1 HL.....	103
IBM (UK) Ltd v Rockware Glas Ltd [1980] FSR 335	232
Icos Vibro Ltd v SFK Construction Management Ltd (1992) APCLR 305	76
Imperial Chemical Industries plc v Bovis Construction Ltd, GMW Partnership and Oscar Faber Consulting Engineers (1992) 8 Const LJ 293	196
Imperial Tobacco Company v Parsley [1936] 2 All ER 515	60, 64, 73
Impresa Castelli SpA v Cola Holdings Ltd (2002) 87 Con LR 123.....	75
Indian Airlines v GIA International [2002] EWHC 2361 (Comm)	65
Inntrepreneur Pub Co Ltd v East Crown Ltd [2000] 2 Lloyd's Rep 611.....	430
Inserco v Honeywell Control Systems Ltd, 19 April 1996, unreported.....	198, 340
Jackson v Eastbourne Local Board (1886) Hudson, Building Contracts, (4 th ed) Vol 2, p 81	322
Jarvis Brent Ltd v Rowlinson Construction Ltd (1990) 6 Const LJ 292	89, 90
Jarvis (J) & Sons Ltd v Castle Wharf Developments & Others [2001] EWCA Civ 19; [2001] 1 Lloyd's Rep 308.....	16
John Jarvis Ltd v Rockdale Housing Association (1986) 36 BLR 48	332, 454
J-Corp Pty Ltd v Mladenis and Another [2009] WASCA 157; (2009) 131 Con LR 188	68
JDM Accord Ltd v Secretary of State for the Environment, Food and Rural Affairs (2004) CILL 2067	341
Jeancharm Ltd v Barnett Football Club Ltd [2003] EWCA Civ 58	62
Jennings Construction Ltd v Birt [1987] 8 NSWLR 18.....	293, 378
Jobson v Johnson [1989] 1 All ER 621	67, 78
John Barker Construction Ltd v London Portman Hotels Ltd (1996) 50 Con LR 43; (1996) 83 BLR 31; (1996) 12 Const LJ 277.....	93, 185, 210, 211, 225, 259, 388
John Holland Construction & Engineering Pty Ltd v Kvaerner R J Brown Pty Ltd (1996) 82 BLR 83	197
John L Haley Ltd v Dumfries and Galloway Regional Council (1988) 39 GWD 1599	134
John Mowlem & Co Ltd v British Insulated Callenders Pension Trust Ltd (1977) 3 Con LR 63.....	354
John Mowlem & Co Ltd v Eagle Star & Others (1995) 62 BLR 126	232, 254, 304
Jones v St John's College Oxford (1870) LR 6 QB 115.....	28, 85
Joseph Constantine Steamship Line v Imperial Smelting Corporation Ltd [1942] AC 154.....	124

Kemble v Farren [1829] All ER 641	58, 61, 64, 445
Koch Hightex GmbH v New Millenium Experience Company Ltd [1999] EWCA Civ 983.....	129
Koufos v Czarnikow Ltd (The Heron II) [1969] 1 AC 350	72, 119, 144
Lamprell v Billericay Union (1849) 18 LJ Ex 282	22
Landom Trust Ltd v Hurrell [1955] 1 All ER 839.....	60
Lantic Sugar Ltd v Baffin Investments Ltd [2009] EWHC 3325 (Comm).....	133
Laserbore v Morrison Biggs Wall (1993) CILL 896	6
Law v Redditch Local Board [1892] All ER 839.....	80
Lebeaupin v Crispin [1920] 2 KB 714	247, 372, 389
Leggott v Barrett (1880) Ch D 306	362
Les Affréteurs Réunis v Leopold Walford [1919] AC 801.....	98
Levy v Assicurazione Generali [1940] 3 All ER 427.....	244
Leyland Shipping Co Ltd v Norwich Union Fire Insurance Society Ltd [1918] AC 350.....	183
Liberty Mercian Ltd v Dean & Dyball Construction Ltd [2008] EWHC 2617 (TCC).....	49, 50
Liesbosch, Dredger v SS Edison (The Edison) (1933) AC 449	174
Liverpool City Council v Irwin [1976] 2 All ER 39.....	67
Lockhart v Falk (1875) LR 10 Exch.....	70
Lockland Builders Ltd v John Kim Rickwood (1995) 77 BLR 38.....	97, 280, 305, 429
Lodge Holes Colliery v The Borough of Wednesbury [1908] AC 323	128
Loftus-Brigham v Ealing LBC (2004) 20 Const LJ 82	184
Lombard North Central plc v Butterworth [1987] QB 527	75
London and South England Building Society v Stone [1983] 1 WLR 1242	126
London Borough of Camden v Thomas McInerney & Sons Ltd (1986) 9 Con LR 99	135
London Borough of Hillingdon v Cutler [1967] 2 All ER 361	220, 330, 448
London Borough of Hounslow v Twickenham Garden Developments Ltd (1970) 7 BLR 81.....	109, 111, 226, 287, 298
London Borough of Lewisham v Shepherd Hill Civil Engineering, 30 July 2001 unreported.....	87, 374
London Borough of Merton v Stanley Hugh Leach Ltd (1985) 32 BLR 51	27, 83, 84, 95, 99, 101, 102, 129, 131, 138, 163, 164, 194, 195, 196, 220, 221, 222, 225, 239, 291, 293, 297, 305, 354, 378, 396
London Chatham and Dover Railway Co v South-Eastern Railway Co [1893] AC 429.....	177, 179
London Underground Ltd v Citylink Telecommunications Ltd (2007) 115 Con LR 1.....	200
London Underground Ltd v Kenchington Ford plc & Others (1999) 63 Con LR 1.....	192
Longley (James) & Co Ltd v South West Regional Health Authority (1984) 25 BLR 56.....	181
Lord Elphinstone v Monkland Iron & Coal Co (1886) 11 App Cas 332	61
Lordsvale Finance v Bank of Gambia [1996] QB 752	65
Lorna P Elsley, Executrix of the Estate of Donald Champion Elsley v J G Collins Insurance Agencies Ltd (1978) 4 Const LJ 318.....	73, 83
Lowe v Peers (1768) 4 Burr 2225	81
LRE Engineering Services Ltd v Otto Simon Carves Ltd (1981) 24 BLR 127.....	111, 241, 303

Lubenhams Fidelity & Investment Co v South Pembrokeshire District Council and Wigley Fox Partnership (1986) 6 Con LR 85.....	15, 183
Ludbrooke v Barrett (1877) 46 LJCP 798.....	15
Luxor (Eastbourne) Ltd v Cooper [1941] 1 All ER 33.....	27, 84, 100
Mackay v Dick (1881) 6 App Cas 251.....	100
Manchester Diocesan Council for Education v Commercial and General Investments Ltd [1969] 3 All ER 1593.....	133
Marston Construction Co Ltd v Kigass Ltd (1989) 15 Con LR 116.....	6
Matsoukis v Priestman & Co Ltd [1915] 1 KB 681.....	247, 372, 389
McAlpine Humberoak Ltd v McDermott International Inc (No 1) (1992) 58 BLR 1.....	189
McCutcheon v David McBryne Ltd [1964] 1 WLR 125.....	98
McGrath v Shah (1989) 57 P & CR 452.....	430
Melachrinou v Nicholl & Knight [1920] 1 KB 693.....	126
Methodist Homes Housing Association Ltd v Messrs Scott & McIntosh, 2 May 1997, unreported.....	10, 229, 281, 289
Mid Glamorgan County Council v J Devonald Williams and Partner (1993) 8 Const LJ 61.....	196, 197
Midlands Mainline Ltd and Others v Eagle Star Insurance Co Ltd [2004] EWCA Civ 1042.....	184
Millar's Machinery Co Ltd v David Way & Son (1934) 40 Comm Cas 204.....	121, 464
Miller v London County Council (1934) 50 TLR 479.....	26, 84, 375
Ministry of Defence v Scott Wilson Kirkpatrick and Dean and Dyball Construction [2000] BLR 20.....	346
Minter (F G) Ltd v Welsh Health Technical Services Organisation (1980) 13 BLR 7 CA; (1979) 11 BLR 1.....	13, 118, 121, 168, 170, 171, 174, 284, 292, 305
Mirant Asia-Pacific Construction (Hong Kong) Ltd v Ove Arup and Partners International Ltd [2007] EWHC 918 (TCC).....	185
Modern Engineering (Bristol) Ltd v Gilbert Ash (Northern) Ltd (1974) 1 BLR 73.....	305, 429
Molloy v Liebe (1910) 102 LT 616.....	107
Mona Oil Equipment Co v Rhodesia Railway Co [1949] 2 All ER 1014.....	100
Monarch Steamship Co Ltd v Karlshamns Oljefabriker (AB) [1949] AC 196.....	183
Moorcock, The (1889) 14 PD 64.....	98
Morrison-Knudsen International Co Inc v Commonwealth of Australia (1972) 13 BLR 114.....	115
Moss v Smith (1977) 76 LGR 284.....	411
Motherwell Bridge Construction Ltd v Micafil Vakuumtechnik and Another (2002) 81 Con LR 44.....	36, 46
Multiplex Constructions Pty Ltd v Abgarus Pty Ltd & Another [1992] APCLR 252.....	78
Multiplex Constructions (UK) Ltd v Honeywell Control Systems Ltd [2007] EWHC 447 (TCC); (2007) 111 Con LR 78.....	30, 130
Nauru Phosphate Royalties Trust v Matthew Hall Mechanical and Electrical Engineers Pty Ltd and Another (1992) 10 BCL 178.....	197
Neodox Ltd v Borough of Swinton & Pendlebury (1958) 5 BLR 34.....	238
New Islington and Hackney Housing Association Ltd v Pollard Thomas and Edwards Ltd [2001] BLR 74.....	392, 403
North Sea Ventilation Ltd v Consafe Engineering Ltd 20 July 2004, unreported.....	63

Northwood Development Company Ltd v Aegon Insurance Company (UK) Ltd (1994) 10 Const LJ 157	398
Norwest Holst Construction Ltd v Co-operative Wholesale Society Ltd (No 2) [1998] EWHC Technology 339	150, 152, 156, 453
Oakley v Portsmouth & Ryde Steam Packet Co (1856) T1 Exchequer Reports 6 1F	246
Ogilvie Builders Ltd v The City of Glasgow District Council (1994) 68 BLR 122	175
Oldschool v Gleeson (Construction) Ltd (1976) 4 BLR 103	212
Opat Decorating Service (Aust) Pty v Hansen Yuncken (SA) Pty [1995] BCL vol 11 360	284
Pacific Associates v Baxter (1988) 44 BLR 33	14
P & O Developments Ltd v Guy's & St Thomas' National Health Service Trust [1999] BLR 3	183
Pantland Hick v Raymond & Reid [1893] AC 22	22
Parsons (H) (Livestock) Ltd v Utleigh Ingham & Co Ltd [1978] 1 All ER 525; [1977] 2 Lloyd's Rep 522	120, 162, 397
Partington & Son (Builders) Ltd v Tameside Metropolitan Borough Council (1985) 5 Con LR 99	12
Peak Construction (Liverpool) Ltd v McKinney Foundations Ltd (1970) 1 BLR 114	22, 29, 83, 86, 87, 158, 161, 207, 253, 258, 263, 275
Pearson v Dublin Corporation [1907] AC 351	114
Penwith District Council v V P Developments Ltd, 21 May 1999, unreported	18, 27, 102, 345
Perar BV v General Surety & Guarantee Co Ltd (1994) 66 BLR 72	398
Perini Corporation v Commonwealth of Australia (1969) 12 BLR 82	27, 46, 84, 102
Perini Pacific v Greater Vancouver Sewerage and Drainage District (1966) 57 DLR (2d) 307	29, 86
Peter Kiewit Sons' Company of Canada Ltd v Eakins Construction Ltd (1960) 22 DLR (2d) 465	107
Petromec Inc v Petroleo Brasileiro SA (Petrobras) and Another (2007) 115 Con LR 11	198, 214
Philips Hong Kong Ltd v Attorney General of Hong Kong (1993) 61 BLR 41 PC, (1991) 7 Const LJ 340 CA (Hong Kong), (1990) 50 BLR 122	60, 62, 64, 65, 77
Phillips Petroleum Co UK Ltd v Enron Europe (1997) CLC 329	262
Phoenix Components v Stanley Krett (1989) 6-CLD-03-25	336
Photo Production Ltd v Securicor Transport Ltd [1980] 1 All ER 556 HL	91
Pigott Foundations v Shepherd Construction (1996) 67 BLR 48	67, 447
Plater v Sonatrach (2004) CILL 2073	184
Porter v Tottenham Urban District Council [1915] 1 KB 776	111
Pratt Contractors Ltd v Transit New Zealand [2003] UKPC 83	265
President of India v La Pintada Cia Navegacion SA [1984] 2 All ER 773	177, 178
President of India v Lips Maritime Corporation [1987] 3 All ER 110	179
Public Works Commissioner v Hills [1906] AC 368, [1906] All ER 919	59, 65
Queen, The v Walter Cabot Construction (1975) 21 BLR 42	109
Ralph M Lee Pty Ltd v Gardner and Naylor Industries Pty Ltd (1997) 12 Const LJ 125	198
Ramac Construction Co Ltd v J E Lesser (Properties) Ltd [1975] 2 Lloyd's rep 430	269

Ranger v Great Western Rail Co [1854] All ER 321	59
Rapid Building Group Ltd v Ealing Family Housing Association Ltd (1984) 1 Con LR 1	24, 58, 82, 87, 111
Re Apex Supply Co Ltd [1941] 3 All ER 473	76
Re Bayley Worthington & Cohen's Contract [1909] 1 Ch 648	398
Re Cosslett (Contractors) Ltd, Clark, Administrator of Cosslett (Contractors) Ltd (in Administration) v Mid Glamorgan County Council [1997] EWCA Civ 2229; [1997] 4 All ER 115	426
Redheugh Construction Ltd v Coyne Contracting Ltd and British Columbia Building Corporation (1997) 29 CLR (2d) 39-46	346
Reinwood Ltd v L Brown & Sons Ltd [2008] UKHL 12; (2008) 116 Con LR 1	270
Re Nuttall and Lynton and Barnstaple Ry (1899) 82 LT 17	322
Re Polemis and Furness, Withy & Co [1921] 2 KB 560	96
Rees & Kirby Ltd v Swansea City Council (1985) 5 Con LR 34 CA	102, 170, 173, 174
Re Stratton's Deed of Disclaimer [1957] 2 All ER 594	379
Re White (1901) 17 TLR 461	90
Re Yeardon Waterworks Co & Wright (1895) 72 LT 832	90
Rhodia International Holdings Ltd and another v Huntsman International LLC [2007] EWHC 292	233
Richard Roberts Holdings Ltd v Douglas Smith Stimson Partnership and Others (1988) 5 Const LJ 223	127
Roberts v Brett (1865) 11 HLC 337	220
Roberts v Bury Commissioners (1870) LR 5 CP 310	28, 85
Robertson Group (Construction) Ltd v Amey-Miller (Edinburgh) Joint Venture [2005] ScotCS CSOH 60	121
Robinson v Harman (1848) 1 Ex 850	148
Robophone Facilities v Blank [1966] 3 All ER 128	61, 82
Rotherham Metropolitan Borough Council v Frank Haslam Milan and Co Ltd (1996) 59 Con LR 33	240
Royal Brompton Hospital NHS Trust v Hammond & Others (No 7) (2001) 76 Con LR 148	24, 36, 39, 224
Royal Brompton Hospital NHS Trust v Hammond & Others (No 8) (2002) 88 Con LR 1	191
Royal Insurance Co Ltd v G & S Assured Investments Co Ltd [1972] 1 Lloyd's Rep 267	352
Ruabon SS Co v London Assurance [1900] AC 6	35
Saintline Ltd v Richardsons, Westgarth & Co Ltd [1940] 2 KB 99	96, 120, 121, 169
St Modwen Developments Ltd v Bowmer and Kirkland Ltd (1996) 14-CLD-02-04	155
Sallis (Michael) & Co Ltd v ECA Calil (1987) 4 Const LJ 125	13
Saxon Steamship Co Ltd v Union Steamship Co Ltd (1900) 69 LJQB 907	71
Schuler A G v Wickman Machine Tool Sales Ltd [1974] AC 235	261
Scott v London and St Katherine's Docks Co (1865) 3 H & C 596	125
Scott Lithgow Ltd v Secretary of State for Defence (1989) 45 BLR 1	254
Serck Controls Ltd v Drake & Scull Engineering Ltd (2000) 73 Con LR 100	6
Sharpe (C) & Co Ltd v Nosawa [1917] 2 KB 814	126
Sharpe v San Paulo Railway (1873) 8 Ch App 597	104, 108, 320, 323
Shawton Engineering Ltd v DGP International Ltd [2005] EWCA Civ 1359	21
Shore & Horwitz Construction Co Ltd v Franki of Canada Ltd [1964] SCR 589	155, 166

Shore v Wilson (1842) 9 C & F 355	89
Sindall Ltd v Solland (2004) 80 Con LR 152.....	31
Sir Lindsay Parkinson & Co Ltd v Commissioners of Works and Public Buildings [1950] 1 All ER 208	5, 108, 146, 325
Sir W Harte Dyke (ex parte) In re Morrish (1882) 22 ChD 410 CA	90
Skandia Property (UK) Ltd v Thames Water [1999] BLR 338	183
Skanska Construction UK Ltd v Egger (Barony) Ltd [2004] EWHC 1748 (TCC)	188
Skanska Construction UK Ltd v The ERDC Group Ltd [2003] SCLR 296	291
Smith v Eric S Bush [1989] 2 All ER 514	15
Spectra Pty Ltd v Pindari Pty Ltd [1974] 2 NSWLR 617	133
Stanor Electric Ltd v R Mansell Ltd (1988) CILL 399.....	59, 61, 79, 376
Steria Ltd v Sigma Wireless Communications Ltd [2007] EWHC 3454 (TCC); (2007) 118 Con LR 177.....	30, 36, 130, 131, 134
Stevenson v Watson (1879) 48 LJCP 318.....	15
Stilk v Myrick (1809) 2 Camp 317.....	43, 44
Stockport MBC v O'Reilly [1978] 1 Lloyd's Rep 595	319
Strachan & Henshaw Ltd v Stein Industrie (UK) Ltd (1998) 87 BLR 52.....	97, 280, 305, 429
Strutt v Witnell [1975] 1 WLR 870.....	126
Suisse Atlantique, etc v N V Rotterdamsche Kolen Centrale [1966] 2 All ER 61	71, 90
Sunley (B) & Co Ltd v Cunard White Star Ltd [1940] 2 All ER 97.....	166, 167
Sutcliffe v Thackrah [1974] 1 All ER 859	14, 294
Sweatfield Ltd v Hathaway Roofing Ltd (1997) CILL 1235.....	107
Symonds v Lloyd (1859) 141 ER 622.....	98
Tai Hing Cotton Mill Ltd v Kamsing Knitting Factory [1979] AC 91.....	152
Talley v Wolsey-Neech (1978) 38 P & CR 45.....	69
Tameside Metropolitan Borough Council v Barlow Securities Group Services Ltd [2001] BLR 113 CA.....	97
Tate & Lyle Food and Distribution Co Ltd v Greater London Council [1982] 1 WLR 149, [1981] 3 All ER 716.....	153, 157, 175, 176, 181
Temloc Ltd v Errill Properties Ltd (1987) 39 BLR 30.....	24, 44, 45, 67, 68, 72, 230, 277, 374, 394
Terry Pincott v Fur and Textile Care Ltd (1986) 3-CLD-05-14	252
Tersons Ltd v Stevenage Development Corporation (1963) 5 BLR 54.....	285, 379
Test Valley Borough Council v Greater London Council (1979) 13 BLR 63	98, 102
Tharsis Sulphur & Copper Company v McElroy & Sons (1878) 3 App Cas 1040	322
Thomas Bates & Son Ltd v Thurrock Borough Council [1976] JPL 34.....	100
Thomas Feather & Co (Bradford) Ltd v Keighley Corporation (1953) 52 LGR 30.....	93
Thorn v London Corporation (1876) 1 App Cas 120	113, 322
Token Construction Co Ltd v Charlton Estates Ltd (1973) 1 BLR 48	269, 274, 464
Total Transport Corporation v Amoco Trading Co (The 'Altus') [1985] 1 Lloyd's Rep 423.....	71
Transfield Pty v Arlo International (1980) 30 ALR 201	232
Trident Construction v Wardrop (1979) 6 WWR 481.....	15
Trollope & Colls Ltd v North West Metropolitan Regional Hospital Board (1973) 9 BLR 60	50, 99
Turner (E) & Sons Ltd v Mathind Ltd (1986) 5 Const LJ 273.....	69
Turriff Construction v Regalia Knitting Mills (1971) 9 BLR 20.....	5

UBH (Mechanical Services) Ltd v Standard Life Assurance Co (1990) BCLC 865.....	262
Update Construction Pty Ltd v Rozelle Child Care Ltd (1992) 9 BLM 2.....	313
Victor Stanley Hawkins v Pender Bros Pty Ltd (1994) 10 BCL 111.....	232
Victoria Laundry (Windsor) Ltd v Newman Industries Ltd, Coulson & Co [1949] 1 All ER 997.....	119, 160, 397
Viking Grain Storage v T H White Installations Ltd (1985) 3 Con LR 52.....	98
Voaden v Champion [2002] 1 Lloyd's Rep 623.....	127
Vonlynn Holdings v Patrick Flaherty Contracts Ltd 26 January 1988, unreported.....	105
Wadsworth v Lydall [1981] 2 All ER 401.....	178, 179, 180
Wall v Rederiaktiebolaget Luggude [1915] 3 KB 66.....	81, 82
Walter Lawrence & Son Ltd v Commercial Union Properties (UK) Ltd (1984) 4 Con LR 37.....	243, 250
Wates Construction (London) Ltd v Franthom Property Ltd (1991) 7 Const LJ 243.....	391
Wates Construction (South) Ltd v Bredero Fleet Ltd (1993) 63 BLR 128.....	335
Watts, Watts & Co Ltd v Mitsui & Co Ltd [1917] All ER 501.....	57, 81, 82
Webster v Bosanquet [1912] AC 394.....	59, 62
Weld-Blundell v Stephens [1920] AC 956.....	182, 398
Wells v Army and Navy Co-operative Society Ltd (1902) 86 LT 764, 2HBC 4th Edition (vol 2) 346.....	22, 23, 28, 29, 85, 86, 210, 253
Wertheim v Chicoutimi Pulp Co [1911] AC 301.....	123
West Faulkner Associates v London Borough of Newham (1995) 11 Const LJ 157 CA.....	288, 378
Westminster Corporation v J Jarvis & Sons Ltd (1970) 7 BLR 64 HL, [1969] 1 WLR 1448.....	392
Wharf Properties Ltd v Eric Cumine Associates (1991) 52 BLR 1.....	196
White v Jones [1995] 1 All ER 691.....	15
Whittall Builders v Chester-le-Street District Council (the 1985 case) (1996) 12 Const LJ 356, (1985) 11 Con LR 40.....	96, 112, 139, 158, 163
Whittall Builders v Chester-le-Street District Council (1987) 40 BLR 82.....	112, 297
Williams v Fitzmaurice (1858) 3 H & N 844.....	322
Williamson v Murdoch [1912] WAR 54.....	90
Williams v Roffey Brothers & Nicholls (Contractors) Ltd [1990] 1 All ER 512.....	43, 45
Witts and Others v Montgomery Watson Ltd [1999] 11 BLISS 5.....	128
Wood v Grand Valley Railway Co (1913) 16 DLR 361.....	152
Wormald Engineering Pty Ltd v Resources Conservation Co International [1992] 8 BCL 158.....	284, 378
Wraight Ltd v P H & T (Holdings) Ltd (1968) 13 BLR 27.....	111, 117, 121, 162, 169, 397
Yates Building Co Ltd v Pulleyn and Sons (York) Ltd (1976) 237 EG 183.....	133
Yorkshire Dale Steamship v Minister of War Transport [1942] 2 All ER 6, [1942] AC 691.....	34, 182, 183
Young & Marten Ltd v McManus Childs Ltd (1969) 9 BLR 77.....	98, 103
Yuen Kun Yen v Attorney General of Hong Kong [1988] AC 175.....	15