



CEDR Accreditation:	1995
CEDR Panel	1996
Languages:	English - Polish
Location:	United Kingdom

“Fair, forward thinking and tenacious; he came across as a person of real integrity.”

Client Feedback

Dr. Andrzej (Andy) Grossman

Overview

Andy gained his CEDR Mediator Accreditation in 1996. He also undertook specialist facilitation training by the Massachusetts based, Public Conversations Project, is a certified Henley Business School coach and holds a Doctorate of Professional Studies in commercial mediation development.

Andy joined CEDR in 1999 and is a member of its senior leadership team. As a conflict engagement and capacity development practitioner, he has particular expertise in multi-party/multi-person conflicts and conflicts where personalities have become a major obstacle to resolution.

He has mediated in a variety of contentious settings and at the start of his mediation practice was noted for his work in planning and land related disputes. More recently, Andy has broadened his area of practice to workplace and organisational conflicts, helping individuals and teams to develop constructive responses to their challenges in working together and working with their stakeholders. He does this as an advisor, trainer, coach and mediator.

Professional Background

Before joining CEDR Andy was an architect in private practice for 15 years. He spent the early part of his career with an international civil and structural engineering consultancy based in London. He then joined a niche practice specialising in the design of radiotherapy treatment centres before establishing his own firm.

A common feature of much of his work was extensive negotiation and consultation with user groups and/or working in multi-cultural environments.

Expertise

- Commercial Contracts
- Construction & Engineering
- Planning
- Professional Negligence
- Property
- Public Sector
- Workplace

Dispute Experience

(Non-Neutral work in italics)

Commercial Contracts

- Payments for the supply of meat products from an Eastern European supplier to a major UK retailer involving allegations of price rigging.
- Loss of profit claim related to the termination of a local authority service contract.
- Claim by a high net worth individual against an interior designer regarding unapproved changes to the decoration and furnishings of a London flat.
- Dispute involving the ownership of a luxury sports car as part of a divorce settlement.
- Alleged failure of local authority to pay outstanding fees for adult social care services.
- Agent's claim for unpaid commission on the sale of kitchen joinery and fittings.
- Claim against a bank in respect of a development loan for a substantial residential property.
- Dispute between family members regarding the operation of fast-food restaurants in their ownership and involving accusations of accounting malpractice.
- Claims arising out of allegations of diversion of funds resulting in the failure of a joint venture to develop a residential property.

Construction & Engineering

- Delays to the construction of a local authority college.
- Long-standing dispute between a national contractor and a Middle Eastern employer in relation to civil engineering works on a private estate.
- Three-party dispute related to third party damage caused to an adjoining property during the construction of a mixed development.
- Dispute regarding the termination of a sub-contract for the supply and erection of roof steelwork for an office building
- Claim by a local authority against a contractor regarding delays to road repairs and road resurfacing.
- Breach of contract claim related to the refurbishment and repair of a listed building.
- Claim against an architect by a local authority for faulty design of a vaulted roof over an ice-skating rink, and parallel claim against contractor for faulty workmanship.
- Breach of contract claim related to the location and construction of an agricultural building.
- Five-party dispute related to water ingress and damp penetration problems on a new build project on an exposed site.
- Claim by a contractor against a nominated supplier regarding the supply of defective bullet proof glass for an embassy building.

Planning

Andy was the lead mediator in the then Department of Environment, Transport and the Regions pilot scheme for planning appeal and enforcement cases and has also mediated public rights of way disputes for The Planning Inspectorate. Many of his planning mediations have involved interested third parties and statutory advisers in addition to the developer applicant and Local Planning Authority's teams. Examples include:

- Five-party enforcement case involving a Site of Special Scientific Interest.
- Four-party dispute related to a residential development on a historically contentious site of natural interest.
- Dispute related to discharge of conditions on a planning permission for the extension of a residential block
- Six-party dispute regarding the future development of a home for people with learning difficulties.

- Dispute related to permitted development on green belt land involving the extension of a private house and new outbuildings.
- Four-party dispute concerning s.106 planning obligations to provide affordable housing at four sites in a London borough.
- Dispute related to the route of a right of way to three parcels of farmland each owned by a brother in one family.

Professional Negligence

- Claim by a developer against a planning consultancy regarding the inadequacy of preparation and conduct of a planning inquiry.
- Claim of quantum meruit by a contractor for works carried out beyond those set out in the letter of intent on a substantial private house.
- Litigant in person claim against an architect for failure to identify defects on a house refurbishment.
- Allegations of negligence in relation to advice by a planning consultancy on a major mixed development in the north of England.
- Dispute related to non-payment of architect's design fees.
- Claim against architect for failure to properly design, inspect the works and administer the building contract for an extensive refurbishment of a residential property.
- Alleged failure of a contractor to design and construct partitions to adequate fire-resistance standards in an office building.

Property

- Conditional agreement for the sale of development land by a commercial developer to a national house builder.
- Nuisance claim brought by a public authority in relation to damage to one of its properties allegedly caused by demolition works on an adjacent site.
- Claim brought by a landowner against a developer in relation to a ransom strip
- Actionable nuisance claim related to development land adjacent to a golf course.
- Negligent property damage claim arising out of works to an airport runway.
- Dispute between the residents' association of a prestigious private estate and one of its residents related to garden landscaping works.

Public Sector

- Adequacy of consultation in relation to a local authority's decision to delimit the issuing of Hackney carriage vehicle licences (judicial review case).
- Dispute involving a local authority, government agency and a charitable regeneration trust in relation to a river improvement project.
- Issues following an investigation of the alleged failure of a local authority to provide respite care services.
- Dispute regarding the management of a specialist care facility of an NHS Trust.
- Long-standing dispute between a local authority and Academy school related to outstanding payments of utility bills.

Workplace and Organisational

- Relationship breakdown between two executive directors in an NHS Trust.
- Conflicts arising from different communication styles in a school leadership team.
- Identifying and clarifying roles and responsibilities in two teams in a global management consultancy.
- Addressing complaints about the management style of a newly appointed line manager and developing a behavioural agreement between the manager and team members
- Conflict between two local authority employees in the same service delivery team involving an accusation of fraud.
- Reviewing a government agency's future service delivery focus with its key stakeholders.
- Developing a communication framework for the Board, Executive Director and staff of a professional services company.
- Developing an action plan between a UK based charity and its East European partner organisation arising out of a major dispute regarding account reporting
- Addressing an escalating conflict arising out of non-promotion of a manager in a management consultancy
- Surfacing unresolved management and relationship issues between the UK and international Boards of a not-for-profit organisation following a demerger.
- Independent chairing of meetings between the board of a major US based charity and the board of its UK subsidiary to resolve major disagreements regarding the UK subsidiary's planned growth.

- Addressing speak up culture in a new team in an intergovernmental organisation.

Other Dispute Resolution and Management Experience

Process Design and Advisory

- Narrowing environmental and land issues ahead of a public inquiry between the promoter and objectors in relation to an application by a local authority for permission under the Transport and Works Act for the construction and operation of a guided bus system.
- Reaching a decision on the rewording of the Royal Charter of a professional institute working with the institute's council members, senior officers, external legal advisors and representatives from government departments.
- Analysis on elements of the London 2012 Olympics consultation process.
- Independent chairing of a meeting between village residents and a local planning authority addressing objections to a proposed residential development.
- Design and delivery of an independent consultation process in relation to a proposed and highly contentious development of a Gypsy and Travellers site.
- Assisting a major civil engineering contractor in developing their negotiation approach to resolve a £ multi-million dispute.

Personal Style

Andy has an aptitude for dealing with highly volatile cases, being able to adapt easily to the parties' personalities. His calm presence and relaxed manner bely tenacity and rigour in working through issues.

Feedback

- *"His attitude was friendly, professional and immensely competent – one had enormous trust in him straight away."*
- *"Calm and understated; he was not afraid to challenge a demanding client."*
- *"Andy's level of professionalism and confidence was outstanding."*
- *"This was a difficult case as our opponent was very aggressive. He did a really good job and kept everyone calm."*
- *"He was very approachable and was able to navigate some very testing moments with ease."*
- *"Fair, forward thinking and tenacious; he came across as a person of real integrity."*

- *“It made no difference to us he was not a lawyer. He removed the legal veil and made us talk practicalities.”*
- *“He knew his stuff and was able to apply pressure on the parties where it was needed to focus minds.”*
- *“He was very good at managing my client’s expectations and what was expected of my client.”*
- *“He was able to come to grips with the technical detail of the case with impressive speed.”*
- *“He was very supportive yet challenging. A bit of an iron hand in a velvet glove.”*
- *“He quickly managed to isolate the issues and take personalities out of it.”*

Professional Skills

As one of CEDR's most senior consultants, Andy has led many consultancy and institutional capacity building programmes with development banks and international agencies on civil justice reform, business stability and anti-corruption initiatives, providing technical assistance and delivering mediation, conflict management and negotiation training in 40 countries.

He has authored a number of advisory publications on behalf of CEDR. These include chapters in *Effective Conflict Management* (ICSA Publishing, 2013), *How to Master Negotiation* (Bloomsbury, 2015), *CEDR’s ADR Guide for Public Authorities*, *ADR Guide for Local Authorities in Public Private Partnerships*, *CEDR Rules for Adjudication and Dispute Resolution Procedure for PFI and Long-Term Contracts* (which formed the basis of government guidance) and *Guidance for Collaborative Working and Preventing Your Organisational Grievances*. He has also authored the *Royal Institute of British Architects’ Good Practice Guide to Mediation* and the *International Finance Corporation’s Construction Mediator Guide*.