

Derek Pye LLB (Hons) FRICS FCIArb MAE



Chartered Arbitrator
Chartered Quantity Surveyor
Registered Adjudicator
Expert Witness
CIArb Accredited Mediator

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Curriculum Vitae

Location

Operating from offices in London, Birmingham, Bristol and the North West of England covering assignments in the UK and overseas.

Designations

Barrister at Law of Lincoln's Inn

Bachelor of Law - LLB (Hons).

Fellow of the Royal Institution of Chartered Surveyors. (FRICS)

Fellow of the Chartered Institute of Arbitrators. (FCIArb)

Member of the Academy of Experts (formerly the British Academy of Experts). (MAE)

Professional and Educational Memberships

Barrister Member of the Honourable Society of Lincoln's Inn.

Member of the Panel of Arbitrators of the Chartered Institute of Arbitrators.

Member of the President's pool of Arbitrators of the Royal Institution of Chartered Surveyors. Chairman (1997/1998), Public Relations Officer (1994 – 1997) and Committee Member (1994 – 1999) of the North East Branch of the Chartered Institute of Arbitrators.

Member of the CIArb Branch Public Relations Officers' Committee (1995 – 1997).

Member of the Society of Construction Law.

Visiting Lecturer at the Leeds Metropolitan University MSc. Course in Construction Law and Arbitration (1998-2001).

Member of the List of Tutors of the Chartered Institute of Arbitrators.

Accredited Adjudicator with the Chartered Institute of Arbitrators.

Member of the President's Panel of Adjudicators with the Royal Institution of Chartered Surveyors.

Member of the Assessment/Interview Panel for the Royal Institution of Chartered Surveyors' list of Adjudicators.
Member of the Panel of Lecturers/Assessors for the Chartered Institute of Arbitrators List of Adjudicators.
Vice-Chairman and Member of the RICS Professional Conduct Panel 1998-2001.
Past Committee Member of the North West Branch of the Chartered Institute of Arbitrators.
Past Chairman and Member of the RICS President's Permanent List for Disciplinary and Appeal's Boards (2001-2004).
Mediator on the Panel of the Manchester Law Society.
Member of ARBRIX.
Accredited Mediator with the Chartered Institute of Arbitrators.
Chairman (2004-2008) of Turner Arbitration Chambers.
Arbitrator Member of the Society of Construction Arbitrators.
Panel Member of the Association of Independent Construction Adjudicators (AICA).
A Chairman of the RICS President's Adjudicator Reassessment Panels.
Bachelor of Law – LLB (Hons).
Awarded the Ede and Ravenscroft prize for the highest marks in the second year of the LLB.
Awarded a *Very Competent* grade in the BVC at BPP Law School in Leeds with five subjects at *Outstanding* grade. Finished with second highest marks on the course with 50 students.

Current Employment

Managing Director of Pye Consulting Group,¹ a United Kingdom consultancy company providing:-

- dispute avoidance and resolution strategies.
- commercial and contractual management services to clients and contractors in the construction and engineering industries.
- expert investigation, reports, assistance and evidence on quantum, planning and related issues in construction disputes.
- arbitration, mediation, conciliation, adjudication and other ADR services

Derek practises in his own name through Pye consulting Group as an, Arbitrator, Adjudicator, Mediator, Conciliator and Expert Witness in construction disputes.

Derek is also a qualified Barrister at Law and operates in his own name through No5 Chambers in London, Birmingham and Bristol. This is completely separate to and unconnected with his role in Pye Consulting Group.

Should you wish to engage Derek as a Barrister for the provision of legal services you should contact his clerk Mr Justin Luckman at justinl@no5.com

The web site for No5 Chambers is www.no5.com/members/derek-pye

Brief Career Details

¹ Pye Consulting Group is a trading name of Derek Pye Limited – Company No. 6755074

A career in the construction industry in the client, contracting and consultancy organisations in the United Kingdom with overseas working experience in USA, Canada, Germany, Switzerland, Belgium, Italy and in Saudi Arabia with French, Italian and Korean contractors.

Early experience in the Architectural field with eight years spent in the planning, design and on and off-site supervision of major housing schemes. This was followed by a career move into quantity surveying, firstly in housing, but later, and more predominantly, into the industrial and commercial sectors.

Contracting experience with major UK and French international building and civil engineering companies, UK design and build contractors and specialist structural steelwork companies, on contracts with values in excess of £1,500 million.

Consultancy experience from 1985 to present day in the management and resolution of construction and engineering disputes by negotiation, mediation, conciliation, adjudication, litigation and arbitration, with disputed amounts in excess of £40 million.

Preparation of Expert Reports in contemplation of litigation and arbitration. Acted as an expert witness in construction disputes on multi-million pound quantum matters and planning inquiries and been subject to cross-examination by Counsel in arbitration and the TCC.

Now predominantly involved in all aspects of the arbitration and adjudication processes.

Spoken at Seminars and Workshops to Banks, Solicitors, Professional Bodies and Companies on subjects related to Arbitration, Adjudication, Expert Witness matters, Evidence, Quantity Surveying and other Construction topics.

Expert instructed on behalf of Motherwell Bridge in the TCC case of *Motherwell Bridge Ltd v Micafil Vacuumtechnik*. And on behalf of DEFRA in *Ruttle Plant Ltd v DEFRA (SoSFE)*

Appointed Expert on building construction matters for the BBC television series of Rogue Traders (3rd series).

Project Experience

Traditional and Industrialised Housing	Multi-storey steel and concrete structures
Power Stations	Portal frame industrial and commercial buildings
Roads and Sewers	Brickworks
Prisons	Water and Sewage Plants
Bridges	Hospitals
Military Establishments	Stadiums
Banks	Process Plants

Recent Assignments

- Adjudicator on a dispute on a commercial property in London concerning valuation issues.
- Arbitrator on a dispute concerning Practical Completion of a commercial property in London
- Adjudicator on an interim payment dispute on a university contract in Cambridge.

- Party representative in a JCT arbitration between a building contractor and an employer regarding interim valuation of the Works.
- Adjudicator on a dispute involving demolition works on a university campus in London.
- Adjudicator in a £4m dispute on interim valuation issues.
- Arbitrator on a professional indemnity insurance dispute regarding a construction project in Manchester.
- Party representative in an adjudication on the matter of alleged lack of a withholding notice on a JCTWCD contract.
- Adjudicator on a mechanical services dispute on the O2 Arena in London.
- Arbitrator on a dispute concerning finishing and fitting out works to a casino project.
- Adjudicator on a decorating sub contract dispute on a residential development scheme.
- Commercial/legal advice to a client on delay, extension of time and liquidated damages issues in Italy.
- Advocate (Counsel of Record) in \$9 million arbitration under the American Arbitration Association Rules in New York subject to the law of the State of Delaware.
- Commercial and project planning advice to a client on a mixed retail/residential development in Sheffield in respect of a contractor's claim for over £1m.
- Adjudicator on a dispute connected with works to the Channel Tunnel Rail Link.
- Adjudicator on a groundworks and drainage dispute on a hospital contract.
- Adjudicator on a housing development dispute.
- Commercial and delay analysis advice on a supermarket project.
- Commercial advice and settlement negotiation of a mechanical services final account in Italy under Saudi Arabian law.
- Adjudicator on a groundworks dispute.
- Adjudicator on a water utilities dispute.
- Adjudicator on a large services dispute on a road widening scheme.
- Commercial advice on a property development contract.
- Mediator on a multi storey car park dispute.
- Party representative on a development contract involving termination and repudiation.
- Adjudicator on a dispute at Manchester Airport on the structural steelwork sub contract.
- Commercial/legal advice on a dispute between a commercial flying organisation/airline operator and an airport authority.
- Adjudicator on a water treatment works dispute.
- Adjudicator on a construction dispute on a gymnasium/fitness centre complex.
- Adjudicator on a structural steelwork dispute.
- Commercial/legal advice on an arbitration under the AAA Rules in the USA for a mechanical engineering international group.
- Arbitrator on a multi million pound construction dispute on a commercial development in London.
- Party representative in an appeal against an arbitrator's award in the TCC.
- Commercial advice on a Chinese mechanical engineering dispute.
- Arbitrator on a refurbishment project publishing a Provisional Order under S39 of the Arbitration Act 1996.
- Arbitrator on a dispute involving the Final Award on the Costs of the Arbitration.
- Adjudicator on an extension of time claim involving statutory undertakers and nominated sub contractors.
- Adjudicator on a final account dispute on a window/door sub contract on an office

- refurbishment contract.
- Adjudicator on a final account dispute involving extension of time issues on a window sub contract.
- Advice on liquidated and performance damages liability to an international mechanical engineering group.
- Commercial/contractual advice to an electrical contractor on a dispute on commercial property development.
- Adjudicator on a £1.3m extension of time and loss and expenses claim on a commercial building project.
- Pre litigation advice to a building contractor on extension of time and loss and expense.
- Expert determination on a demolition contract.
- Expert determination on a residential property.
- Commercial contractual advice to an international mechanical engineering group on a dispute in London's docklands.
- Adjudicator in a dispute between a Contractor and an Employer in the Isle of Man on a multi storey car park development.
- Court appointed mediator by the Manchester Law Society on a dispute concerning a house extension.
- Adjudicator in two separate disputes between a system building company and an electrical contractor.
- Party representative in a successful appeal to the TCC against an arbitrator's award on the grounds of serious irregularity.
- Adjudicator on a dispute between a building contractor and a City Council on a children's home contract.
- Preparation of final account on a multi million pound specialist electrical system sub contract at Canary Wharf.
- Adjudicator on a dispute between a building contractor and a developer relating to the construction of a high quality housing development.
- Party appointed expert on a dispute arising out of the foot and mouth crisis
- Party appointed expert on a residential development project dispute involving the audit of development appraisal costs
- Expert advice on an audit process on a railway related procurement contract
- Expert advice on a dispute on a leading London department store
- Expert advice on a power station dispute in China
- Adjudicator on a football stadium dispute
- Arbitrator on a country house dispute between employer and contractor.
- Arbitration on a residential development project.
- Adjudicator in a football stadium dispute.
- Co-lead Mediator in a construction dispute.
- Expert advice and representation in an investment mis-selling case.
- Adjudicator in three concurrent mechanical engineering disputes.
- Adjudication in a road bridge dispute between a local authority and a civil engineering company.
- Co-lead Mediator in a construction dispute.
- Adjudication between a scaffolding sub contractor and a main contractor on a large apartment project.
- Adjudication between a mechanical services sub contractor and an electrical sub sub contractor on a commercial development.
- Contract advice on an aviation leasing agreement for a helicopter.
- Advice to a residential client on a dispute with their building contractor Minor Works

Form of Contract.

- Adjudication between a roofing sub contractor and a main contractor on a multi screen cinema and leisure facility.
- Adjudication between a cladding sub contractor and a main contractor on a conference facility.
- Arbitration between a building contractor and a residential occupier on a large house building project.
- Arbitration on a professional negligence issue between a housing association and a building surveying firm.
- Adjudication between a civil engineering sub contractor and a main contractor on a premier league football stadium.
- Adjudication on a £6m flats development between a contractor and employer.
- Commercial/contract advice to a University in respect of a building dispute with a main contractor on a new university building project.
- Commercial/contract advice to an engineering company on a multi million pound contract for a railway company.
- Adjudication between a sub contractor and main contractor on a Local Authority refurbishment project.
- Adjudication between a brickwork sub contractor and a main contractor on a government facility.
- Adjudication between a structural steelwork sub contractor and a main contractor on a nuclear power station.
- Commercial advice to a pump manufacturer and installer on a project in Finland.
- Adjudication between a specialist water feature company and an engineering company at the Trafford Centre in Manchester.
- 2nd adjudication between a mechanical engineering sub contractor and a building contractor on a facility for the Army.
- 2nd arbitration in a dispute between a building contractor and a housing association.
- Arbitrator in a dispute between a building contractor and a housing association.
- Adjudicator in a dispute between an electrical and mechanical sub contractor and a main contractor on a new facility for the Army.
- Arbitrator in a dispute between a demolition contractor and the Secretary of State for the Environment.
- Commercial advice to a processing plant designer.
- Commercial advice to a structural steelwork client on a flue gas desulphurisation project.
- Commercial advice to an international pump manufacturer on 14 power stations in North America.
- Adjudication between a specialist cladding company and a main contractor.
- Expert determination between a government organisation and a developer regarding the cost of abnormal works on a new industrial site.
- Expert determination between development company and a housing association in respect of demolition works.
- Arbitration between a cladding sub contractor and a main contractor on a new sports centre project.
- Adjudicator in a dispute between a building services company and a specialist partition company for a hotel project.
- Adjudication support to a building contractor in an adjudication with a specialist cladding sub contractor.
- Arbitrator on a dispute between a building contractor and a developer on student residence accommodation in Liverpool.

- Commercial advice and arbitration representation for a major construction company on a new hospital project.
- Adjudication between an engineering company and a chemical company on a new lab.
- Adjudication between an electrical contractor and a large plc on a processing plant.
- Commercial advice to a structural steel fabrication company on a Petrochemical project.
- Expert Witness in litigation on Arbitrator's fees and expenses.
- Adjudication between a painting and decorating company and a main contractor at the Treasury in London.
- Arbitration between a building contractor and a manufacturer on a new cinema complex in Lancashire.
- Adjudication between a civil engineering contractor and a gas utility supplier on a pipeline upgrade contract.
- Adjudication between a building contractor and a developer on a major project in Manchester.
- 2nd adjudication between a main contractor and a structural steelwork sub contractor on a health club in Yorkshire.
- Adjudication between a main contractor and a structural steelwork sub contractor on a health club in Yorkshire.
- Arbitration between a sub contractor and a main contractor on a museum in Manchester.
- Expert Witness in the case of Motherwell Bridge Construction –v- Micafil in the Technology and Construction Court
- Arbitration between a sub contractor and a main contractor at the MAFF headquarters in Yorkshire.
- Adjudication between a building contractor and a developer on a new housing development.
- Adjudication between a building contractor and a local authority on a performing arts centre.
- Adjudication between an industrial services company and a power supply company on a fibre optics telecommunications dispute.
- Arbitration between a sub contractor and a main contractor on a building society headquarters in Yorkshire.
- Commercial advice to a client on contractors claims on a large apartment refurbishment project in Manchester.
- Adjudication between a building services company and a specialist partitioning sub contractor on a hotel refurbishment project.
- Adjudication between a specialist sub contractor and a utilities services group in construction works at the University of Leeds.
- Adjudication between a vibroflotation company and a developer.
- Adjudication between a building contractor and an engineering design company in the construction of a high school.
- Adjudication between a demolition company and a main contractor on a major commercial project in London.
- Adjudication between a civil engineering company and a property developer.
- Adjudication between a structural engineering contractor and an engineering services group.
- Commercial advice to a client in the construction of a new cement works.
- Arbitration between a water authority and a major civil engineering contractor.
- Arbitration between a main contractor and a client on the construction of a multiplex cinema complex.

- 2nd adjudication between a sub contractor and a main contractor on a pharmaceutical outlet contract.
- Commercial advice to a mechanical engineering contractor on back charges levied on a power station project.
- Arbitration between a civil engineering sub contractor and main contractor.
- Adjudication between a main contractor and a sub contractor on shop fitting alterations for a national pharmaceutical outlet.
- Adjudication between a specialist aluminium cladding contractor and a building contractor on a cancer research centre.
- Adjudication between a construction company and a registered charity.
- Adjudication between a building services engineering company and a building contractor on a shop fitting works in Manchester.
- Commercial recruitment work for a mechanical engineering client.
- Arbitration between a ceiling contractor and a main contractor on a housing refurbishment project.
- Arbitration between an industrial services company and a building contractor.
- Arbitration between a fire detection company and a building services company on a tissue manufacturing plant.
- Arbitration between a contractor and a property investment company on an office development in Manchester.
- Statutory arbitration between a householder and a water utilities company.
- Adjudication between a structural steelwork contractor and a main contractor.
- Arbitration between an employer and an engineering design company on professional negligence.
- Adjudication between a sub contractor and a main contractor on a hotel refurbishment project.
- Adjudication between a main contractor and a developer on a commercial property.
- Arbitration between a sub contractor and a main contractor.
- Arbitration between a plastering sub contractor and a main contractor.
- Arbitration between an architectural fabrications company and a building contractor.
- Adjudication between an asphalt company and a building contractor.
- 2 separate adjudications between a ceiling contractor and a building contractor on office developments in Lancashire.
- Adjudication between an electrical sub contractor and a main contractor.
- Arbitration between a building contractor and an employer on an office refurbishment project.
- Arbitration between a building contractor and a housing developer.
- Arbitration between an electrical contractor and a housing association.
- Adjudication between a sub contractor and a main contractor.
- Commercial advice to a mechanical engineering contractor on a Nitric Acid plant.
- Arbitration between a building contractor and a local authority in the construction of a multi storey car park.
- Arbitration between a building contractor and an employer on a new car showroom facility.
- Arbitration between a client and a building contractor on a housing project.
- Arbitration between a sub contractor and a main contractor on work at Manchester University.
- Arbitration between a civil engineering contractor and a local authority on a major civil engineering scheme.
- Adjudication between a civil engineering sub contractor and main contractor on a large housing project.

- Adjudication between a conservatory company and a building contractor – September 1998.
- Arbitrator on a large dispute between a contractor and a main contractor on a water treatment plant in Scotland.
- Arbitrator on a large earth moving and waste disposal contract on the MAFF headquarters in Yorkshire.
- Arbitration between a specialist glazing contractor and a client.
- Commercial advice on a power station in Seraya.
- Arbitrator on 2 separate arbitrations for student accommodation in Liverpool between a building contractor and a developer.
- Arbitration between a client and a building contractor on a new commercial building in Lancashire.
- Arbitration between a structural steelwork contractor and a main contractor on a large commercial building in Manchester.
- Arbitration between a building contractor and a sub contractor on a housing scheme.
- Arbitration between a client and a building contractor on a nursing home.
- Consultation, support and guidance to a mechanical engineering contractor on a major police facilities building.
- Arbitrator in a dispute between a building contractor and a health care organisation.
- Commercial advice to a manufacturer/installer on an installation contract.
- Commercial advice to a mechanical engineering contractor on an extension of time claim on an overseas power station.
- Commercial advice to a civil engineering contractor on a power station.
- Arbitration between a sub contractor and a main contractor on a housing scheme in Halifax.
- Arbitrator on a dispute between a building contractor and a housing association on a housing scheme in Lancashire.
- Preparation and presentation of a commercial awareness training programme for the staff of a systems manufacturer/installer.
- Dispute advice to a mechanical engineering contractor on a civil engineering contract.
- Arbitrator on a dispute between a specialist sub contractor and an international main contractor.
- Party Representative for a mechanical and electrical contractor on a dispute on a major road scheme in the Midlands.
- Party representative for a structural steelwork contractor on a dispute on a Petrochemical plant.
- Arbitrator on a new executive restaurant between consulting engineers and a football club.
- Party representative for a systems manufacturer/installer in a dispute with a sub contractor.
- Party representative to an employer on an arbitration with a building contractor on a large house construction.
- Arbitrator on a dispute between a client and a main contractor on a new car showroom facility.
- Claim preparation for a contractor on a new hospital in Lancashire.
- Commercial advice to the tendering department of a mechanical engineering contractor.
- Arbitrator in a dispute regarding demolition on a large individual site in Manchester.
- Preparation of Statement of Case for a mechanical engineering contractor.
- Commercial advice to a civil engineering contractor on a new cement works in the Midlands.

- Arbitrator in a dispute between a building contractor and a County Council in North Wales in respect of a major development for a festival site.
- Recruitment consultancy work to procure commercial and contract managers.
- Arbitrator between building contractor and factory owner on the construction of a new steel framed traditional brick factory unit.
- Commercial advice to systems manufacturer on a contract with Glaxo-Wellcome.
- Commercial advice to mechanical engineering contractor on petrochemical contract in the Far East.
- Commercial advice and assistance to mechanical engineering contractor in respect of recovery of liquidated damages and back charges.
- Represented an international mechanical engineering group on a dispute on a new hospital in the north of England.
- Presentation of a paper to a mechanical engineering contractor conference titled “Selling the Contract Short – Commercial Risk and Outcome”.
- Commercial advice to electrical contractor on shop fitting contracts for the Lunn Poly travel group.
- Expert witness assignment between a building contractor and the owner of a large industrial unit in the south of England.
- Commercial advice to civil engineering contractor on Devonport Royal Dock Yard.
- Commercial and contractual advice to civil engineering contractor on a manufacturing plant for Weetabix.
- Detailed company review of a major international pumping company and provision of report for streamlining the company’s various systems.
- Commercial advice to mechanical engineering contractor regarding the imposition of liquidated damages.
- Contract advice in respect of guarantee liabilities on Middle East mechanical engineering contract.
- Overseeing project management work for passenger transport facility in the north of England.
- Arbitrator on a building contract dispute for the extension of a hospice.
- Contract advice to mechanical engineering contractor regarding computer disaster recovery agreement.
- Claims advice to structural steelwork contractor on a large Power Station project in Qatar.
- Commercial advice to civil engineering contractor on UK Power Station.
- Commercial advice to civil engineering contractor on a cooling tower project in Finland.
- Contract interpretation advice on chemical plant for systems manufacturer.
- Commercial advice to systems manufacturer and installer in dispute with sub supplier.
- Commercial audit of mechanical engineering contractor’s live projects to establish upside/downside analysis in terms of commercial outcome.
- Arbitrator on a dispute between the building contractor and an employer on the conversion/refurbishment of building to individual flats.
- Commercial advice to mechanical engineering contractor on Petrochemicals plant in Egypt.
- Commercial advice to electrical contractor on hotel refurbishment contract.
- Contract Awareness Training Programme for systems manufacturer and installer.
- Commercial advice to systems manufacturer/installer on PTA and Aromatics plant in Saudi Arabia.
- Commercial advice to mechanical engineering contractor on the Pulau Seraya Power Station.

- Commercial advice to electrical sub contractor on large scale shop fitting contracts.
- Commercial advice to shop fitting contractor.
- Commercial advice to a sub contractor at Teeside Power Station.
- Project management of new Golf Clubhouse.
- Pre-contract estimate and tender submission at Killingholme Power Station.
- Commercial advice to a civil engineering contractor on UK Power Station work.

Career Employment Positions

Architectural Assistant	Supervising Officer
Quantity Surveyor	Contractor's Estimator/Planner
Project Quantity Surveyor	Land Surveyor
Contracts Manager	Senior Quantity Surveyor
Chief Quantity Surveyor	Commercial Director
Consultant	Assistant Managing Director

Educational Achievements

Completed the BVC at BPP Leeds in June 2008. Awarded a *Very Competent* grade at 77% with five subjects at *Outstanding* level including Advocacy (cross examination), Opinion Writing, Conference, Professional Ethics and Company Law.

Completed the final examinations in May 2006 for an LLB (Hons) degree at the University of Northumbria and awarded a 2:1 degree (66%)

Awarded the Ede & Ravenscroft prize for the highest marks in the 2nd year of the LLB (Hons) course at the University of Northumbria.

Qualified as a commercial pilot with an instrument rating following passing the Airline Transport Pilot's Licence (ATPL) examinations

Fellowship examinations, Supervised Training and Pupillage for the Chartered Institute of Arbitrators.

Professional examinations of the Royal Institution of Chartered Surveyors

Awarded the W H Law Memorial Prize for two consecutive years as the most meritorious Quantity Surveyor.

Higher National Certificate in Building.

Awarded Distinctions in the final examinations.

Awarded the Grenfell Baines Prize.

Diploma in Architectural Appreciation and Design.

Ordinary National Certificate in Building.

Computer Experience

Experienced user of DOS and Windows Computer Operating Systems

Proficient in the use of the following software packages and others.

MS (Excel, Word, Access, Powerpoint, Project),
Word Perfect, Autocad, Pertmaster, Suretrack and various other Project Planning packages.

High level of expertise in computer system design in Windows/Windows NT/
Windows Server 2003 and Exchange server 2003 in a network configuration.
High level of expertise in computer hardware configuration.

Correspondence Address

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² Pye Consulting Group is a trading name of Derek Pye Limited – Company No. 6755074