

Bruce Bourne **MRICS MCI Arb**

IS A QUALIFIED MEDIATOR (**Elite Mediator**)

General Information

A very experienced Mediator in both face to face and remote cases who originally qualified as a Chartered Surveyor and was previously a Managing Director with 20 years' experience of resolving complaints and claims, Bruce Bourne is a Fellow of the Civil Mediation Council and has a sterling record in conflict resolution. As a mediator, he covers all legal areas except family, with particular experience and proficiency in complex and/or multi-party disputes.

Chambers Directory entry of mediators confirms "He has an amazing skill in damping the emotions down and getting people to focus on the real world" He has "very good leadership qualities and down-to- earth manner."

Chambers Directory entry of mediators confirms " Bruce is praised for *'his calm and collected'* approach to mediation and for remaining *'really sensitive to all the parties'*. He is a qualified Chartered Surveyor and predominantly focuses on property disputes. He has additional substantive experience handling professional negligence claims."

Chambers Directory entry of mediators reflects his style " Bruce Bourne marshals his experience as a Chartered Surveyor to bring a commercial and pragmatic approach to a wide array of mediations. He is experienced in areas such as property, and he enjoys a strong reputation for his assured dispute handling.

Chambers Directory entry of mediators states "takes a gentle role, allowing the parties to let off steam, thereafter allowing the dispute to focus on facts rather than emotional baggage." A chartered surveyor, Bourne regularly tends to construction, employment and property matters.

WHY CHOOSE BRUCE?

Excellent communicator at all levels – Throughout his career, Bruce's friendly, positive and straightforward manner has enabled him to work successfully with a great variety of people from all backgrounds and experience of mediation.

Expert in complex/multi-party disputes – As a Managing Director and experienced mediator, Bruce has regularly and successfully negotiated difficult and multiparty disputes involving a very varied mix of parties soem represented by KCs, solicitors and many litigants in person.

In-depth commercial understanding – Bruce's experience includes managing personnel, contracts, budgeting, profit and loss accounts, creating/implementing business plans, and knowledge of company and employment law, this makes him particularly suited to mediating contractual and commercial disputes

Flexible fees and location – Based in the New Forest, Surrey, Bruce can travel throughout England and Wales for mediation work, and is happy to negotiate fees on a case-by-case basis

AREAS OF EXPERTISE

His professional background makes Bruce particularly well placed to mediate on **Property, Contentious Probate and Construction** -related matters, as well as general **Commercial Contracts**. However, his skills apply to all areas of mediation, with recent experience including:

- Construction/ Disrepair /Dilapidations
- Contentious Probate
- TOLATA
- Commercial Contracts
- Boundaries
- Party Wall Disputes
- Easements/Rights of Way
- Landlord/Tenant
- Service Charges - commercial and residential
- Professional Negligence

BRUCE SAYS

"A good mediator needs to have **excellent people skills** and be able to communicate at all levels. A mediation is a 'managed negotiation'. My years of mediating a variety of disputes after a professional career as both a Managing Director and Chartered Surveyor have taught me how to manage a very varied group of people by **earning respect** and **trust**.

"Mediators should be **positive** and **approachable**, yet **firm**, so that they can help the parties to trust and respect them, whilst managing the process and the people. They need certain knowledge of the case matter, although do not need to be an expert. **Anactive mind**, with the ability to follow **complex mathematical solutions**, is also required; again, my mediation and commercial experience provides me with these skills.

"I always aim to **think 'outside the box'** in order to help parties find a way out of their intransigent positions. As a mediator, I am not a judge or arbitrator; I am here **to help the parties find a solution** to their dispute, not to assign the answer. It is important that the solution is 'owned' by the parties and they are comfortable with the outcome."

PROFESSIONAL BACKGROUND

2020 - today - **First-tier Tribunal Property Chamber Residential Property**, Valuation member sitting on a variety of cases

1981-today –**Chartered Surveyor**, originally a working surveyor but latterly responsible for resolving professional indemnity claims and customer complaints

2003-2010 – **MD of Chancellors Associates**, managing a team of 120 surveyors/consultants, negotiating standard business contracts and handling personnel disputes

WHAT PEOPLE HAVE SAID ABOUT BRUCE:

Bruce Bourne mediated a dispute in which the parties were in diametrically opposite positions as to what they wanted from each other. Bruce somehow managed to bring the parties together with his words and reasonable approach, acknowledging the strengths and weaknesses of both parties' positions. Where the parties appeared to be unable to strike an agreement, Bruce pulled it out of the hat with his wise words and an agreement was struck. I was happy with the result especially considering it appeared prior to the mediation the only route to resolution was an expensive drawn out litigation.

Bruce Bourne has the knack of getting the feel of who he is dealing with very quickly and that assists in a good sensible mediation. He also has the ability to make sure the parties are aware of the consequences of not reaching an agreement and that definitely focuses the clients' mind. As always he is very professional and does not get rattled when the expletives start flying.

Bruce was very adaptable and willing to cut through legal issues to get to the nub of the case. He has a relaxed but professional and friendly style. And we settled, which was great.

Bruce immediately put my clients at ease. He was friendly and professional at all times, and helped settle a contentious neighbour dispute in a most expeditious and experienced manner.

As the weekend has passed we have felt so relaxed and realised what a pain this has been to us, and the solution is down to you. I think you should apply for membership of the Magic Circle after you pulled the solution out of the hat.

Bruce was very professional and an excellent mediator. This dispute has been going on for over 7 years and with Bruce's assistance, we finally managed to resolve it.

Excellent mediation. Bruce was superb throughout the day in what was, it has to be said, quite a challenge. My clients thought he was excellent.

"I have used many mediators in recent years, and have been a mediator myself for the last 6 years, and Bruce is one of the best I have come across. He got the measure of the parties very quickly and was instrumental in enabling an agreement to be reached which allowed the disputants (neighbours) to move on with dignity. As a mediator, I found myself making a mental note of some of Bruce's techniques!"

"I was delighted to work with Bruce in a commercial dispute. The issues were complex and trial seemed inevitable. However, Bruce's pragmatic approach and determination to find a solution acceptable to all helped to resolve the issues efficiently and painlessly. His sense of humour was a definite bonus."

"Bruce was excellent. He went over and beyond to assist the parties to reach resolution. He was incredibly professional and I would most definitely use him again."

"I was the recently at a mediation where Bruce Bourne acted as Mediator. Bruce presented a calm face in a difficult matter whilst offering pragmatic empathy to my client's position. He worked hard to build a rapport with my clients and gain their understanding. Settlement was aided by Bruce's hands-on approach throughout the Mediation. Bruce stayed solutions focused despite the many hurdles that were presented. I look forward to working with him again."

"Bruce's skill as a mediator was a major factor in reaching a settlement agreeable to both parties. He was commercial, astute, responsive and encouraged the parties to 'think outside the box' which enabled a speedy resolution. I look forward to using Bruce as a mediator again in the future and would recommend him to others."

"The Mediator; Bruce Bourne made the agreement between the parties possible. He was excellent and I would like for my positive feedback to be passed on to him"

Bruce was a great asset and without his help we do not believe that we would have found a resolution. He has a very good understanding of personalities and how to work with them. He is more than a mediator but also a negotiator. We would highly recommend his services.

Mr Bourne clearly understood both parties' positions and worked well to manage both sides of the mediation and the varied personalities involved. His assistance was greatly appreciated and it is clear that without his facilitation the parties would not have been able to reach an agreement. Please pass on our sincere thanks.

Bruce was excellent, I found him personable. knowledgeable and a great help in the mediation session.

Bruce was very good indeed. I would definitely use him again.

Mr Bourne was very likeable, well prepared, and in full control of the mediation and the personalities involved. He created an environment where my clients were able to make a decision, in their own time, to settle. A good result!

"Bruce had a great way of making us feel comfortable and at ease, we can thoroughly recommend him."

"Mediator excellent. I have recommended him to a colleague"

"Bruce did a very good job indeed but unfortunately was not helped by opponents who chose to proceed unrepresented and then decided they needed legal advice!"

"I was counsel instructed in a residential service charge dispute in which Bruce Bourne had been retained at very short notice to act as mediator. Receiving the papers on the morning of the mediation, he had mastered them by the time we started in the evening and as a result was able to steer the parties' focus towards the real issues which existed between them. After meeting the parties to set out the procedure, he quickly got them down to business. His professional yet approachable manner gave the parties the confidence to explore fully the issues between them, each making appropriate concessions while feeling under no compulsion by him to do so. Sitting late into the evening, he was able to guide the parties towards settlement and to facilitate discussions which enabled them to look to the future."

"I was very impressed with Mr Bourne. I would certainly use him again on this type of dispute"

"Excellent mediation. Very impressed."

"Bruce was very helpful and his background was helpful to the technical details of the case."

"Bruce was instrumental in keeping the discussions going, and settlement ultimately being reached, when the parties were ready to pack up and leave."

"Bruce managed to effect a settlement in half a day, no small task given that virtually no issues were capable of agreement."

"Bruce Bourne is an outstanding mediator."

"Bruce handled difficult characters very well, and maintained a good balance between letting parties vent yet not losing site of the need to focus them forward towards a resolution."

"Bruce was, as always, an excellent mediator."

"Very emotional case. Mediator did well to focus the minds of the parties. Very professional and a pleasure to work with."

"Friendly, Professional and Effective".

"Bruce brought to the mediation his substantial experience of property / land related matters that he used to great and telling effect, achieving a settlement not thought possible at the beginning of the day"

'My clients were extremely complimentary about the way that Bruce Bourne handled the mediation and could not be happier that their case has now been settled'

Contact Bruce to discuss how to resolve your dispute.

Email: mediation@clerkroom.com

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