



CEDR Accreditation:	1995
CEDR Panel Admission:	1996
CEDR Chambers:	2012
Languages:	English • Polish
Location:	United Kingdom
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Andrzej (Andy) Grossman

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

Client Feedback

Overview

A member of CEDR’s Executive team, Andy joined CEDR in 1999. He has particular expertise in multi-party/multi-person conflicts and conflicts where personalities have become a major obstacle to resolution. He has acted as a facilitator or independent chair in a variety of contentious commercial and organisational settings and is noted for his work in planning and land related disputes.

Professional Background

Before joining CEDR Andy was an architect in private practice. 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 nuclear medicine projects before establishing his own firm.

Working with private, commercial and public sector clients on residential, hospital, airport and urban development projects in the UK, Middle East, Europe and North America, 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

Dispute Experience

Commercial Contracts

- Payments for the supply of meat products from an Eastern European supplier to a major UK retailer.
- Loss of profit claim related to the termination of a local authority service contract.
- Alleged failure of local authority to pay outstanding fees for adult social care services.
- Agent's commission on the sale of kitchen joinery and fittings.
- Claim against a bank in respect of a development loan for a substantial residential property

Construction & Engineering

- 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
- Faulty workmanship claim brought against a specialist contractor
- Delays to the construction of a local authority college
- Breach of contract claim related to the refurbishment and repair of a listed building
- 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

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.

- 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.
- Six party dispute regarding the future development of a home for people with learning difficulties.
- Four party dispute involving Section 106 planning obligations to provide affordable housing.

Professional Negligence

Numerous disputes involving architects, civil engineers, surveyors and planning consultants related to:

- design and supervision;
- failure to identify defects;
- inadequacy of advice related to building repairs;
- inadequacy of preparation and conduct of a planning inquiry;
- quantum meruit claims for fees;
- litigant in person claims.

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.
- Actionable nuisance claim related to development land adjacent to a golf course.

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.

Other Dispute Resolution Experience

Facilitation and Independent Chairing

Andy has acted as a facilitator and neutral chair to help parties in addressing a variety of commercial and management issues in different sectors:

- Reviewing the growth of the UK arm of a global, US based charity.
- Reaching a decision on the rewording of the Royal Charter of a professional institute working with all the institute's council members, senior officers, external legal advisors and representatives from government departments.
- Reviewing a government agency's future service delivery focus.
- 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.
- Issues analysis prior to an Examination in Public as part of the Regional Planning Guidance process.
- Design and delivery of an independent consultation process in relation to the proposed development of a Gypsy and Travellers site.
- Developing a communication protocol for the Board, Executive Director and staff of a professional services company.
- Identifying and clarifying roles and responsibilities in two teams in a global management consultancy.

Personal Style



Andy has an aptitude for dealing with highly volatile cases, being able to adapt easily to the parties' personalities. His calm, relaxed manner belies tenacity and a firm, pragmatic hand where necessary.

Feedback

- *"Calm and understated; he was not afraid to challenge a demanding client."*
- *"His attitude was friendly, professional and immensely competent – one had enormous trust in him straight away."*
- *"Andy's level of professionalism and confidence was outstanding."*
- *"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 able to come to grips with the technical detail of the case with impressive speed."*
- *"He quickly managed to isolate the issues and take personalities out of it."*

Professional Skills

As one of CEDR's most senior consultants, his work has taken him to 37 countries providing technical assistance for international development agencies and delivering mediation, conflict management and negotiation training. 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* (within organisations). He has also authored the Royal Institute of British Architects' *Good Practice Guide to Mediation* and the International Finance Corporation's *Construction Mediator Guide*.

Andy's professional and institutional affiliations include registration with the Architects Registration Board, memberships of the International Association for Contract and Commercial Management, the Civil Mediation Council (UK) and the Royal Society of Arts.

Other Skills



Better conflicts, Better outcomes, Better world

Andy has undertaken facilitation training by the Massachusetts based, Public Conversations Project, holds a Doctorate of Professional Studies in commercial mediation development has working proficiency in the Polish language.

