



<b>CEDR Accreditation:</b>	2000
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<b>Languages:</b>	English
<b>Location:</b>	United Kingdom



*“Your approach was exactly what was required. You had a real understanding of the case and the drivers for settlement. Given the personalities involved, it was hard work, but you kept the mediation process moving forward and we got the deal done – thank you”*

**(Partner, law firm)**

*“I just wanted to thank you again for the role that you played in getting this settlement over the line. Our client has specifically emailed me to say that you are the best mediator they have worked with!”* **(Partner, Law Firm)**

*“We were very happy with the conduct of the day. In particular [we] liked the fact you were not afraid to probe some of our assumptions and challenge us, albeit of course in a neutral way”*

**(In House Lawyer, Contractor)**

*‘...rapidly builds trust, and comes across as a reliable, prepared and resilient agent for getting a deal’* **(Legal 500 2022/3)**

*“You have the “Heineken” effect. You reach places other mediators simply will not go to, or afraid to, to find a settlement”*

**(Partner, Law firm)**

Client Feedback

## Amrik Kandola

### Overview

Amrik Kandola has 30 years of experience in commercial dispute resolution. Working with clients ranging from SMEs to FTSE 100 companies, he has experience of scores of mediations across a wide range of commercial sectors. In private practice he was recognised year on year by Chambers and Legal 500 directories as a ‘Leading Lawyer’ for dispute resolution. In October 2016 he became a full-time mediator. He mediates on a broad range of commercial and civil matters to help parties reach commercial and pragmatic solutions. Amrik is down to earth, inquisitive, collaborative and proactive in style and he works hard to help the parties communicate, feel engaged and empowered to settle their dispute.



He is the current National Mediation Awards Civil/Commercial Mediator of the Year (2022/23)

He is a member of CEDR Chambers and a Faculty trainer for the market leading CEDR Mediation Skills Training Course (MST).

He is ranked by Legal 500 Leading Mediator 2024.

## Professional Background

Amrik has been a leading practitioner in commercial dispute resolution for over 30 years. Amrik had a successful private practice career with a large global commercial law firm spanning 25 years. He held senior management positions as Team Leader for Construction & Engineering and Sector head for Energy, Transport & Communications Infrastructure. He was also a member of the firm's Global Board between 2011/14 and held senior leadership roles for trainee recruitment and diversity/inclusion. He was most noted in private practice for his work on high value, complex and/or business critical matters. As noted by Chambers Legal Directory, he possesses a sharp mind and is adept at picking up the key issues from complex data. Chambers and Legal 500 consistently named him as a 'Leading Individual'. Whilst having extensive experience of cases being litigated in the High Court and Court of Appeal, Arbitration hearings and Adjudication proceedings, he was also very highly regarded by clients for his commercial and pragmatic approach leading to cases being resolved successfully through mediation and other forms of ADR. He has extensive experience of mediation both in private practice and now as full-time Mediator.

A full-time independent mediator. He has mediated scores of cases across a broad spectrum of sectors and industries. His mediation practice naturally captures his vast experience of built environment disputes but he also mediates across the whole range of civil/commercial cases. He has mediated matters with dispute values ranging from tens of £thousands to hundreds of £millions. He is particularly sought out by parties for cases which have significant financial and strategic business importance. These cases often have high barriers to settlement and/or where ongoing relationships are just as important as the £value in dispute. His mediation cases often involve multiple parties and have international dimensions. His success record at mediation for helping parties secure enduring and workable commercial settlements in the most challenging of cases is market leading.

He was named the UK's Civil/Commercial Mediator of the Year for 2022/23 at the National Mediation Awards ceremony held at the Houses of Commons in December 2022. This is the highest award available to UK Mediators and is testament to his ever-growing reputation amongst peers, legal practitioners and clients as one of the most respected mediators in the UK today.

He is a Legal 500 Leading Mediator. In private practice he was a *leading lawyer* in Chambers and Legal 500 rankings.



## Personal Style

Amrik has a proven ability to gain the confidence and trust of others. Winning the respect of the parties and their advisors is key for him. As part of the service he provides, he engages with the parties/advisors as soon as he is instructed such as using pre-mediation video meetings to agree timetable/actions through to private calls with each party, after exchange of statements/documents and before the mediation day to identify key issues. According to the regular feedback he receives, this pre-mediation day investment to his mediations makes him stand out from other mediators. He has a down to earth and engaging approach which allows him to develop rapport quickly and effectively.

He is a highly effective listener. He aims to create an environment where the parties feel comfortable to discuss and, importantly, debate the issues of the case without being judgemental. If there are technical points or questions of law, he is objectively inquisitive in exploring these with the parties. Where emotional and inter-personal issues are part of the background to a dispute, he is naturally sensitive and empathetic.

Amrik will keep the parties proactively engaged throughout the mediation. He will manage pace to suit the parties needs and concerns.

Overall, Amrik is an energetic, enthusiastic and collaborative mediator who will work tirelessly with the parties. If the possibility of settlement exits, he will make sure the parties to find and secure it.

## Expertise

- Sale of Goods and Services
- Professional Negligence
- IT and Outsourcing
- Building, Construction & Engineering (Industrial, Office and Retail)
- Residential Property
- Manufacturing & Distribution
- Data Protection
- Housing, Landlord & Tennant
- Finance, Banking & Insolvency disputes
- Franchising, licencing and regulatory
- Oil & Gas/ Power Generation/Energy
- Pipelines and Cabling
- Transport – Rail/Highway/Airport
- Water & Environmental

**[In respect of the mediation experience listed below, Amrik's success rate (meaning a settlement secured at mediation or (occasionally) in the days following a mediation) stands at @ 90%]**



## Dispute Experience

### Sale of Goods and Services

- **Commercial Energy Contract Dispute:** mediating a very high value and business critical dispute, valued in the £millions, arising out of the commercial supply of energy to a large industrial facility engaged in the manufacturing and processing of food products from raw materials. The dispute involved complex issues of law arising from historical building dealings, the terms of renewal contracts and the application of estoppel arising out of the day to day commercial dealings between the parties.
- **Media Services:** A dispute between a media services supplier/installer and customer in respect of a claim for unpaid invoices for works carried out and claims for defective/incomplete work and whether or not the final sum payable for the completed media services had already been conclusively agreed between the parties.
- **Agency Fee Dispute:** acting as the Mediator on a dispute relating to agency fees for work carried out by a commercial agent to locate and negotiate terms for new office space for a commercial entity.
- **Commercial Vehicle Leasing:** Mediator in respect of a dispute between a national commercial vehicle leasing company and a commercial vehicle hirer concerning the condition of vehicles returned at the end of the hire term and whether or not damage caused was pre-existing or due to improper use during the period of hire.
- **Education Sector:** Mediator on a claim for damages under a contract for the supply of products and services where minimum levels of spend were stipulated
- **Recruitment Sector:** Mediator on a claim involving allegations of substandard performance in the provision of financial and professional support services and counterclaims alleging lack of information, poor planning, and defective data supply.
- **Building Products:** Mediator on dispute between a claimant and manufacturer of building products in connection with building defects caused by alleged failures in providing accurate and complete instructions for product installation
- **Glazing products:** Mediator on a dispute between a supplier and sub-contractor regarding provision of glazing products and services for multiple developments
- **Drylining Materials:** Mediator in respect of a dispute between a building materials supplier and a small sub-contractor regarding the alleged supply of defective drylining building materials to a commercial construction project

- **Provision of Expert Services:** Mediator in respect of a dispute between a law firm and an expert witness services provider in relation to multiple reports provide over several years and terms regarding the quality of those reports and the basis upon which payments would be made for services provided.
- **Export of Motor Vehicles:** A contractual dispute between an exporter of motor vehicles and a UK based seller and supplier of motor vehicles. Complex issues arose in this case around the eligibility of vehicles to be exported to a specific overseas territory and whether or not terms of supply agreements between the parties in dispute and third-party vehicle distributor agreements had been breached.

## Professional negligence & Insurance

- **Architects:** Mediating a claim against an architect alleging negligent advice in the selection, appointment, and subsequent project management of a building contractor for the design and construction of a new build residential property
- **Solicitors:** Mediating a claim for alleged negligence in the provision of legal advice leading to non-payment of fees and associated cross claims.
- **Hotel Fire Protection Dispute:** A mediation concerning a dispute between a Design & Build main contractor and its novated architect in respect of claims related to fire protection design at a hotel development and responsibility for the costs of remedial works. In particular, the extent to which the works undertaken by the designer pre-novation was in fact relied upon by the Design and Build Contractor (post novation. Reputational issues were as important as the high value remedial costs which arose in this case.
- **Cladding Dispute:** Mediator to a dispute between a contractor and specialist subcontractor in respect of claims relating to the supply and installation of allegedly defective fire protection related cladding system for a multiple occupancy residential building. The issues included whether or not the claim was time barred, quantum and the proper remedial works required to rectify the works.
- **City of London HQ Development:** Mediator in respect of a technical and high value dispute relating to the alleged failure of curtain walling and glazing systems at a city centre office HQ building. Issues included the extent to which the systems had been manufactured and/or treated in accordance with relevant British Standards.
- **Listed Building:** Mediator on a claim between an architect including insurers and a residential party regarding alterations and redevelopment of a Grade II listed property and issues regarding non-payment of fees, delays, and cost control

- **Self-Build Project:** Mediating a 3-party dispute between self-builders and the Architect/CA and Building Control firm (both represented by insurers) in respect of defects arising as a result of poor workmanship and failure to perform services. In particular, the respective roles of the CA and Building Control firm were a key focus of the disputes in the mediation in circumstances where the original builder who carried out works had become insolvent.
- **Fire Safety Claim:** Mediating a complex and high value dispute between an employer and its main contractor (and follow on claims by main contractor against its design architect) including insurers in respect of claimed defects relating to fire safety issues at a residential block of flats
- **Fire Damage Claim:** A 3 party mediation concerning a dispute between owners of adjoining semi-detached properties in respect of extensive fire damage alleged to be caused by the negligent design, specification and/or carrying out of HOT works and related Part 20 claims against the structural engineer designer (represented by insurers).
- **Planning:** Mediating a claim relating to dispute between a Local Authority and Planning Consultants regarding the provision of planning and related advice for a large residential housing scheme
- **Building Insurance/Warranty Claim:** mediating a dispute between an insurance provider and private builder concerning post completion defects and the obligation of insurers to accept liability under the terms of the insurance policy. This case was highly technical with extensive expert evidence needed. Process design for this mediation included convening a pre-mediation expert only meeting chaired by me as mediator. This meant the extent to which experts agreed/did not agree was known before the actual mediation, such that experts did not need to attend the mediation day saving costs and helping the mediation day run more efficiently.

## IT and Outsourcing

- **Financial Services outsourcing:** acting as the Mediator on a dispute in respect of outsourced financial management services including billing, timesheet and credit control functions and the extent to which the parties met their respective obligations and liability for errors and service failures
- **Outsourcing of IT Services for Property Management:** Mediator in respect of a dispute between a commercial property management company and a software company in respect of the outsourcing of property management requirements previously dealt with in house and the alleged supply of defective software and alleged inadequate support services.
- **IT System Integration:** Mediator in respect of a dispute between an employer and a software integration contractor arising from project management delays and alleged quality failures in the provision of integrated financial management solutions causing loss, damage and business interruption.

- **Platform to Business (P2B):** Mediator in respect of a dispute (under the European Union Regulation 2019/1150 on promoting fairness and transparency for business users of online intermediation services)) between a global technology platform company and a software developer in relation to whether or not the developer's application was compliant with the hosting company's terms and conditions of business and/or guidelines for being an approved provider of application services.
- **Data Infrastructure:** Mediator in respect of a complex and high value dispute between a digital services infrastructure provider and a technology contractor including claims for defects, delays and understaffing leading to contract termination arising under a contract for the development of multiple data infrastructure sites involving complex electrical and interface works.
- **International Development Consultancy Services:** Mediator in respect of a dispute between a consultancy firm specialising in international Infrastructure advisory services and a specialist services contractor arising out of an agreement to support a bid for an international project, including guaranteed minimum levels of work and the obligation to contract if the bid was successful.

## Commercial Property

- **New Care Home Development:** acting as co-Mediator on a 3-party dispute relating to the development of new social care facilities under a framework contract between a local authority, the framework developer and building contractor. Significant delays and disruption arose during the programme for construction resulting in significant financial claims between the parties. Complex issues of law and contractual interpretation were in play and the parties were facing significant risks and costs if the matter had proceeded to a full arbitration hearing.
- **Higher Education Site:** Mediating a dispute between a main Contractor and Employer regarding the Final Account entitlement of the contractor for works carried out on a project in the higher education sector including claims for delay, disruption prolongation and extensions of time.
- **Central London Offices Building:** Mediator on a dispute between a main contractor and sub-contractor regarding redevelopment works at an office building site in Central London including claims for delays and disruption arising out of the building works, associated loss and expense, delay damages and third-party damage
- **Scaffolding Dispute:** Mediator in respect of a dispute between a main contractor/developer and scaffolding sub-contractor regarding provision of scaffolding services including claims for extended use, damage to equipment and related delay claims



- **University Campus Redevelopment:** Mediator in respect of a complex and high value dispute arising out of a multi-million-pound redevelopment project of campus building(s) including claims for delay, disruption, liquidated damages and M&E defects.
- **New Build Charitable Project:** Mediator in respect of a dispute between a Charity Employer and main contractor regarding delays to a design and build construction project and consequential entitlement for loss and expense/delay damages. The issues included liability for the supply and installation of extensive utility services.
- **Mixed Use Development Scheme:** Mediator in respect of a complex and high value dispute between an employer and main contractor regarding the construction of a mixed use commercial/residential scheme involving claims for defective workmanship including issues relating to fire compartmentation and fire stopping.

## Residential Property

- **Renovation Project:** acting as the Mediator in relation to a complete residential renovation project which included the construction of a new garden roofed garage and associated external works. The extent to which the works met planning requirements and the need for revised planning consent to be obtained were key issues in the case as well as the financial disputes caused by quality issues generally and delays to the works
- **Roofing Dispute:** acting as the Mediator in connection with a large new build property. The principal issues in dispute were the quality of roofing works carried out by the contractor and the extent to which the works required remedial action and payment claims from the contractor
- **Flooring Dispute:** acting as the Mediator on a claim for defective flooring installed by a building contractor in a residential property extension project.
- **Basement Extension Project:** acting as Mediator on a claim for defective works, incomplete works and delays to a project to build a basement extension to a large property in a city location.
- **Extension and Landscaping Project:** acting as the Mediator on a dispute relating to defective and incomplete buildings works and external landscaping works
- **New Build Development:** a dispute between the Owner/occupier and building contractor relating to a series of alleged defects in construction works in connection with a residential development project, significant elements of omitted and/or incomplete works
- **Residential Development Complex Design:** Mediating a dispute between a Consultant and a Building Design Consultancy regarding building design services for a new residential development complex.
- **Termination of Project:** Mediator in respect of a dispute between a building contractor and private individual employers regarding extension works to a property including defects, delay, and early termination issues



## Manufacturing and Distribution

- **Manufacturing Machinery/Production Line:** acting as Mediator on a claim relating to a newly supplied and installed manufacturing production line. The contract required the production line to complete a manufacturing process within a certain timescale to achieve a specific set of quality and production capacity KPIs. A dispute arose as to the extent to which these KPIs could be met and the costs of carrying out remedial work to achieve compliance (£3m+)
- **Product Supply Agreement:** acting as the Mediator on a dispute concerning an agreement for the supply of specialist products and the extent to which minimum purchase thresholds had been achieved over the term of the agreement.
- **High performance Seals/Components:** Mediator in respect of a highly technical and high value dispute arising out of claims for defects in respect of high-performance seals/components intended for use in the oil & gas industry.

## Data Protection

- **Breach of Privacy:** Mediator on a claim brought by a party against a public entity for unauthorised disclosure of confidential data and consequential claim for damages and restitution

## Housing and Landlord/Tenant

- **Rent Arrears Dispute:** acting as Mediator on a claim by a Landlord for rent arrears on a commercial property and financial claims arising out of forfeiture proceedings
- **Trespass:** Mediator to a dispute between a current leaseholder and prospective leaseholder (currently in occupation) as to whether the prospective leaseholder was a trespasser and whether or not a formal lease would be granted
- **Water Ingress:** Mediator on a dispute between owners of leasehold properties regarding water ingress and other nuisance/defect issues between neighbouring/adjacent units within a larger building
- **Disrepair and Rent Arrears:** Mediator in respect of a dispute between a Landlord and Tenant regarding disrepair claims in respect of rented property
- **Disputed Access Way:** Mediator in respect of a dispute between neighbouring landowners over access rights over driveway/passageway owned by one of the parties.
- **Redevelopment Infrastructure Dispute:** Mediator in respect of a dispute between neighbouring landowners within a redevelopment project regarding the costs of construction of shared access roads, planning permission variations and approvals, trespass and property damage.

## Finance, Banking and Insolvency

- **Personal Guarantee:** a claim for enforcement against multiple co-guarantors after failure to obtain refinancing. Issues arose as to the terms of the guarantee and the extent to which the bank had conducted enough due diligence on the personal circumstances of the guarantors
- **Asset Tracing:** mediator in respect of a high value dispute between multiple claimants and a defendant concerning the financial terms upon which information relating to properties owned and/or held by the defendant overseas would be provided to the claimants. There was a dispute over the interpretation of the agreement entered into between the parties.

## Franchising, Licensing and Regulatory

- **Street Trader Licence:** Mediator on a dispute between a street vendor and local authority regarding the granting of a licence to trade in Central London
- **Franchise Termination:** Mediator in respect of a dispute between a national retail and property company and franchisee store owner regarding the termination of a franchise agreement.
- **International Franchise Dispute:** A dispute between a UK distributor of health and beauty products and an International franchisee/supplier applicant in respect of monies paid and goods not received.

## Oil & Gas/Power Generation/Energy

- **North Sea Infrastructure:** Mediator on the terms by which parties with overlapping commercial interests would share and/or contribute toward the costs for access to and use of existing oil & gas exploration and infrastructure assets at an oil and gas field(s) in the North Sea in accordance with the overarching regulatory aim of MERS UK (Maximising the Economic Recover of Hydrocarbons from the North Sea)
- **Terms for Joint Exploration of a North Sea Oil & Gas Field:** Mediator in respect of the commercial and regulatory issues arising out of the proposed collaboration of joint owners in respect of the viability and the potential future joint exploitation of related oil and gas field(s) in the North Sea including the most efficient and economic use of existing infrastructure and/or the possibility of introducing additional infrastructure in accordance with MERS UK (Maximising the Economic Recover of Hydrocarbons from the North Sea).
- **On Shore Windfarm Infrastructure:** Mediator on a dispute between a supplier of temporary structures and a developer of renewable energy infrastructure regarding alleged misuse and damage of products supplied.

## Pipelines & Cabling

- **Electricity Infrastructure Works:** Mediator in respect of a complex and high value dispute between an electricity transmission undertaker (employer) and civil engineering main contractor in respect groundworks, enabling works (including access roads, platforms, ductwork and foundations) carried out at multiple sites giving rise to claims for re-measurement of works, extensions of time and associated loss and expense/Liquidated Damages for delay.
- **Ground works Dispute:** Mediator in respect of a claim between a developer and groundworks contractor concerning final account disputes across multiple sites, set off claims and associated defect claims.
- **Geological Services Dispute:** A dispute between a main contractor and geological services consultant including insurers in respect of geological investigations and subsequent responsibility for ground conditions. The adequacy of ground investigatory work informed the pricing for a multiple phase new infrastructure development. During construction operations unforeseen conditions were found leading to £million claims for additional time and costs.

## Transport (Rail/Highways/Airport Infrastructure)

- **By-Pass Project:** acting as the Mediator in a civil engineering project for a new by-pass. Disputes arose relating to the classification of waste material excavated and its subsequent disposal off-site. The resulting payments disputes were valued at circa £300k (settled).
- **South East Transport Infrastructure projects (multiple sites):** A dispute between a subcontractor and main contractor in respect of unpaid invoices for services provided on various road resurfacing projects in the south east of England. This was a highly acrimonious dispute and required a lot of work in private session to convince both parties that settlement was (as proved to be the case) possible.

## Water/Environmental

- **Water Services Agreement Dispute:** Mediator in respect of a dispute between a water services subcontractor and a water services principal contractor regarding the commercial implementation of a water services agreement between the parties
- **Damage to Water Infrastructure:** mediating a claim between a WASC (water & sewerage company) and a main contractor in respect of damage caused to the water company's assets arising out of alleged works carried out during the redevelopment of a city centre commercial site and claims for remedial works and associated loss and damage.
- **Easement Disputes:** Dispute between a regulated authority and developer

- **Waste Recycling Dispute:** A dispute between a Local Authority and a waste recycling contractor regarding the variation of a term contract for the management of multiple household waste recycling centres for the Authority and the financial terms upon which the contract (as varied) would run for the remaining term and the treatment of historical accumulated debt claims. The Claims amounted £millions and depending on the outcome of the dispute, the ability for the Authority to manage the collection and treatment of household waste across a large part of its area was at risk.

## Feedback – Parties & Others

- *“...thank you for your outstanding efforts in bringing this matter to a close. The parties were oceans apart at the start of the day and a realistic settlement was achieved by the end of the mediation” (Partner, Law Firm)*
- *“I would like to add my sincere thanks for all your help in mediating a result. I thought you were superb on the day and if you ever need a reference, I would be delighted to recommend you” (Party Director)*
- *“Thank you once again for your efforts on the day of the mediation, look forward to seeing you at the next one!” (Commercial Director, Party)*
- *“... thank you so much for your assistance yesterday, hugely appreciated...” (Partner, Law Firm)*
- *“I just wanted to thank you again for the role that you played in getting this settlement over the line. Our client has specifically emailed me to say that you are the best mediator they have worked with!” (Partner, Law Firm)*
- *“We were very happy with the conduct of the day. In particular [we] liked the fact you were not afraid to probe some of our assumptions and challenge us, albeit of course in a neutral way” (In House Lawyer, Contractor)*
- *“Your approach was exactly what was required. You had a real understanding of the case and the drivers for settlement. Given the personalities involved, it was hard work, but you kept the mediation process moving forward and we got the deal done – thank you” (Partner, law firm)*
- *“Thank you for your help in reaching a settlement on this matter. We are happy to recommend you and will look to use you again in future mediations” (Senior Associate, law firm)*
- *“Thank you for your hard work. The case involved complex issues and the clients were impressed by your ability to understand the technicalities of the case and the way you reality tested. Your communication was clear and concise, which was important as English was not the first language of the clients. I would have no hesitation recommending you” (Partner, large law firm)*
- *“You have the ‘Heineken’ effect. You reach places other mediators simply will not go, or are afraid to, to find a settlement” (Partner, Law firm)*