



CEDR Accreditation:	2007
CEDR Panel Member Since:	2014
Languages:	English
Location:	United Kingdom

“She has great authority and presence with clients and other professionals.”

Client Feedback

Mandy Lenton

Overview

Mandy is an experienced mediator with a busy practice. Highly regarded by leading real estate barristers and solicitors, mediation participants frequently remark on her energy, authority and intellect.

Mandy brings her drive, energy and commitment to mediating a broad range of disputes. She is equally at home helping FTSE 100 companies embroiled in high profile disputes to fashion highly effective commercial solutions, as she is working with individuals and small businesses in crisis.

Whilst face to face mediations are now thriving again, Mandy has welcomed online and hybrid opportunities into her mediation toolkit. Using the flexibility that mediation offers to design an effective process that works best for all participants is part of the new normal. Mandy enjoys getting the best out of a range of online tools (such as Zoom, Teams, Skype, FaceTime and Whatsapp) and is adept at helping those who need to upskill in order to feel comfortable working in this way to taking a full and active part in online mediation.

Professional Background

Before becoming a full-time mediator, Mandy was Head of Real Estate Litigation at Clifford Chance. As a solicitor, Mandy had a wide-ranging commercial practice. She advised clients in the board room



faced with business-critical disputes, supported financial institutions through the choppy waters following the collapse of Lehman, worked with property developers seeking to maximise asset value, landlords managing their portfolios and company directors struggling with the solvency of their company.

Mandy is a lead member of the CEDR Training Faculty, training mediators and mediation representatives in the UK and internationally. She became one of the first CMC Fellows, recognising her extensive experience and reputation within the sector. CMC Fellow status is reserved for those individuals who are leaders in the field, awarded for their outstanding contribution to the development of the profession.

Expertise

- Appeals against decisions by Local Authority regarding Special Educational Needs
- Board disputes and difficult conversations
- Boundary disputes and ransom strips
- Breach of Contract
- Business disputes
- Construction and engineering
- Conveyancing and residential property
- Disputes between consumers and businesses
- Disputes with Agents
- Easements, rights of way and trespass
- Finance and banking
- Funeral Conciliation
- Guarantees and indemnities
- Insolvency
- Insurance
- Joint ventures
- Landlord and Tenant
- Local authority and government sector
- Mortgages
- Neighbour disputes and nuisance
- Outsourcing and procurement
- Partnership agreements
- Party walls
- Professional negligence
- Proprietary estoppel
- Real estate and commercial property
- Rights of light
- Special Educational Needs Tribunals

Dispute Experience

(Non-Neutral work in italics)

Banking & Finance

- Dispute between borrower and lender as to the interest provisions in the loan documents and the triggers for repayment.



- Flagship mortgage miss-selling dispute between top three UK Building Society and consumer. Focussed on impact of fraud by third party on the building society's obligations.
- *Advised numerous finance counter parties during the downturn. Particular focus on working with lenders and borrowers in distress seeking to optimize their position.*
- *Provided sophisticated strategic advice and risk analysis to assist clients to restructure overpriced transactions. By way of example, acted for the lender on the contentious aspects of a £400 million restructuring of impaired real estate backed lending. Advised on enforcement strategies as an alternative to restructuring, devised scheme to keep hungry third-party creditors away from the impaired borrower for more than a 6-month period to enable a restructuring to be completed, assisted the bank with risk assessment in relation to the valuations supporting the restructuring and advising on professional negligence against the advisers to the original transaction.*

Commercial Contracts

- Dispute between government body and asset management company relating to a 15-year management contract. Focussed with the parties on structuring arrangements for the future that meet the government body's procurement and public law duties, comply with requirements to achieve best value and are workable for the commercial business in the post Carillion environment.
- Dispute about how to divide a £30 million portfolio following the break-up of a large family run business; focussed on business and real estate assets held on beneficial, resulting and constructive trusts.
- Dispute about the acquisition of a company with over £100 million of assets following a failure to complete on the completion date resulting from a challenge in the buyer securing finance in time, and a change in the market meaning that the seller no longer wished to sell.
- Dispute about the pre contract warranties that one of the contract counter parties had provided to the other as to their skill and experience in projects of the type envisaged.



- *Appointed by Bank seeking to recover debts of around £100 million to work closely with impaired Borrower's board to enforce an option to sell real estate.*
- *Advised clients on all aspects of commercial contracts both in the context of a dispute and as part of the transaction team assisting the client in risk assessment.*

Construction & Engineering

- Dispute between construction company and employer relating to non-payment of contract sum and failure to carry out works in accordance with the building contract.
- Dispute between building contractor and employer in relation to quality of works.
- Disputes between employer and building contractor about the schedule of works to be completed, the quality of those works and the sums properly due for the works completed.
- Dispute about a residential building project both about payments made under the contract and the work to be completed under that contract.

Oil & Gas

- Part of the Clifford Chance team securing the hundreds of land acquisitions, licences and wayleaves needed to route new pipelines across the UK to South Wales.
- Led one of the lead claimant teams following the explosion at the oil storage depot at Buncefield in 2005, the biggest incident of its kind in peacetime Europe. She worked with the oil companies and their insurers to reach an early mediated settlement.

Business/Consumer Disputes:

- Particular skill in mediating where there is a power imbalance between parties such as when one party is a business and the other an individual. Mandy gets the best out of mediation opportunities when one or both of the parties are unrepresented.
- Numerous disputes between residential property owners and professional teams following residential construction disputes,



- Disputes between institutional landlords and their tenants in relation to monetary and dilapidations matters.
- Conciliator under the Funeral Arbitration Scheme (“FAS”), working with the recently bereaved when a funeral has not gone according to plan.
- Conciliator under the federation of master builders scheme.
- Costs: Numerous disputes where the level of legal costs and disbursements far outweighed the original claim, including working with one party seeking to negotiate in their own room with their solicitors, barristers, insurers in respect of CFA uplifts and ATE insurance premiums.

Insolvency

- Dispute between a Liquidator and two directors accused of misfeasance involving preferences and transactions at an undervalue.
- Dispute between third party business and Director of a “phoenix” company for unpaid fees incurred by the insolvent company.

Insurance

- Numerous disputes with insurers as part of one or more of the teams. Including professional negligence in accountancy and legal sectors, construction and engineering.
- *Negotiated with loss adjusters and their legal team in order to secure cash settlement for clients following property destruction worth over £10 million.*

Property

- Rights of light dispute between Sovereign Wealth Fund and Real Estate developer in relation to prime City development. Threat of injunction to prevent the development; discussion of possible development cut backs; focus on impact on lettability and rent review; working with rights of light surveyors on solution.



- Buyer's claim for specific performance of the sale of a large estate in Central London following their failure to complete the purchase.
- Dispute between a land agent and developer regarding fees due on grant of planning permission for a large residential development.
- Claims resulting from an alleged unlawful eviction in both residential and business context.
- Dispute between two adjoining developer landlords where one was holding the other to ransom over a right of way. Helped parties work through options of selling out to each other, granting various property rights or carrying out construction works to avoid the need to do a deal.
- *Mediation advocate in claim against multiple Defendants following the destruction of the Claimants property as a result of the Defendants' negligence.*
- *Trusted advisor to board of investment and development real estate company with a portfolio valued at over £5 billion. Designed the strategy to maximise the company's position following the Lehman administration.*
- *Responsible for strategic direction of £65 million recovery for one of the largest private equity houses following the destruction of a newly built state of the art real estate asset by the explosions at the Buncefield oil terminal in December 2005. Led insurance recovery, managed multiple breaches of financing arrangements, maximised site value by negotiation with the local planning authority, drove litigation against oil companies and eventual mediated settlement. Worked closely with US and UK boards.*
- *Acted on the contentious aspects of the Chelsea Barracks development including in respect of the acquisition (the biggest land purchase in UK history at that time) and the £1 billion plus Islamic financing (part of the team commended in the FT Innovation Awards 2008, winner of the "Syndicated Deal of the Year" in the 2009 Islamic Finance News Awards and "Country Deal of the Year Award" for the United Kingdom in 2009 Euromoney Islamic Finance Awards).*
- *Acted for clients buying, selling, developing and leasing property.*



- *Advised client following a negligent valuation of a £100 million portfolio of affordable housing and a negligent whitewash procedure that had produced a half billion security package.*
- *Acted for clients seeking finance and lenders financing property transactions including acting on distressed lending.*

Landlord & Tenant

- Business Tenancy Lease renewal disputes under the landlord and Tenant Act 1954.
- Dispute flowing from an unlawful refusal of consent to alterations and trespass by the tenant 's structure on land not demised to the tenant under the lease.
- Three party dispute about tenant who claimed rights to occupy under a disputed lease document against an incoming purchaser landlord who claimed no knowledge of that occupation.
- Dispute about an alleged unlawful eviction including claims for loss of possessions and harassment.
- Several disputes between local council landlord and residential occupier in relation to dilapidations and consequential damages.
- Dispute about non-payment of rent and dilapidations flowing from a business relationship that had broken down.
- *Mediation advocate acting for high class residents' association in dispute with one of its errant high net worth residents.*
- *Acted for landlords and tenants on all aspects of their portfolio including dilapidations (and in particular the section 18 defence), break options, breach of alienation/user covenants, forfeiture and relief from forfeiture, rent review, service charge disputes and the Landlord and Tenant Act 1954.*



- *Acted for a variety of landlords of commercial premises that have been occupied by squatters, including one where the squatters were protestors camped on the roof of a nuclear power station.*

Public Sector

- Particular experience in working within the constraints of authority and in assisting office holders to manage their fiduciary duties when one of the parties is a government department
- Dispute between government body and asset management company relating to a 15-year management contract. Focussed with the parties on structuring arrangements for the future that meet the government body's procurement and public law duties, comply with requirements to achieve best value and are workable for the commercial business in the post Carillion environment.
- Dispute between County Council in its capacity as landowner and its business tenant in relation to rent arrears with a counterclaim for business interruption as a result of landlord's disrepair
- Dispute between County Council and individual in relation to non-payment of care home fees.
- Dispute between council and an individual flowing from the council excluding that individual from the affairs of an elderly person being cared for by the council in the community notwithstanding that the individual had the benefit of an enduring power of attorney.
- Dispute between County Council in its capacity as landowner and its business tenant in relation to rent arrears with a counterclaim for business interruption as a result of landlord's disrepair
- Dispute between County Council and holder of a power of attorney in relation to the management of a looked after person's affairs



Tax

- *Advised clients on efficient tax structuring and restructuring of real estate transactions.*

Court of protection

Dispute involving an individual represented by the Court of Protection Deputy relating to the division of family assets. Focussed with solicitor and Counsel on the steps to secure court sanction of the arrangements.

Trusts, Wills & Probate

- Dispute between property owners about their beneficial ownership where no written declaration of trust had been made and interests had changed over the years.
- Dispute as to the beneficial ownership of property that was to be sold where the beneficial ownership had never been expressly agreed and there had been a long history including the buying and selling of properties over tens of years.
- Probate dispute where the provisions of the will were being challenged on the basis of the Inheritance (Provision for Family and Dependents) Act 1975.
- *Regularly worked with clients holding and acquiring real estate assets through trust arrangements, including off shore trusts. Advised trustees in relation to their trustee duties.*

Harassment

- Dispute relating to allegations of harassment against children and alleged paedophilia.
- Dispute between family members in relation to elderly care and harassment between siblings including a Claim listing 35 counts of harassment.
- Dispute relating to tenant's claims of Harassment by landlord following the landlord's attempts to evict.

Education

- Dispute between head teacher and governing body about ownership and management of a private school.



- Dispute between parents and public school in relation to fees and educational provision.

Personal

At each stage of her life, Mandy has sought roles within the community that maximise her contribution in light of the skills that she has to offer at the time. Over the years these have included a chess club for homeless people, acting pro bono as advocate for parents of children with Autism attending Special Educational Needs Tribunal, sitting as a Magistrate, acting pro bono as a civil mediator in order to support community mediation in Wandsworth. In her spare time, Mandy is a Scout leader - enjoying the energy boost of working with a colony of young Scouts.

Mandy understands the pressures on clients to make their business perform. As Head of Real Estate litigation at Clifford Chance, Mandy was responsible for budget, business development and marketing of a £3 million practice area, fee recovery, recruitment, training and development of the team. Mandy was the Chair of the Board of a £1/3 million not for profit nursery business guiding the business safely through the Covid crisis.

What people say about Mandy

“Mandy has excellent intellectual skills.”

“Mandy approaches everything she does with drive energy and commitment. She is intelligent and creative in her thinking...”

“She has great authority and presence with clients and other professionals.”

“Clients are attracted by her ability to tune in quickly to the commercial drivers for them in a situation...”

Mediation Feedback

"It was a pleasure working with you yesterday. As you would imagine I have taken part in many mediations. I can honestly say, you are the one of the best mediators I have worked with. I will circulate your details across Chambers later today and add you to our (very short) list of recommended mediators."

– *Barrister for land agent*



"I would highly recommend Mandy Lenton as a mediator. She is a brilliant communicator and excellent at gauging the client's needs and desires which is paramount in reaching a settlement."

– *Hannah Bennett, Bennett Griffin LLP*

"Now that this matter has been settled, [we] wanted to thank you very much for all your help on the day and your extreme professionalism in dealing with both parties. Although we had ten hours in their offices we came to a satisfactory conclusion and we really would like to thank you very much for your input and momentum to the day We are so glad that you were a leading influence on this matter being resolved. I am sure you will not mind if I pass your name to any other separate third parties who occasionally tell me their troubles and I will be sure to refer them to you in an effort to resolve whatever situation they are in."

– *Party to mediation*

"Mandy was most professional throughout the mediation which went on to 10pm! She was an honest broker and I have no doubt that it was in large part her skill and patience that produced a deal."

– *Solicitor for the claimant in property dispute*

"It was a pleasure speaking with you yesterday and fantastic that we were able to reach such a speedy resolution with the complaint with an outcome that suited both [us] and [them]. I do hope that any future cases that we work together on can achieve such an outcome. I look forward to ... working with you again."

– *Corporate client in dispute with an emotional lay consumer*

"I thought she was very good, very patient, and she managed to keep all the balls in the air and to set the mood well for negotiation to flow between the parties."

– *Solicitor following mediation*

"Mandy was excellent, her approach was no nonsense and lets get to work. She worked hard to secure a settlement which was acceptable to both parties in a limited amount of time."

– *Camden Borough Council*

"Mandy has great communication skills and understands everyone's point of view without losing her neutrality."

– *Jane Rogers, Solicitor Osborne Clarke*



"I have used an awful lot of mediators and participated in a lot of mediations. I have to say that Mandy was hugely impressive and I was very pleased. I will certainly be recommending Mandy Lenton again and will also make a point of recommending her to my peer group who are disputes partners at other major city firms."

– Philip Young, Solicitor Cooke, Young & Keidan

"A note to extend the Defendant team's thanks for all the help and assistance that you provided yesterday to secure a satisfactory outcome to this long running piece of litigation. You kept the

momentum going and we feel confident that it was your experienced intervention that greatly assisted the process!"

– Extract from email from Solicitor

Training Roles and Experience

Mandy is a lead member of the CEDR Training Faculty and regularly trains internationally. Evangelical about the value that mediation can bring to business, Mandy enjoys designing and delivering workshops and “mediation theatre” training sessions intended to encourage people to think mediation whenever conflict arises.

- 2007** CEDR-accredited mediator
- 2003** Higher Courts (All Proceedings) Qualification
- 2001** Solicitor, England and Wales (now non-practising)
- 2000** Honorary MA (Christ's College, Cambridge University)
- 1998** Diploma in Legal Practice (Distinction) (Bristol University)
- 1997** Law BA Hons (2.1) (Christ's College, Cambridge University)
- 1996** Diploma in French Law (Universite de Poitiers, France)