

J E PRICE FRICS, FCIArb, FInstCES : EXPERIENCE AS MEDIATOR

NO.	PARTIES	BRIEF DESCRIPTION OF PROJECT AND VALUE	NATURE OF DISPUTE	APPROX. AMOUNT IN DISPUTE	RESULT
1	(September 1992) National Building Contractor and National Specialist Mechanical and Electrical Subcontractor	£2m Design and Build Mechanical & Electrical Subcontract on £10m Design and Build Leisure Centre Contract	Numerous and complex claims and counterclaims re delay and disruption. Also involving "defects" disputes.	Claim 1,200,000 Counterclaim 530,000 TOTAL £ 1,730,000 Plus complex "Defects" issues	Fully resolved in a two day mediation.
2	(December 1992) Specialist Electrical Control Systems Company and a Water Engineering Company	Model Form A Subcontract Electrical Control Systems	Extensions of time, acceleration costs, increased costs, loss and expense claims, financing charges, counterclaim for liquidated damages, determination of Sub-Subcontract.	Main claim £100,000 Counterclaim for liquidated damages	Settled in the process of agreeing preliminary mediation arrangements with the parties and just after preparation of the Summaries of Cases.
3	(March/April 1993) Korean, Chinese and German Developers, Government Officials, Building Contractors and Consultants	Civil Engineering infrastructure works, major hotel, office and apartment complex in China. Contract value approximately £150 million	Multi-party disputes involving disagreements concerning design, construction costs, delays, loss of revenue, specification, quality of workmanship, etc.	£15 million	Appointed to prepare independent expert's report. Whilst in China agreed with the parties to adopt mediation techniques and held a series of meetings, both jointly and separately, with various parties for one week. All outstanding disputes were resolved.
4	(June 1993) Tripartite Joint Venture Company involving Arabian, Turkish and Italian Interests	Desalination/power generation plant located in the Middle East.	Disputes between two of the three joint venture parties as to split of cost liabilities for different parts of the construction works.	Approx \$(US) 2.1 million	Settled after a two day mediation followed by Mediator's adjudication on certain points, as requested by the parties, followed by a further one day mediation which achieved settlement
5	(1994) International Hostel Organisation London Based Building Contractor	New Hostel Accommodation	Final account dispute (involving several hundred disputed account items), Contractor's loss and expense/damages claims. Employer's Counterclaims for liquidated damages and defects	In excess of £1m	Four days of mediation followed by agreed exercises by QS's of both parties, followed by three further single day mediation meetings. Mediated settlement reached.
6	(April 1996) Civil Engineering Contractor and Specialist Bridge Lifting Contractor	Repair Works to Motorway Bridges	Claims and Counterclaims re late info., slow progress, thefts, access problems, lack of notices, variations, late approvals, construction errors.	£390,000	Fully resolved in a one day mediation.
7	(April 1996) Large International Contractor (Power Transmission. Electrical Installations) and Joint Venture Subcontractor for Electrical Installations	Large Bulk Handling Terminal	Claim and counterclaim re variations, prolongation, premium time, lost productivity, finance costs, contra charges, lack of possession, late design, changed working methods, LAD's, Scope of Work.	£1.5 million	Settled in September 1996 after a one day mediation and four months further dialogue with the parties.
8	(August 1996) Tripartite dispute. District Council, Building Contractor, Specialist Glazing Contractor	Squash Courts in District Council Leisure Centre	Alleged 'failure' of glass walls to squash courts. Conflicting evidence and testing by expert witnesses. Costs of testing, experts reports, loss of use, financing costs, replacement costs, legal fees. Validity of 'promises' from competitor specialists. Consideration of revised design solutions.	£122,000	After a one day mediation the parties mutually agreed to withdraw from the mediation, primarily because the expert witnesses were diametrically opposed. It was felt by both main parties that a return to mediation might be possible at a future date.

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9	(September 1996) Government Agency, Worldwide Procurement and Forwarding Company	Hospital in Africa	Disputes concerning quality of goods supplied and freight packing/storage provisions/ damage to switchgear	£77,000	Settled in a one day mediation.
10	(March 1997) Machine Tool Company Manufacturing Company	Supply of Machine tools £15,000.	Breach of Contract, Repudiation, Loss of Profit.	£10,000	Settled in a three hour mediation under the Central London County Court Mediation Pilot Scheme.
11	(May 1997) Tripartite dispute. University, Building Contractor, Architect (P.I. Insurers)	University Student Accommodation £15 million	Contractor's claim for loss and expense arising from the late issue of information. University's Counterclaim for LAD's for late completion by the Contractor. University's claims against Architect for liability for Contractor's loss and expense as a result of late issue of information by the Architect. Architect's claim against University for additional fees. University's claims against Architect for lost income and costs incurred in providing alternative accommodation for students.	£5.4 million.	Settled between University and Contractor after two days of mediation with a seven day gap. Dispute between University and Architect still to be resolved.
12	(July 1997) Property Company Building Firm	Construction of Lift Shaft £16,000.	Disputes concerning rates for variations and extra works and work not in accordance with specification.	£6,000	Settled in a three hour arbitration under the Central London County Court Mediation Pilot Scheme
13	(July 1997) Housing Tenant Housing Trust	Landlord and Tenant Dispute	Dispute concerning the pruning of trees, damage to garden lawn and shrubs by workmen. Repairs of fence.	Written undertakings required re maintenance of trees. Supply of replacement shrubs. Replacement of fence with a wall.	Settled in 4 hour mediation under the Independent Housing Ombudsman's Scheme with CEDR as agent.
14	(February 1998) Housing Tenant Housing Trust	Landlord and tenant dispute.	Dispute concerning damp proofing work, compensation for discomfort, rent relief, electrical costs.	£700	Settled in 4 hour mediation under the Independent Housing Ombudsman's Scheme with CEDR as agent.
15	(February 1998) Government Agency Consulting M&E Engineers (P I Insurers)	Design and supervision of mechanical and electrical installations on office building project.	Dispute concerning professional negligence action under Contract and under warranty to the eventual building owner.	£1.1 million including legal costs. Counterclaim including legal costs in excess of £300,000.	The mediation was convened only 2 weeks before the commencement of the trial. Both parties made concessions but the matter still proceeded to trial. Mediation was used too late in the dispute.
16	(February 1998) Building Employer (Commercial Company). Project Managers Consultant Architects Quantity Surveyors M&E Engineers Structural Engineers Management Contractor Works Contractors	New lecture theatre complex.	Any disputes connected with the project.		Appointed in advance of construction to act as mediator as and when any disputes arise throughout the design, construction and maintenance periods.

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17	(March 1998) Exhibition Contractor Exhibition Display Company.	Stands for National Exhibitions at the NEC.	Claims and counterclaims concerning underpayments, quality of work, late completion, variations, work by other contractors, remoteness of damages paid to third party, interest charges, legal costs.	Claim £38,000. Counterclaim for £25,000 (including legal costs).	Settled in a one day mediation.
18	(May 1998) Building Contractor House Owner	House extension/Granny Flat £54,000.	Claims and counterclaims concerning underpayments for work carried out, variations, omissions, work by others, defective and incomplete work, diminution in value, misrepresentation compensation costs, interest charges, legal and experts' costs.	Claim £15,000 Counterclaim £34,000 Costs £50,000 £99,000	Settled in a one day mediation (Commenced 10.00 a.m. settled 1.00 a.m. next morning).
19	(May 1998) Machine Metalwork Company Machine Manufacturer	Supply of drilling machine.	Claim and counterclaim concerning drilling machine performance specification, loss of profit, damages, interest, legal costs	£275,000.	Settled in a one day mediation.
20	(June 1998) House Owner Joinery Manufacturer, Architect	Design and supply of doors and windows.	Design and dimensions of french doors and georgian windows.	£3,600 and ownership of joinery.	Settled in a 5 hour mediation.
21	(October 1998) House Owner Architect Structural Engineer Building Contractor	Extension to an existing cottage resulting in its demolition and complete redevelopment and replacement by a substantial residence.	Claims and counterclaims concerning architectural and structural design and supervision, workmanship defects. Involving basement structural and tanking work, land drains, electrical work, windows, brickwork quality, sewerage and decorative work. Including claims for delay, financing costs, professional fees, discomfort and stress and legal and expert witness costs.	In excess of £200,000 including legal costs.	Settled after two days of mediation with a further half day mediation in respect of legal costs.
22	(December 1998) Charity Advice Centre Architect	Refurbishment and alterations to city centre premises.	Quantum of Architects fees when budget cost (£80,000) on which fees were tendered increased by almost 100%.	£3,500	Settled in a 2 hour conciliation under the RIBA conciliation service.
23	(April 1999) Residential Property Owner Architect	Extension and alterations to private dwelling	Liability for Architect's fees.	£750	Settled in a 2 hour conciliation under the RIBA conciliation service.
24	(November 1999) Residential Property Owner Architect	Design of extension and alterations to private dwelling.	Liability for Architect's fees.	£3,000.	Settled in a 3 hour conciliation under the RIBA conciliation service.
25	(March 2000) Concrete and Formwork Subcontractor, Building Contractor	Office Development	Variations, Claims and Counterclaims for delays and loss and expense, LAD's, interest, costs.	Claim £410,000 Counterclaim £484,000	Two day mediation. Settled by the parties after mediation.

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26	(May 2000) Residential Property Owner Building Contractor	Works to Grade II Listed Manor House.	Repudiation, abatement, value of work to Grade II listed Manor House. Defective Work, Interest, Costs.	Claim £64,000 Counterclaim £22,000	Settled in a one day mediation subject to provision of financial status information by builder.
27	(October 2000) Main Contractor Fencing Contractor	Metal Fencing to Housing Development	Measurement and Valuation disputes on F/AC. Disputes as to method of measurement.	£92,000	Settled in a one day mediation. Settlement included an agreement to re-establish a working relationship and future work.
28	(November 2000) Painting & Decorating Subcontractor, Main Contractor	Four varied contracts.	Valuation of Final Accounts. Disputes as to valid records and documentation, observance of conditions of contract.	Claim £280 Counterclaim £10,000 Costs £71,000	Settled in a one day mediation. The litigation costs were the major factor in the mediation.
29	(January 2001) House owner, Architect, Contractor	Refurbishment of holiday home.	Incomplete and unsatisfactory work, Payments, Delays, Damp, Design of Windows.	Counterclaim, Claim, Costs £200K	House owner & Architect settled. House owner and builder did not settle.
30	(March 2001) Drainage Subcontractor, Main Contractor	Drainage to police station.	Final account values of measured work, dayworks, Counterclaims, Interest, Costs.	Claim £50,000 Counterclaim £12,500	Settled in a one day mediation.
31	(March 2002) Landlord, Letting Agent	Property Management	Non payment of rent by tenant, damage, deposit.	£1,215	Mediation attempted by telephone. Parties decided to proceed to small claims court. No fees charged.
32	(May 2002) House Owner, Builder	Extension to house.	Value of work, defective work, cost of completing using another builder.	£12,500.	Settled in a one day mediation. Court proceedings stayed.
33	(June 2002) Building Contractor, Factoring Company	Mechanical services to offices	Factor's claim for unpaid invoices re insolvent subcontractor. Set off for incomplete and defective work, extra costs of completion. Legal costs.	£24,000.	Settled in a one day mediation. Court proceedings stayed.
34	(Aug 2002) Building Contractor, Partition and Plastering Subcontractor	Commercial Development	Final Account and loss and expense claims.	£200,000	One day mediation. Parties reached a settlement one month later.
35	(Oct 2002) Main Contractor, Dry Lining/Partition Subcontract	Museum.	Final Account, contra charges, LADS	£30,000.	Settled in a half day mediation.
36	(Feb 2003) Main Contractor, Curtain Walling & Window Subcontractor	Commercial, Retail and Residential Development	Final Account, Claims, Liquidated and Ascertained Damages, Damages, Extensions of Time	Claim £750,000 Counterclaim £950,000	Settled after a one day mediation and six months of negotiations.
37	(May 2003) Building Contractor, Property Company	Commercial Development	Valuation of Variations, Claims re delay and disruption.	Claim £600,000 Counterclaim £225,000	Settled in two days of mediation and interim telephone calls.

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38	(June 2003) House Buyer, House Builder	Detached House	Defective work, compensation, legal costs, retention money.	£16,500	Settled in a four hour mediation.
39	(July 2003) Factory Tenant, Developer, Building Contractor	Factory	Defective work, Consultant's costs, legal costs, remedial scheme.	Tenant: £687,000 Developer : £405,000	Settled in a one day mediation and subsequent telephone calls.
40	(August 2003) Science Park, Construction Company	Science Park Building	Defective work, set-off claim, consultant's costs, loss of rent, Final Account Agreement	£40,000	Settled in a one day mediation.
41	(October 2003) House Buyer, Planning Consultant	Extension to maisonette.	Losses incurred due to incorrect planning permission advice.	£16,500.	Settled in a 2½ hour mediation.
42	(November 2003) Steelwork Subcontractor, Main Contractor	Court Building	Final Account Value including variations and claims and general damages, claim for loss of contribution.	£360,000	Settled in a one day mediation.
43	(November 2003) Groundwork Subcontractor, Building Contractor	Research Laboratories	The terms and conditions of contract were in dispute. There had been two adjudications and litigation had commenced. Final Account including remeasure, variations, Dayworks, loss and expense, disruption, interest, overheads, increased costs, ground conditions.	£3 million.	Settled in a two day mediation.
44	(December 2003) Conservatory Company, Houseowner	Conservatory	Payment due, defective work, damage to property, damages, interest, legal costs	£28,000	Settled in a one day mediation.
45	(December 2003) M&E Subcontractor, ME& Contractor	Multiple retail outlet.	Valuation of variations, non payment.	£70,000	Settled prior to mediation meeting.
46	(December 2003) Bricklaying Trade Contractor, Construction Company	Residential apartments.	Final Account, Variations, extensions of time, loss and expense, LAD's Counterclaims	Claim £490,000 Counterclaim £260,000 <hr/> £750,000	Settled at a one day mediation and subsequent telephone negotiations via the mediator.
47	(March 2004) Clay Extraction Company, Holding Tank Supplier, GRP Tank Manufacturer	Clay slurry holding. Tanks for Pottery Industry.	Damages arising from collapse of tank. Cost of replacement tank and associated equipment. Clean-up costs. Damage to property. Remedial work to other tanks, professional fees, legal costs.	£60,000.	Settled in a one day mediation.
48	(May 2004) Architectural Design Company, Staircase Manufacturer	Feature steel staircases on university and house.	Unpaid invoices. Counterclaims for determination, repudiation, extra completions costs, loss of profit.	£49,000.	Settled in a one day mediation.
49	(May 2004) Leased Building Owner, Property Development Company, Penthouse Purchaser.	Lease and development of property.	Tri-partite dispute. Property Lease and Development Costs. Forfeiture of lease. Injunction to restrain sale of lease, assignment of lease. Unpaid commission and share of profit, conspiracy.	Approx £2 million.	Dispute narrowed but not settled.
50	(August 2004) Steelwork Fabricator, Coating Subcontractor	Coating and bridge steelwork	Final account value, delays, contra charges, future trading	£6,000	Settled in a half day mediation.

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51	(September 2004) Masonry Company, Wire Products Company, Metalwork Company	Construction of 3 factory and office units.	Final Account Value, Counterclaims, Interest, Working relationships.	£64,000.	The parties narrowed their differences from £64,000 to £5,000 but did not settle on the day. A settlement was reached 3 weeks later on the basis agreed at the mediation.
52	(December 2004) Property Developer, Building Contractor	Construction of 2 residential properties	Final Account Value, delays, defective work, liquidated damages	£118,000	Settled in a one day mediation.
53	(February 2005) Commercial Lorry Fleet Company, Road Hauliers	Hire of commercial lorries	Disputed invoices for hire, repairs, replacements, road fund rebate, etc.	£70,000.	Settled in a one day mediation.
54	(February 2005) Metropolitan Council, Civil Engineering Contractor	Refurbishment of pier structure	Cost of remedial works, compensation events, damages, loss of income	£3.5 m	Settled in a one day mediation.
55	(April 2005) Construction Company, Timber Building Subcontractor	Timber buildings at holiday centre.	Final Account value, delays, loss and expense, LAD's, Counterclaims, interest, costs.	£1 million	Settled at a one day mediation and telephone calls via the mediator and parties in the following 5 days.
56	(May 2005) Supplier of Galvanised Steel, Roller Shutter Manufacturer	Supply of galvanised steel.	Quality of materials supplied, fitness for purpose, counterclaim for losses.	£45,000	Settled in a one day mediation.
57	(July 05) House Owner, Building Company	Erection of porch and conservatory and supply and installation of replacement windows.	Claim for non-payment. Counterclaim for defects in construction including inadequate foundations and other damages.	£20,000	Settled in a one day mediation.
58	(July 05) Civil Engineering Contractor, Racing Stables	Construction of gallop.	Value or work carried out. Livery fees, sale of horse.	£80,000.	Settled in a ½ day mediation and via subsequent telephone calls and a meeting of the parties.
59	(August 05) Building Contractor, Housing Development Company	Construction of 80 apartments.	Extensions of time, LAD's, valuation of variations, loss and expense.	£4 million.	Settled at two concurrent days of mediation.
60	(August 05) Aviation Company, Private Buyers	Sale of Vulcan Bomber	Condition of aircraft, storage costs/damages, identity of contracted parties, fitness for purpose.	£60,000	Settled at a one day mediation.
61	(September 05) Civil Engineering Company, Petrol Service Station Company	Installation of underground tanks and equipment at service station.	Ground conditions, delay costs, variations, legal costs.	£26,000.	Settled at a one day mediation.
62	(September 05) Groundworks Subcontractor, Building Contractor	Groundworks and drainage to car showrooms	Final Account Value, Contra charges, interest, legal costs.	£75,000	Settled at a one day mediation.
63	(October 05) Adjacent Property Owners (2 married couples)	Neighbour dispute.	Rights of way, access for inspection and maintenance, adverse possession of land claim, loss of light from tall growing trees, allegation of rude, threatening and violent behaviour. Future relationships.	Not applicable.	Settled at a one day mediation.
64	(November 05) Steelwork Contractor, Developer	Supply and erection of steel staircases on four contracts.	Value of work carried out, counterclaim for defective work and damages, interest, legal costs.	£37,000	Settled after a one day mediation and subsequent telephone negotiations via the mediator.

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65	(February 06) Commercial Estate Agency, Seller of Care Home	Sale of property	Entitlement to introduction/selling fee	£40,000.	Settled prior to the mediation meeting.
66	(March 06) Steel Fabricator and Erector, Cold Store Construction Company	Steel frame to cold store.	Final Account value including value of variations, acceleration claims, premium time working, delay costs, counterclaims.	£8,000	Settled at a one day mediation.
67	(July 06) Building Contractor, Houseowners	Fire damage reinstatement and extension to and refurbishment of residence	Final Account Value, loss and expense, disruption, costs to complete, interest, temporary accommodation, distress and inconvenience, legal costs.	£900,000.	Settled at a one day mediation.
68	(July 06) Subcontractor, Civil Engineering Contractor	Arts Centre	Final account value, contra charges, interest costs.	£7,500.	Settled at a one day mediation.
69	(Sept 06) Metal Castings Company, Fuel Conservation Services Company	Supply of heat resistant alloy castings.	Defective goods, value of goods supplied, scrap value, counterclaim costs.	£9,000.	Settled at a half day mediation.
70	(Nov 06) Parochial Church Council, Building Company	Work to Church Tower.	Quality of work, remedial costs, legal costs.	£30,000.	Settled at a half day mediation.
71	(February 07) Manufacturer, Wire Supplier	Supply of cut and coiled steel wire for the manufacture of supermarket baskets and trolleys.	Breach of fixed price agreement, failure to supply on time, late payment, repudiation, duress, failure to mitigate losses, incorporation of terms, damages.	£1,260,000 plus costs. Counterclaim £90,000 plus costs.	Settled at a one day mediation.
72	(March 07) Neighbours	Neighbour Dispute	Replacement of a party fence, height and design of fence. Abusive behaviour, relationship as neighbours and relationships at work.	£800. The dispute also involved the relationship between the parties.	Settled at a half day mediation.
73	(April 07) Bathroom Specialist, House Owner	Plumbing work and fitting out new bathroom.	Defective work, counterclaim costs, legal costs.	£8,000.	Settled at a half day mediation.
74	(May 07) Blasting and painting Contractor, Bridge Steelwork Contractor.	Bridge steelwork.	Defective work. Value of extra work. Allegations of criminal misrepresentation.	£220,000	Settled at a one day mediation.
75	(July 07) Architect, Houseowners, Owners Agent	Design of New House	Payment for architectural services, breach of copyright.	£1,300	Settled by mediation via telephone and post.
76	(August 07) Recruitment Company, Leisure Services Company	Recruitment company premises.	Damage to property by adjacent building works. Temporary relocation costs. Business interruption costs.	£700,000.	The parties narrowed the amount in dispute to £250,000 but no settlement was achieved on the day. (Ongoing?)
77	(September 07) Watch Owner, Prestigious International Watch Company	Replacement of diamond encrusted watch dial.	Watch dial with high sentimental value lost (but re-found as a result of mediation).	£2,500	Settled by mediation by telephone, e-mail and post.
78	(October 07) Construction Company, Land Survey Firm	Levels survey of construction site.	Survey errors, additional rock break costs, delay costs. Interest, legal costs.	£180,000.	Settled at a one day mediation.

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79	(December 07) Pentecostal Church, Petroleum Corporation, Petrol Filling Station Company	Church, Community Centre and Nursery.	Contamination from petrol filling station.	£540,000.	Settled at a one day mediation.
80	(February 08) Project Engineers, Steel Fabrication Company	Alterations to link span bridges connecting dockside and ferries.	Inadequate preparation for painting steelwork. Costs of dismantling of bridges and repainting.	£85,000 including legal costs..	Settled at a one day mediation.
81	(February 08) Builder, Horse owner	Extension to house	Alleged defective roof, plastering and other matters and Final Account value.	£12,000.	Settled at 4 hour mediation.
82	(February 08) Construction Company, Hotel Company	18 bedroom extension, pool and other facilities to existing hotel.	Abandonment/repudiation, fire damage, flood damage, final account valuation, counterclaim for lost bedroom, golf and wedding bookings, management costs, lost secondary spend, interest, legal costs.	£350,000.	Settled at a one day mediation.
83	(April 08) Construction Company, Bailey Bridge Specialist Company	Refurbishment of Bailey Bridge.	Payment for work done, counterclaims for delays, supply of materials, quality of work	£28,000	Settled at a one day mediation.
84	(April 08) Cushion Wholesaler, Debt Factoring Company	Supply of cushions.	Value and quality of supply of cushions and wholesaler. Counterclaim for potential claims from buyers of cushions.	Claim £80,000. Counterclaim up to £1.5 million.	Settled at a one day mediation.
85	(April 08) Builder, House Owners, Architect	Refurbishment of cottage.	Builder's claim for work done. Diminution in value due to loss of planning permission resulting from Architect's drawing errors and builder's demolition of retained walls.	Claim £68,000.00. Counterclaim £500,000.00	Settled at a one day mediation.
86	(May 08) Asbestos Removal Company, Demolition Company	Removal of asbestos.	Unpaid invoices on two contracts. Counterclaim re quality of work, determination, loss of profit, claims from Main Contractor, interest. Costs.	Claim £120,000 Counterclaim £400,000	Settled at a one day mediation.
87	(May 08) Architect, Property Developer	Alternations, Development and Refurbishment of Residential Property.	Payment of Architect's fees, basis of fees, work done.	£15,000.00	Settled at a one day mediation.
88	(June 08) Flooring Contractor, Flooring Contractor, Materials Supplier	Remedial work to terrazzo flooring	Claim for work done, counterclaim for defective work and Main Contractor's claim and LAD's. Similar claim against materials supplier.	£325,000.	Settled at a one day mediation.
89	(June 08) House owner, Builder	House extension.	Cost of remedial works to house extension, inconvenience, hardship.	£30,000.	Settled at a one day mediation.
90	(June 08) Commercial Property Owner, Adjacent Property Owner, Excavation Contractor	Excavation to potential development site.	Claim for trespass by excavation contractor, instructed by adjacent property owner. Damages for physical damage to road, injunctive relief, wayleave fee, disproportionately high legal costs.	£6,000 and injunctive relief. Costs of £75,000.	Settled in a one day mediation.
91	(July 08) Groundworks Subcontractor, Building Contractor	Groundworks to school building.	Value of Final Account, damages for alleged repudiations, retention money, interest, costs.	£50,000.	Settled at a one day mediation.

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92	(Sept 08) Residential Property Owner, Main Contractor, Services Subcontractor	Refurbishment and extension of residential property.	Value of Final Account, payment to Subcontractor, Counterclaim for defective and incomplete work, additional professional fees, lost income.	£600,000.	Settled between Main Contractor and Subcontractor. Not settled between property owner and Main Contractor but differences narrowed.
93	(Oct 08) Property Landlord, London Borough	Repairs notices issued by Borough to Landlord.	Damages for alleged negligence by the Borough in connection with invalid notices.	£100,000.	Did not settle.
94	(Oct 08) Property Developer, Building Contractor	36 Residential Houses	Final Account Value, Loss and Expense claims. Liquidated and ascertained damages, Final Account on separate contract, Claim by Developer's group company against Contractor under separate Subcontract. Future relations.	£2 million.	Settled at a one day mediation.
95	(Oct 08) Building Contractor, Painting Subcontractor	Warehouses.	Cost of remedying defective work, claim for damages, lost rent, temporary accommodation, interest costs, counterclaim for final account payment.	£150,000.	Settled at a one day mediation.
96	(Nov 08) Development Site Owner, Metropolitan Borough Council	Development land.	Value of land, compensation for reliance on 'assurance' re non implementation of compulsory purchase order, estoppel, 'legitimate expectation'.	£4 million	Settled by telephone via the mediator the day after the mediation.
97	(Nov 08) Sheet Piling Subcontractor, Main Contractor	Museum	Design of sheet piling, associated damage to adjacent boundary wall, demolition costs, delay costs, cost of new wall, LAD's.	£500,000.00	Settled at a one day mediation.
98	(Dec 08) Apartment owner, Freehold Owner	Apartment	Defective work, loss of amenity (smell, rats, bugs, sanitation, damp), diminution in value, delays, breach of Court Order, damage from leaks, repair costs, damage to loss of personal property, excess water bills, ill health, medical costs, loss of earnings, costs.	£100,000 +	Settled at a one day mediation.
99	(Dec 08) Factory Owner, Adjacent Residential Property Owner	Boundary wall to factory	Failure to erect retaining wall, ingress of water, lost production, pumping costs, specific performance, interest, costs.	£150,000.	Framework of settlement agreed at one day mediation subject to agreement of sheet piling costs and access.
100	(Jan 08) Groundwork Contractor, Horse Owner	Horse manage	Unpaid accounts for work carried out. Counterclaim for defective work, remedial costs, livery costs, legal costs.	£20,000.00.	Settled at a half day mediation.
101	(Mar 09) Building Contractor, Property Developer	Barn Conversion	Prime Cost Value, Costs of Defects, Disallowed Costs, Delays, LAD's.	£420,000.	Ongoing.
102	(Mar 09) Four House Owners, Contractor/ Property Company	4 Residential Houses	Four separate claimants. Plumbing leaks over 10 year period, damages, defects, temporary accommodation, stress, legal costs, statute of limitations, conflicting expert witness reports.	£115,000	Settled in a one day mediation. Four separate Settlement Agreements.

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103	(Mar 09) Three House Owners, Housing Developer	3 Residential Houses	Houses bought 'off plan'. Garden levels not as anticipated. 20 foot earth wall. Unfair terms, breach, conflicting experts' reports and legal advice.	£150,000.	Settled in a one day mediation. Three separate Settlement Agreements.
104	(Apr 09) Two brothers	Extension to house, construction of new barn for business.	Repayment of development costs, rent, electricity, sale of assets, family splits, elderly Mother, security, family house.	£140,000.	Settled at a one day mediation.
105	(May 09) <i>Retail Shop Fitters, Retail Shop Chain</i>	Fitting out of four retail stores.	Value of fitting out work, counterclaim for damages for late completion.	£660,000.00.	Narrowed differences to under £250,000 but did not settle. Parties considering QS exercise suggested by mediator as alternative method of resolution to litigation.
106	(Jun 09) Roofing & Cladding Subcontractor, Building Contractor	Education Colleges	Value of variations and loss and expense on three separate contracts	£2,700,000.00	Differences were narrowed at the mediation. No settlement was achieved on the day but the parties continued to talk and reached an agreement shortly after the mediation settling all matters in dispute.
107	(Jul 09) Building Contractor, House Owner	Extension and alterations to house.	Defective works, remedial costs, legal costs.	£60,000.00	Settled at a one day mediation.
108	(Jul 09) Construction Company, Consulting Engineering Services	Court Building	Claims for damages for delays.	£2,400,000.00.	Engineer's insurers decided expert witness report was required before mediation could advance. Not settled.
109	(Jul 09) Freehold Commercial Property Owner, Leaseholder (Retail Cahin)	Lease of retail store and garden centre.	Breach of lease, unlicensed development of property. Damage, legal costs.	£642,000.00.	Settled at a one day mediation.
110	(Aug 09) Painting and Decorating Contractor, House Developer	Decorations to Residential Development	Repudiation, Final Account Values, Defective Works.	£20,000.00	Not settled.
111	(Aug 09) Residential Neighbours	Neighbour disputes	Right of way, emergency access, injunction for removal of wall. Injunction to refrain from erecting structures	Non monetary issues.	Settled at a one day mediation. (Confirmed on the day after the mediation).
112	(Oct 09) Property Developer Residential occupier	Barn Conversion	Drainage defects, flooding, retention monies, covenants, indemnities, legal costs.	£50,000 and non-monetary issues.	Settled at a one day mediation.
113	(Nov 09) Waste Paper and Cardboard Recycling Company, Supplier of Baling Machine	Supply of paper and cardboard baler	Breach of contract, delays, lost production, lost profit, breaches of warranty, repair costs, management time, interest, costs.	£150,000.00.	Settled at a one day mediation.
114	(Nov 09) Stone Supplier, Stone Fixing Contractor	Supply of Portland stone and granite for exterior cladding of commercial development.	Unpaid invoice for stone. Counterclaim for breaches of contract, late delivery, defects, delays, costs.	£190,000.	Settled at a one day mediation.

NO.	PARTIES	BRIEF DESCRIPTION OF PROJECT AND VALUE	NATURE OF DISPUTE	APPROX. AMOUNT IN DISPUTE	RESULT
115	(Jan 10) Residential Property Owner, Building Contractor	Extension and alteration to house	Unpaid final account invoice, counterclaim for water damage from plumbing leak, alleged defective tiling, defective supports for water tank, snagging items, stress and inconvenience.	£40,000.	Settled at a one day mediation.
116	(Jan 10) Bricklaying Subcontractor, House Builder	Residential houses and apartments.	Wrongful repudiation, loss of profit claim.	£60,000.	Settled at a one day mediation.
117	(Jan 10) Farming Estate, Grain Store Construction Company	18,000 tonne grain store.	Breach of contract, building failure, rebuilding costs, cost of moving grain, lost rent, professional fees.	£700,000.	Settled at a one day mediation.