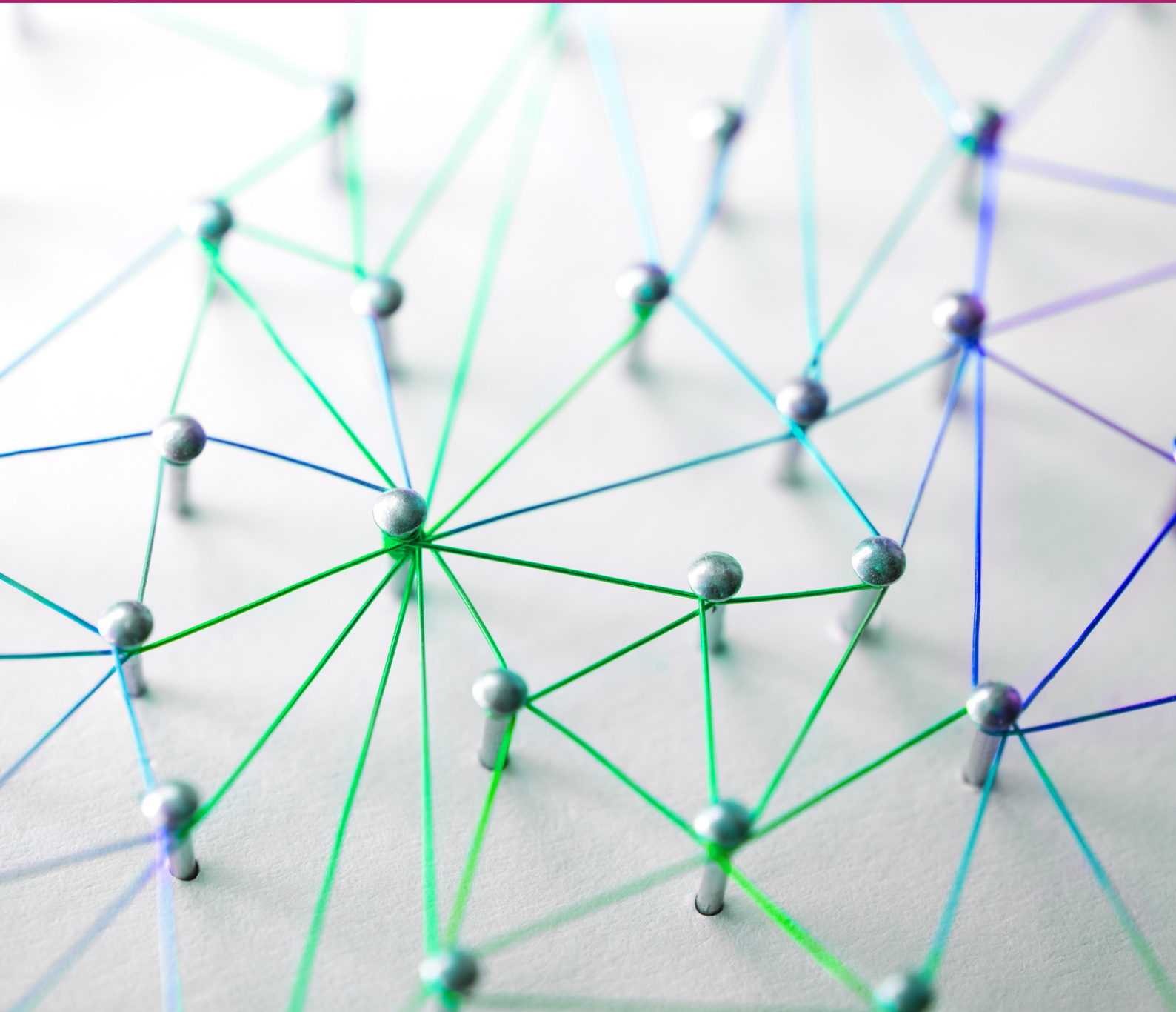


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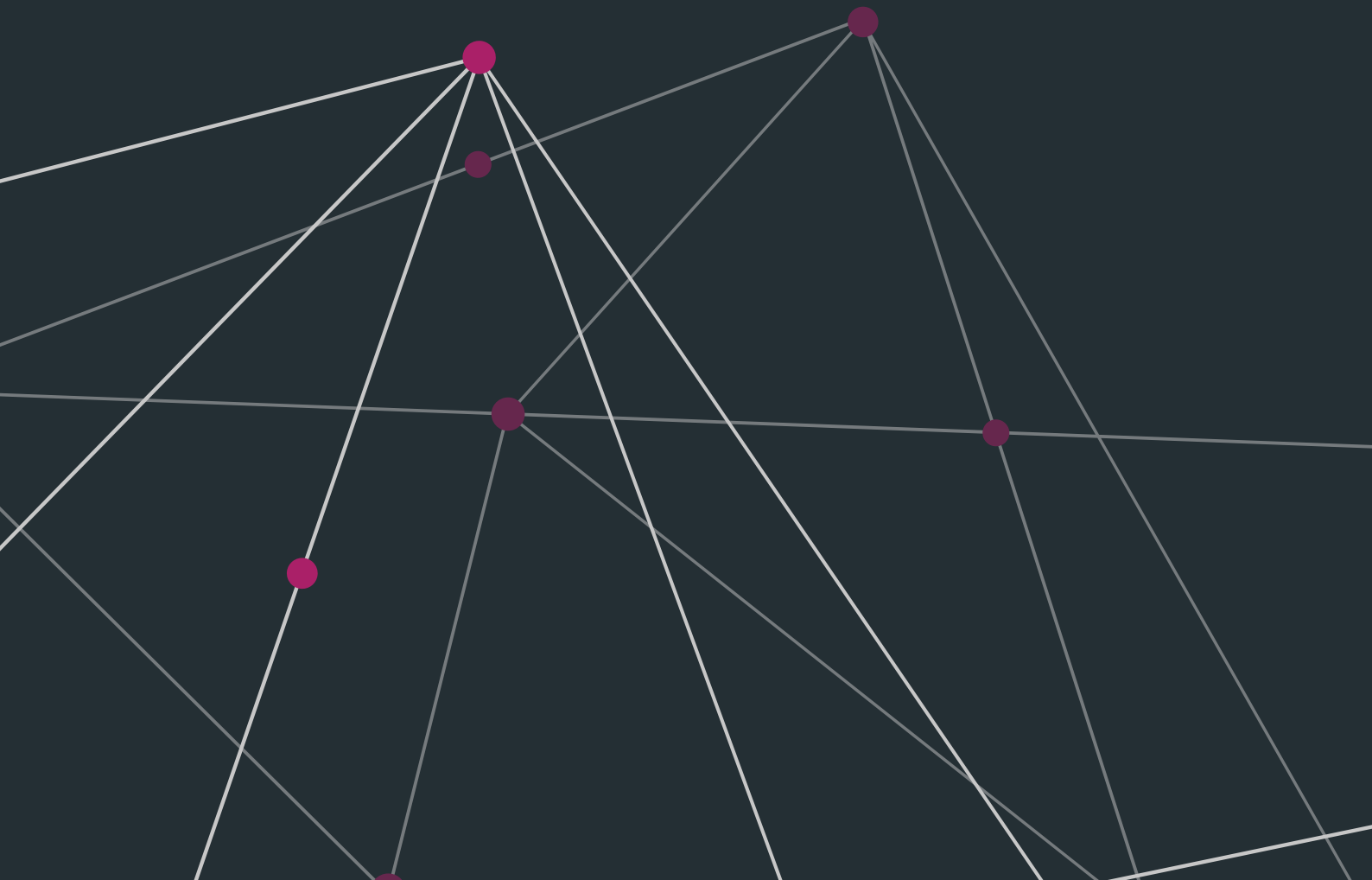
Public Sector Legal Services

Lot 1a - Full Service Provision
Lot 2a - General Service Provision



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Introduction

Trowers is an international law firm with over 170 partners and more than 1100 people located across the UK, Middle East and Asia.

During our long history, we have held fast to the values and characteristics – such as service, quality, integrity and innovation – that have made us not only a leading law firm, but an inclusive and exciting place to work and establish a career. Some 240 years on, these attributes remain solidly embedded in our culture and our ways of working.

We are well known for being experts in the public sector and getting to the crux of the issues our clients face. This gives us the best foundations to extend our thinking beyond the day to day delivery of transactional and advisory legal services and provide our clients with fresh thinking and commercially-driven solutions.

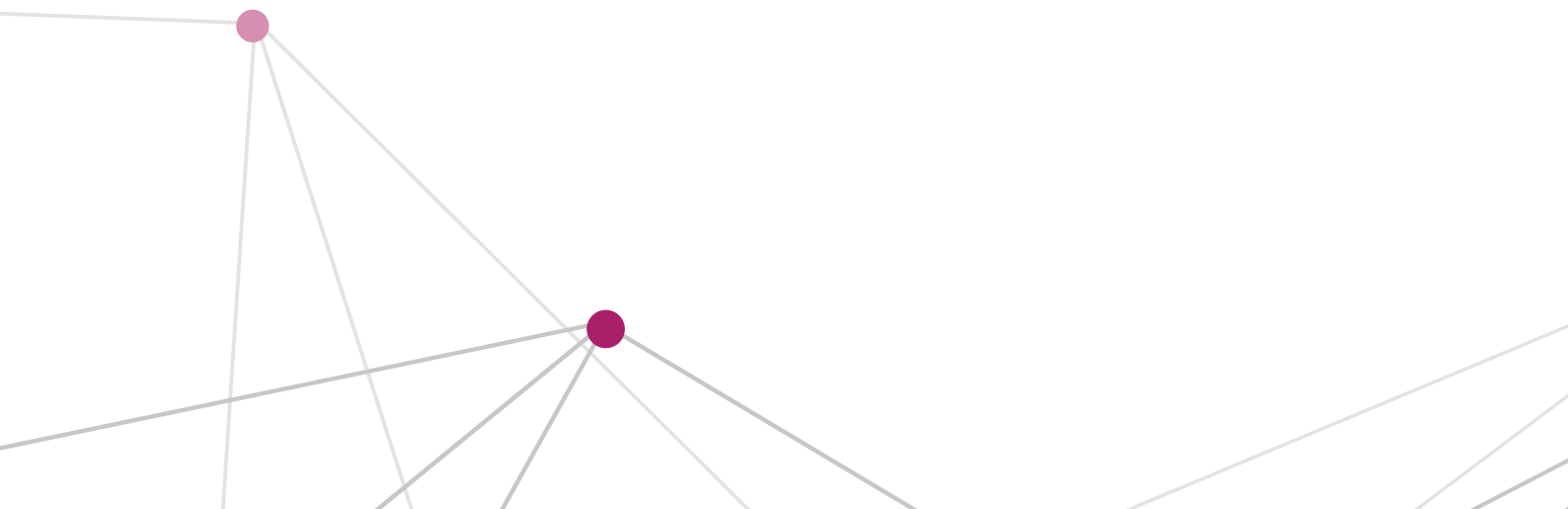
As a leading local government firm, we are able to attract and retain extremely capable lawyers who thrive because local government work is so core to our business. Because of this firm wide support for our public sector practice we have one of the largest and longest established teams in the UK focussing on local government work. This has been a key ingredient in us having been recognised as the number one firm in the sector for nearly two decades.

We are proud of our specific association with the local government sector. The work it does to support communities and invest in their future, and the future prospects and prosperity of all individuals who make up those communities is the work we love doing. Our local government practice can trace itself back over decades and we are the market leaders in this field, helping to shape policy and approaches to services delivery. Our aim is to deliver on time, all the time, to a very high standard.

We always strive to live up to our motto: “Reliably excellent”

Our extensive experience working with different parts of the public, private and third sectors means we can promote the connections and deliver workable solutions to promote collaboration between local and central government, NHS Trusts, Registered Providers, businesses, charities and philanthropic individuals, as well as with banks, pension funds, institutional investors and private equity funds.

Our multi-disciplinary specialists have hands-on experience of public sector services. Many team members have held senior in-house legal roles in the public sector. This means our clients benefit from direct insight to internal stakeholders, decision-making processes and political sensitivities in order to deliver their desired objectives.



Lot 1a Team structure



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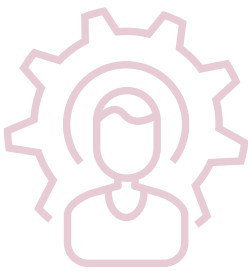
Specialism	Key Contact
Administrative and Public Law	Lucy James
Non-Complex Finance and Investment	Neil Waller
Contracts	Amardeep Gill
Competition Law	Louis Sebastian
Corporate Law	Amardeep Gill
Data Protection and Information Law	Louis Sebastian
Employment	Emma Burrows
Information Technology	Amardeep Gill
Infrastructure	Paul McDermott
Intellectual Property	Caroline Hayward
Litigation and Dispute Resolution	Lucy James
Partnerships	Paul McDermott
Pensions	Martin McFall
Public Procurement	Rebecca Rees
Property, Real Estate and Construction	Scott Dorling
Energy, Natural Resources and Climate Change	Chris Paul



*Our wider public sector team
draws upon experience of over
55 Partners and more than
180 other lawyers across
our business.*

Social value

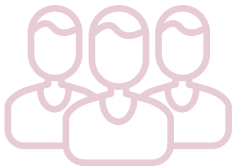
Our responsible business strategy covers the actions we are taking over the next five years. It is focused on five key areas (how we do business, people, community, environment and governance and accountability) to ensure that we operate sustainably and in line with the ESG agenda. Our strategy, An Agenda for Change, is published on our website. We summarise below what this means, and what you can expect from us as a responsible supplier:



How we do business:

High performance and responsibility – how we strike the balance: Increasingly clients, colleagues, the talented people we want to recruit and other important stakeholders demand to know how our responsible business strategy will work within a culture of high performance.

- A strong internal culture underpinned by our core values.
- Striking a balance between creating a high-performance culture and operating responsibly.
- Committed to high ethical standards.



People:

Taking diversity and inclusion to a new level: We're really proud to have a culture that is widely seen as diverse and highly inclusive. But our brand new strategy, built on more robust data and backed by clear targets, is recognition that we can do so much more.

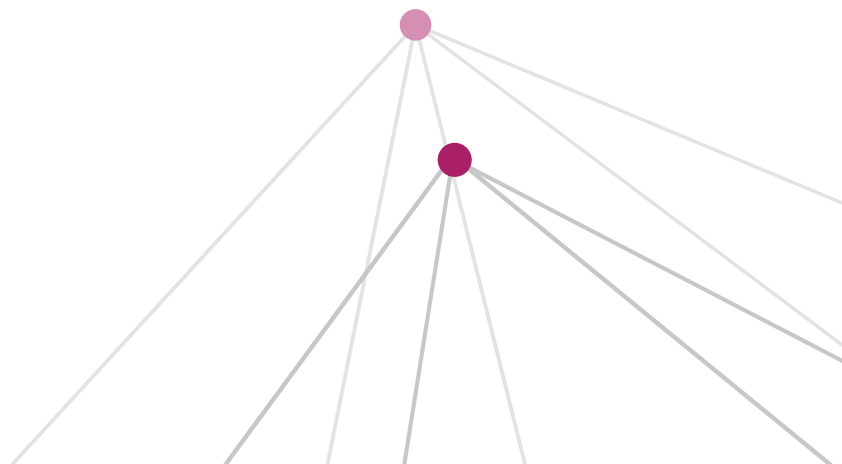
- We have always been an inclusive organisation.
- New diversity and inclusion strategy backed by clear targets.
- Well-being programmes focussed on physical, mental, financial and social health.
- Emphasis on learning and development, encouraging all colleagues to gain new skills and qualifications throughout their careers.



Community:

Bringing real value to local communities: Our well-established Corporate Social Responsibility programme plays an important role in our efforts to create social value in the sectors we serve, the communities we work in and in society at large.

- Committed to creating social value in the communities where we live and work.
- Focussed on three priority areas: communities close to our offices; children and young people; and fairness and access to justice.





Environment:

2030 – plotting the path to net zero: As an international law firm, with offices across the UK, the Middle East and Asia, achieving net zero will be tough. Our new Sustainability Strategy provides a realistic trajectory to meet this challenge.

- On the journey to net zero with 2030 target.
- Committed to delivering our legal services in the most sustainable way that we can.
- Working with our supply chain to understand and manage the impact of our operations.



Governance and accountability:

Demonstrating a real commitment to responsibility: Providing tangible proof that we are living and breathing our commitment to being a responsible business means creating a robust governance system that holds us properly to account for the commitments we make.

- Governance systems to hold us accountable for the commitments we make and targets we set.
- Transparent reporting on our progress.
- Risk management and compliance.



Lot 1a Mandatory specialisms

Administrative and Public Law

Councils make decisions that have profound implications for the way they deliver services (with often reducing resources) and on the lives of local people. It is important therefore that decisions made are high-quality, evidence based and are made in a transparent and accountable way. This will help to give local people, businesses and partner organisations the confidence that good governance is embedded within the Council.

With our specialist public sector governance team, comprising a number of people who have held senior roles, including Monitoring Officer and Deputy Monitoring Officer, within Councils, we can offer high-level, in-depth and lived expertise on key areas of governance and decision making. We can provide a quick sense check, sounding board or second pair of eyes for stretched Monitoring Officers grappling with, often urgent and serious, governance and decision-making issues.

Case study:

Advised a District Council on its commercialisation agenda including establishing its group of teckal and non-teckal companies, delivering a range of services and commercial outcomes for the Council. We worked with the Council to establish the corporate governance framework to underpin the Council involvement, oversight and scrutiny of the group and have continued to provide specialist governance support and advice.

Non-Complex Finance and Investment

Local and combined authorities over the last 12 years have been devolved more strategic responsibilities. The Government's white paper on levelling up places these authorities on the front line of delivering change in their local areas. Local government has been subject to an unprecedented financial squeeze that has been exacerbated by the economic fallout from the pandemic. Local Government has responded with inventiveness, efficiencies, and new ways of serving citizens. They are more pro-active in raising finance, investing in, and lending to others to discharge key responsibilities and to promote local economies.

Members of our Public Funding and Subsidy Control teams have held senior roles, including monitoring officers, within councils. We offer strategic advice in respect of structuring funding arrangements to be within an authority's powers and comply with the legal aspects of the statutory guidance. Furthermore our Subsidy Control team ensure that investments and interventions designed to promote local economic growth and opportunities are structured to be compliant.

Case study:

Gravesham Borough Council and Rosherville Property Development Limited: We advised the Council on the formation of and investment into Rosherville as a development council owned company. Its task was to take forward phase 2 of the regeneration of historic Gravesend. This entailed providing a market-based loan agreement (and related security) to enable the Council to lend Rosherville £80 million development finance. We supported these clients negotiate a development funding agreement with a developer to construct over 120 homes. Our advice included ensuring the Council complied with its powers and considered its fiduciary duties.



Contracts

We specialise in public sector contracts. Advice ranges from advising on EU procurement regulations and procedures to drafting and negotiating contracts for services and goods across a full range of areas. We have also advised on concession contracts, joint venture agreements, shareholder agreements, contractual restructurings as well as major multi-service outsourcing ventures. We have considerable experience in advising on EU procurement, including the application of the regulations and exemptions, drafting procurement and evaluation documents and ensuring the procedure is focused and commercially relevant. We excel at making this complex area of law easy to navigate specialise in advising on complex procurements.

We lead on a diverse range of complex national and international commercial contracts (both standard and bespoke) covering infrastructure, outsourcing, ICT and telecoms systems, fashion and retail, regeneration and construction projects. Our multi-disciplinary teams include lawyers with diverse commercial experience and specialisms, providing pro-active commercial legal advice grounded in a clear understanding of our clients' business objectives.

Case study:

We were selected to advise Birmingham City Council in its capacity as Host City for the Commonwealth Games, replacing an existing provider. The multi-billion pound project involved a team of over 20 lawyers advising on commercial, vires/regulatory, sport, GDPR, IP, employment, construction, IR35 and corporate matters. We also seconded a core group of lawyers to the council – inputting on strategic, governance and legacy matters. Our involvement extends beyond just legal advice to broader support with government, local stakeholders and community groups. Activities included: Negotiating Venue Use Agreements for key assets to be used for the CWGs; Advising on data, IP and cyber issues relevant to the project given the high risk of cyber-attacks during the Games itself; and advising on a number of legacy contracts that will need to be varied to allow for capital investment to take place.

Competition Law

Our competition and subsidy control lawyers have experience of working with government and public sector entities and organisations, as well as private companies. Our work includes leading on actual transactions and as a consequence, our approach is to focus on delivering our clients' commercial and policy outcomes in a framework which is competition law/subsidy control compliant. We know the rules and regulations that govern this area and our lawyers provide clear and practical guidance on how to apply them - the language and terminology of competition and subsidy control law can be overly technical so our approach is to focus on what you can do rather than listing what you can't. We work with you to identify and manage risks and structure projects to comply with the rules. We advise on structuring national and regional funding programmes; structuring public private commercial and joint venture arrangements; making sure public investments and lending are compliant; and ensuring public sector businesses are competition law compliant.

Case study:

Yes Recycling Limited - We acted for Yes recycling Limited, specialist recycling business on a new project to deliver a recycling facility in Glenrothes, Fife, in Scotland which will recycle waste plastics and manufacture a recyclable plastic board using the clients' proprietary technology. This project was led by our specialist corporate project team with projects and banking support as Morrisons supermarkets acquired an interest in the client as part of the PPP arrangement.

Our subsidy control specialist team advised on EU law, state aid and subsidy control throughout the transaction especially dealing with public funders Zero Waste Scotland, Scottish Enterprise and Fife Council. We provided ongoing support to enable the public funders to have confidence that public objectives were being achieved whilst ensuring that this was balanced with the client's growth ambitions of future private financing from a major supermarket.

Corporate Law

Our expertise includes Public sector vires; Reviewing and amending constitutions; Governance arrangements – public sector, wholly owned companies and joint ventures; Staffing issues and investigations.

Case study:

Cotswold District Council, West Oxfordshire District Council, Forest of Dean District Council and Cheltenham Borough Council We advised on all legal aspects of the innovative 2020 Partnership commercial shared service arrangement involving the four councils and their newly formed and jointly owned company, Publica Group (Support) Ltd which was successfully implemented on 1 November 2017. The Councils anticipate the arrangement will deliver up to £41 million savings over the next ten years. Working closely with the Councils, we advised the Councils on scoping options for developing a jointly owned delivery partner which included drafting the company's constitution, member agreements, services contracts and related procurement, contractual, state aid, vires and employment issues. As the company will be responsible for delivering nearly all services for three of the Councils, careful consideration was given to the relevant statutory powers and the governance arrangements to be put in place. Each Council is entering into bespoke contractual arrangements with the company in order to deliver excellent services to local residents across the region. The project is unique in its scale of operation, the range of services which will be provided by Publica and the number of participating local authorities. The result was an innovative and forward thinking approach to address some of the financial and operational challenges that Councils face today. This involved working collaboratively to streamline costs, combine expertise from across the four councils and benefit the communities they serve.

Data Protection and Information Law

We advise on the creation of appropriate policies protocols and procedures to ensure public sector organisations do not fall foul of the law in managing data. Our team regularly advise clients on the application and interpretation of DPA, GDPR, FOIA and EIR, the drafting of relevant contractual clauses and documents, and the sharing of information in the context of outsourcing and joint ventures; We provide practical advice and assistance in responding to complex data subject access, FOIA and EIR requests, including the scope of searches to be undertaken, the application of exemptions, and in respect of any commercial implications of disclosure; We have regular experience of dealing with issues arising in response to complaints referred to the Information Commissioner, the management of significant data breaches, handling of detailed investigations, and the mitigation of legal, reputational and commercial risks.

Case study:

We acted for a G15 housing provider client following a cyber attack suffered by one of its contractors who was processing personal data relating to some of our client's tenants. We worked closely with our client, DPO and its technology team to investigate the causes of the data breach and the address the need for communications to the ICAO and those of our client's tenants who might have been affected by the breach. We worked to rebut the speculative and non particularised claims that were received from law firms representing data subjects seeking compensation. This was a particularly delicate and material matter that highlighted the range of complementary skills that we have to offer in relation to data protection matters, in this case communications strategy, operational assessment and investigation into the data breach with follow up work to make appropriate changes to the proposed contractual arrangements between our client and its contractor with regard to the future supply of service from that contractor.



Employment

Our employment lawyers have wide ranging experience which includes advising employers on a range of complex issues such as immigration and recruitment, working time issues, changing terms and conditions, collective consultation and industrial relations issues, discrimination and bullying claims including managing investigations, whistleblowing and tribunal litigation including equal pay. We also have experience advising on disputes involving elected members and officers, including disciplinary investigations and severance arrangements for senior individuals, such as the Monitoring Officer or s.151 Officer.

Case study:

Clarion is the largest provider of social housing in the country. We are their sole employment law providers. In the last year alone, we have acted for them on over 20 employment tribunal claims, a range of restructures and business transformations, TUPE transfers, whistleblowing and grievance investigations, disciplinary and capability matters, Trade Union relations as well as supporting the client with a restructure of the new People team and some senior level exit negotiations. We have also supported with matters arising out of the pandemic, such as working abroad, COVID security in the workplace, and the introduction of hybrid working. On the Employment Tribunals we have a good record of using robust tactics and have secured strike outs, low value settlements, withdrawals by Claimants, and costs orders in favour of Clarion. We have provided regular training and updates for the People team, including training on investigations, training on commercial HR issues including their Regulatory regime as a regulated provider of social housing, and a Mock Employment Tribunal.

Information Technology

Our lawyers are best placed to advise on ICT and intellectual property issues relating to major public service outsourcing projects. We are experienced in advising on procurement, contract and state aid issues in relation to public sector investment in digital transformation, ICT and broadband infrastructure, including joint ventures and new investment models. We are best known for delivering practical and pragmatic advice on ICT legal matters to help clients achieve successfully the commercial purpose for which they are procuring, developing or using relevant ICT systems. We are recognised for our depth of general commercial expertise on a broad range of operational agreements in addition to ICT related ones. Public sector clients also rely on our experience of advising private sector clients (users and suppliers) giving them practical insight into the most effective way to conduct negotiations with proposed private sector partners.

Case study:

West Midlands Combined Authority – Mobility as a Service (multi-million pound project – the development and operation of a mobile app aimed at improving the customer experience for planning, booking and paying for travel using sustainable modes of transport in the West Midlands, while allowing Transport for West Midlands (TfWM) and transport operators in the region to capture more information and insights about the way that people travel in the region. This project involved the provision of procurement and IT specialist advice as well as the drafting and negotiation of complex legal documents to reflect the commercial requirements of the client and its transport operator partners. The outcomes of the MaaS Project will also enhance, complement and assist with the evaluation of other future transport initiatives in the West Midlands such as e-scooters, Demand Responsive Transport (DRT).



Infrastructure

Our expertise and specialism in this sector falls within our traditional core sectors in housing, education, regeneration, health, and social care (UK social infrastructure projects) together with waste/environmental projects and within growing PPP sectors of technology, innovation, culture, and sports. We are increasingly called upon to support the wind down of UK PFI projects, including variations and disputes and we act for public sector commissioners on numerous projects and a smaller number of projects contractors such as Bouygues and Amey.

We act for national and regional public sponsors of UK projects such as Homes England, Secretary of State for Education, West Midlands Combined Authority, and the Greater London Authority. One of our 'distinctive' stand out strengths is working with English & Welsh national regional and local authorities to enable them to deliver social and local infrastructure PPPs in education, housing, care, waste, regeneration and health.

Case study:

Secretary of State for Education via his agents the Department for Education and LocatED

Free Schools, Priority School Building Programme, and schools' delivery programme. Advice on projects, commercial matters, property, planning, competition law, and general legal advice and assistance. We advised on approximately 100 school building projects per year. The programme was the Government's largest capital investment programme in the education sector. In total we advised on over 700 individual school projects during the programme. We also advised on complex project and construction disputes.

In particular this year we have advised LocatED, the Secretary of State's arm's length development subsidiary, on the Hanworth Road scheme in Hounslow. This involved the public / private partnership between the Secretary of State, the registered provider of social housing A2Dominion, and the contractor McLaren to deliver the mixed use development a school and homes.

Intellectual Property

Our IP practice is a specialist IP team advising on all aspects of IP law and is best known for 'soft' IP work in trade marks, passing off, designs and copyright, although recent years have seen an increase in patent-related work. Our expertise extends to wider media-related issues, including false and misleading advertising, comparative advertising, product 'defamation' type claims, domain name and ISP issues including the removal of material from on-line retailer websites, third party websites and social media sites.

We specialise in both contentious and non-contentious intellectual property law and we also undertake certain portfolio management services.

Case study:

Advising a leading welfare to work charity in respect of the ownership of IP rights arising from services provided by employees and third party consultants pursuant to a suite of employment and service contracts. Work included an audit of historic and existing contracts between the client and each employee and consultant, and preparation of deeds of assignment of present and future IP rights.

Acted for a government agency responsible for mapping and maps in relation to a full range of copyright issues, from licensing (service level agreements to value added resellers), infringement and use issues.



Litigation and Dispute Resolution

In the public sector, disputes quite often involve a range of stakeholders and public pressure groups, with political sensitivities adding complexity to the process. Delivering effective outcomes can make it very challenging for everyone involved.

Our team advises and represents key public sector and private bodies in all types of contractual and property disputes, asset recovery, professional negligence and judicial review - covering every method of resolving disputes including negotiation, mediation, arbitration and litigation.

A core area of our dispute resolution practice is assisting our clients with applications for Judicial Review. Many of our cases are reported and have involved significant infrastructure or planning matters, where the need to resolve the disputed issue expeditiously is paramount. Our understanding of public law enables us to advise clients in respect of their consultation and decision-making procedures, mitigating against the risks of a successful challenge and ensuring proper audit trails are created.

Partnerships

We have worked on a number of transformational projects across many industry sectors. Each one is inevitably driven by unique circumstances and by the public sector including objectives, but collectively offering insight into the range of diverse solutions being implemented from wholly owned companies, shared services, joint ventures and mutuals. Each project is unique and we add value by using our experience of delivering other similar projects, whether it is commissioning new services, outsourcing, managing or varying existing contracts, bringing services in-house or setting up local authority trading companies or joint ventures.

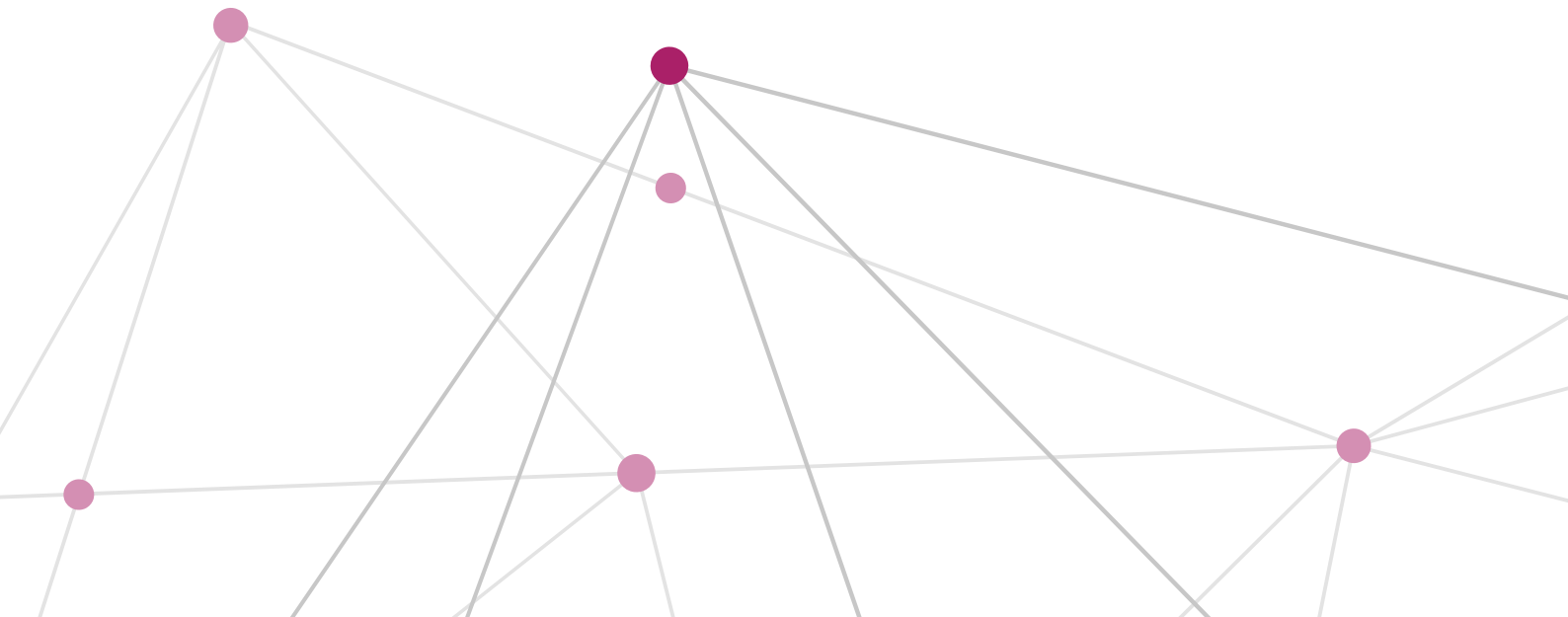
Supported by specialists in areas such as procurement law, funding, state aid, tax, employment and pensions, we enable all parties to work together more effectively – and know there is a pressing need to find new ways for the public and private sectors to work together. It is increasingly important to develop trust and dialogue where all parties recognise each other's goals and work together to deliver mutually beneficial, innovative solutions.

Case study:

Successfully acting for the Claimant Council in its statutory challenge to the adoption by Lewes DC and South Downs National Park Authority of a joint core strategy on the grounds of breach of the Habitats Regulations. *Wealden District Council v (1) Secretary of State for Communities and Local Government (2) Lewes District Council and (3) South Downs National Park Authority [2017] EWHC 351 (Admin).*

Case study:

Greater Manchester Housing Partnership: We provided legal support on the establishment of a joint venture between the Greater Manchester Combined Authority (GMCA) and 10 members of the Greater Manchester Housing Partnership. The aim of the joint venture was to unlock a number of sites owned by Homes England and various local authorities across the combined authority region. This was the first joint venture to involve a combined authority investing in a joint venture with 10 registered providers to deliver new homes (which will predominately be homes to be sold on the open market).



Pensions

We have a dedicated pensions team lauded for their expertise, and recognised for its Local Government Pension Scheme (LGPS) proficiency as we are appointed to the legal panel of the National LGPS Framework. Our team have worked with charities and RPs to manage LGPS liabilities and avoid crystallisation of termination liabilities. We have worked with the LPFA and other LGPS funds to put in place deferred debt agreements (DDA) where active membership has receded. We were pathfinders in this area. The team are also leading specialists in matters relating to the Social Housing Pension Scheme (SHPS) and stand-alone defined benefit schemes.

Case study:

London Borough of Hillingdon. Our pensions team acted as trusted adviser to the Council and the Hillingdon LGPS Fund on the contract for services with CCS. The team gave structured commercial strategic pensions advice and developed a bespoke risk-sharing mechanism for the Council to address CCS's participation in the LGPS. We prepared the necessary admission documentation and the pension guarantee document to facilitate the admission of CCS to the Hillingdon LGPS Fund.

There are individual circumstances to CCS's partnering arrangements and we worked with the Council and CCS to prepare documentation to send to the Secretary of State to allow CCS to participate in a number of contracts with the same cohort of staff (this arrangement is not possible without specific Secretary of State approval).

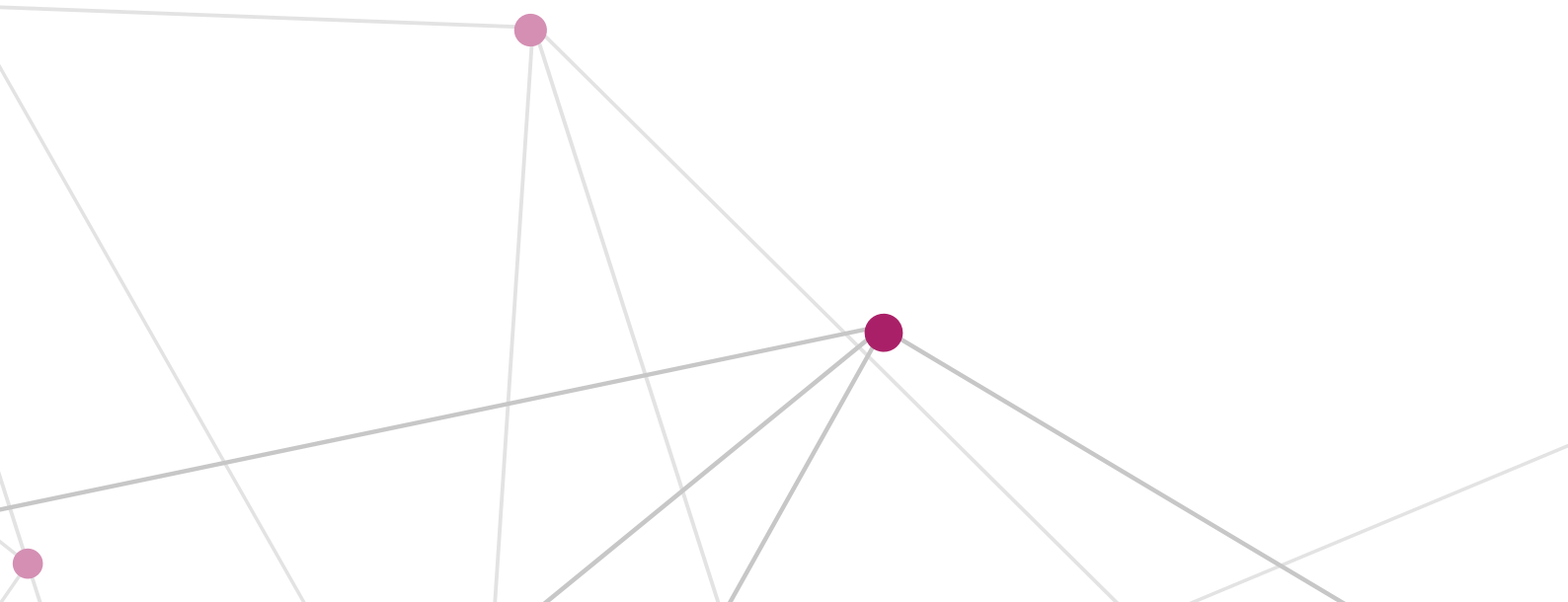
Public Procurement

We understand that procurement is key to the success of a project or a contract, and our cross-sector expertise enables us to help local government clients to unlock the potential that the public procurement regime offers to ensure good quality and safe outcomes whilst delivering value for money. The existing public procurement regime is undergoing major reform, with the Procurement Bill now going through Parliament. As a firm we have invested significant time in helping to shape the post-Brexit procurement reforms. Now we have the Bill we continue to provide additional support to the Cabinet Office reform team to refine the detail around a number of the proposals in the Bill.

We help clients through the changing procurement landscape, and we are also thought leaders in a number of sector specific. We have also been recognised by Dame Judith Hackitt and the Industry Safety Steering Group in their 3rd Annual Report for our work on building safety in seeking to improve procurement in the residential built environment sector in order to improve quality and safety, and for our work on alternative pricing models.

Case study:

London Borough of Hillingdon – General public procurement retainer: We are Hillingdon's trusted adviser on public procurement matters and provide advice on strategic, day-to-day and project-specific issues. We advise on all areas of the procurement rules and specialise in seeing the bigger picture: navigating procurement issues in the context of the Council's Best Value duty and other governance and vires requirements. We also provide strategic advice on how to structure procurement procedures to ensure lean and efficient routes to market.



Property, Real Estate and Construction

Local government is uniquely placed to shape the towns, cities and villages in which we all live and work. There has never been a better time to create or revive vibrant and successful places. So much of central and local government policy focus is on economic success through better use of assets. Bringing investment, repurposing sites, re-shaping social and economic centres and changing work types all depend on getting the built environment right. Councils must be able to take advantage of these real estate trends otherwise key funding streams will pass them by. In an ever-competitive real estate environment having access to the right advice to make the most of these opportunities is crucial.

Our specialist Public Sector Real Estate team is one of the few that can offer expertise in real estate and regeneration specifically geared to the needs and ambitions of local authorities. This gives us a unique understanding not just of real estate but also of the political context in which it must be delivered. Councils need dedicated support with, for example, complex strategic land, regeneration, infrastructure, housing, mixed use developments, construction and asset management.

Energy, Natural Resources and Climate Change

Broad in experience, we work across the energy sector in the UK and internationally. In the UK we advise some of the largest and most innovative developers, helping them to successfully provide district heating networks, ESCO concessions and utility connections. Further afield, we have deep expertise and a long track record in the Middle East, where our work is already taking an important shift to solar energy and energy efficiency.

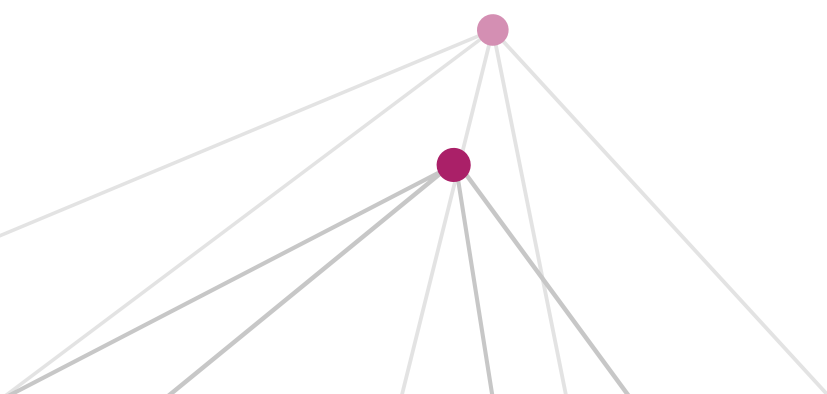
We advise on everything from nuclear projects and large-scale thermal power projects through to district heat networks, renewables, energy efficiency and utility connections. Practical and hands-on, we have an intrinsic understanding of all aspects of energy projects - from initial strategy and risks management, to procurement and tendering, management of funder requirements and the construction and operational phases. This, coupled with our extensive experience advising on the full range of enabling documents (including consortium arrangements, shareholder agreements, project agreements, concessions, financing documents and EPC and O&M contracts) gives our clients a clear commercial advantage.

Case study:

Meridian Water, Enfield Council: Meridian Water is a major £6bn, 25-year London regeneration programme led by Enfield Council, bringing 10,000 homes and 6,000 jobs to Enfield, north London, next door to the beautiful Lee Valley Regional Park. Alongside attractive new homes and fantastic new public spaces and community facilities, the development now has its own brand new railway station, unlocking the area for commuters, with better connections south to Stratford and London Liverpool Street and north to Stansted and Cambridge. With our support the Council is taking master developer control of Meridian Water and overseeing its delivery.

Case study:

We advised the London North West University NHS Trust on the terms of a financed Energy Performance Contract with Vital Energi for the design and installation of a new heat plant at Northwick Park Hospital. The Trust used the Carbon Energy Fund EPC framework to procure Vital Energi Solutions Limited as preferred bidder. We were instructed by the Trust to review the proposed form of Energy Performance Contract, advise on key risks and negotiate a mitigated position for the Trust. We also advised on issues of NHS governance in relation to third party funding and associated planning requirements. We subsequently advised on an Amendment and Restatement of the Project Agreement to expand the scope of works as a result of additional grant funding from the Public Sector Decarbonisation Scheme (PSDS).



Retained EU Law and EU Law

Including in the context of public procurement, competition, subsidy control, employment, energy and resource management, planning and regulatory matters, we advise on the application of all aspects of EU law.

Case study:

New Homes Quality Board (“NHQB”) - We are instructed to advise the NHQB on the procurement of the new “New Homes Ombudsman Service”. The New Homes Quality Board is not itself a contracting authority under the Public Contracts Regulations 2015 (the “Regulations”), but has opted to structure its procurement in compliance with the Regulations as it is working closely with Department for Levelling Up, Housing and Communities (“DLUHC”) as there is a possibility that DLUHC will want to adopt the New Homes Ombudsman Service as the statutory body responsible for ombudsman services under the Building Safety Bill when that has been enacted as primary legislation.

Given that the services to be procured are innovative and cannot be provided for by an “off the shelf” model, the NHQB has elected to procure the New Homes Ombudsman Service via the innovation partnership procedure. We have advised throughout the process on designing the procurement strategy and route to market, structuring the procurement to align with the innovation partnership procedure and to remain compliant with the Regulations.

Planning

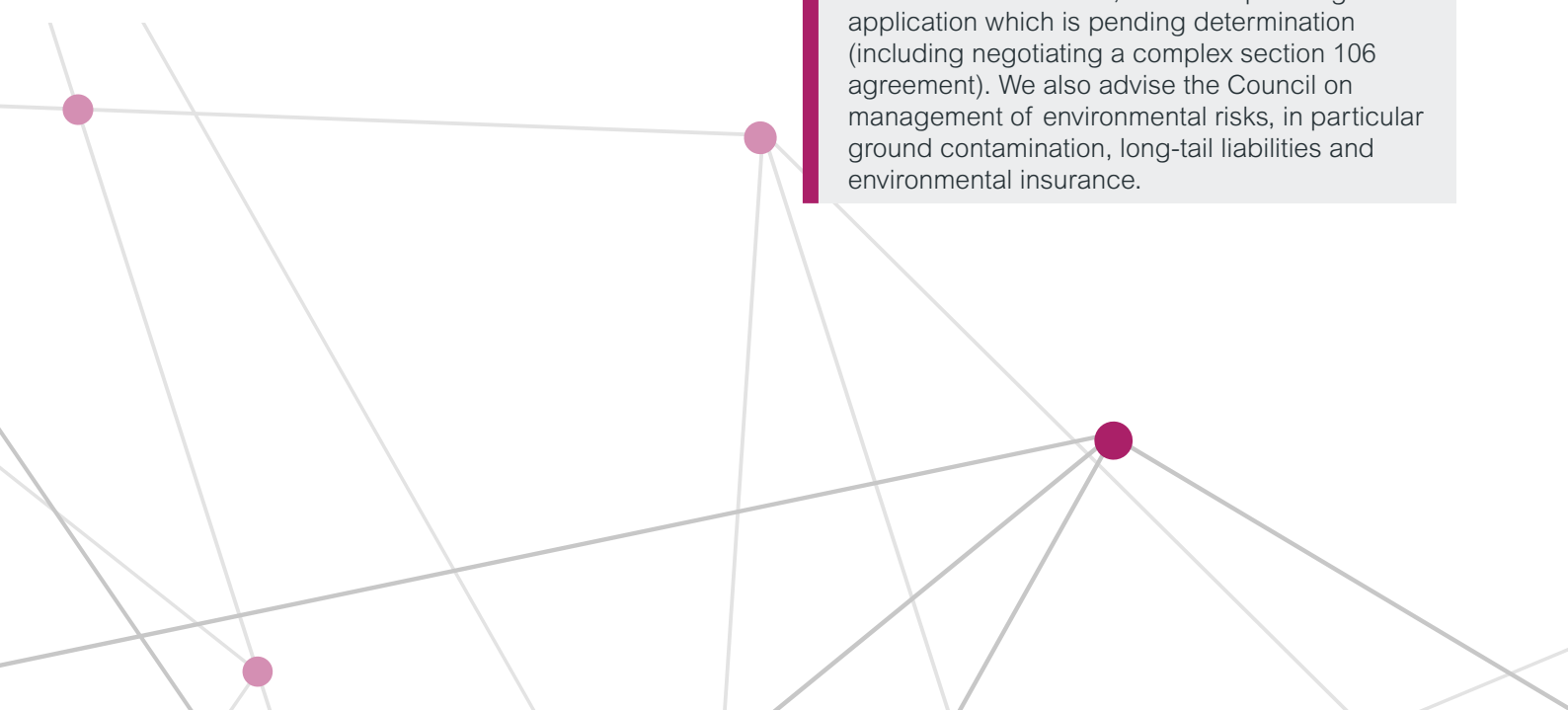
Planning issues are often complex and can be interrelated with property, development and regeneration. This often involves the need to manage developers, contractors, local authority and the public. As the public sector undertakes more de-risking of development sites, environmental considerations take on an even greater importance in dealing with planning issues. Our wider real estate practice includes specialist planning and environmental experts. We were voted as number one Planning Law Firm of the year by Planning Magazine and are ranked in Legal 500 as recognised experts in this field.

We have expertise in planning, highways and compulsory purchase law, advising both the public and private sectors including commercial developers, registered providers and local authorities on all related matters. We are able to advise on the compulsory purchase process from start to finish including advising on compensation claims and references to the Upper Tribunal.

Case study:

London. We led on all planning and CPO matters, including assisting with the preparation of a new development plan document to support the CPO aspects of the project. We made the first CPO for the scheme, leading on the drafting all documents and negotiated the first phase S106 agreement. We led on major and complex infrastructure CPO which was successfully confirmed after a three week inquiry, which will facilitate later phases of the scheme.

We are currently advising on implementation of the CPO and on a 2,300 home planning application which is pending determination (including negotiating a complex section 106 agreement). We also advise the Council on management of environmental risks, in particular ground contamination, long-tail liabilities and environmental insurance.



Projects

Our team has experience of advising on a wide range of projects including leisure and tourism, museums and libraries, education and schools, energy and waste treatment infrastructure, digital transformation and building and regeneration projects. We have been involved in and continue to work on many 'first in country' and ground-breaking projects and transactions, with innovative projects across a range of sectors including banking, corporate, transport, utilities, infrastructure, hydrocarbon, ICT and real estate sector.

Clients benefit from our commercial approach – driving competition to deliver value for money and social value. We have a very strong track record of getting the deal done and maintain good relationships between the public sector government bodies and private companies, which is vital for the successful delivery of long term contracts.

Case study:

Urban Growth Company (UGC) and Solihull Metropolitan Borough Council - UK Central Hub Project. The UGC is a delivery company owned by Solihull Council and funded by the West Midlands Combined Authority to assemble, provide infrastructure for and create the "UK Central Hub". This is being delivered through PPP structures made between UGC, the Secretary for State for Transport, HS2 and "Arden Cross" a consortium of private sector and regional public sector bodies. UK Central Hub is one of Europe's largest regeneration schemes with a projected gross development valued of over £3bn. Built around the delivery of the new HS2 station the Arden Cross project will deliver new business, commercial and office accommodation together with a health facility and 4,000 homes. Investment has been secured from public and private funders and the public sector will share in the project's return.

Restructuring and Insolvency

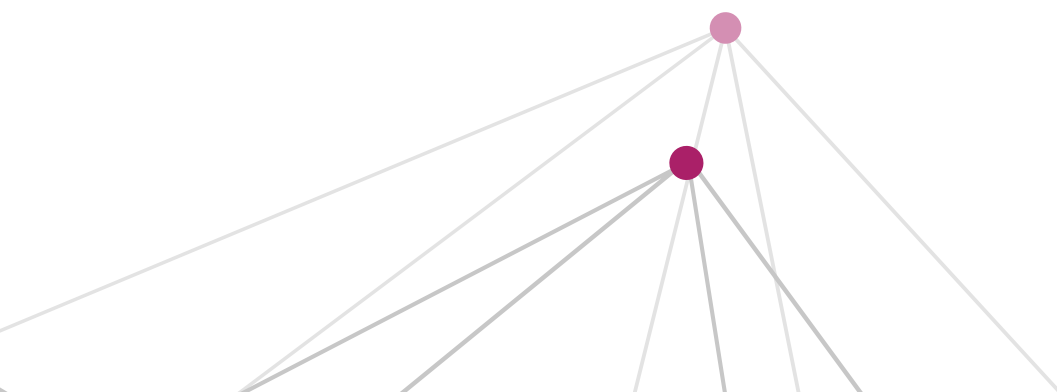
With experience in all types of insolvency and restructuring situations and with the expertise in dispute resolution, real estate, banking, corporate and employment we have the knowledge, resource and experience to help our clients deal quickly and efficiently with all of the issues arising from a restructuring or distressed situation.

Case study:

We acted for Lee Valley Leisure Trust Limited (now in administration) in a claim under PCR 2015 in challenging the lawfulness of the procurement undertaken by the defendant contracting authority for a new leisure services contract. The Trust was the incumbent provider of the services having been established by the Authority for the purposes of providing leisure services at Lee Valley Park and other leisure venues, including the Olympic water park.

The Trust submitted a bid in the procurement however was notified that it had been unsuccessful in the procurement, with the contract being awarded to another bidder. Proceedings were heavily contested and required an application for disclosure with satellite litigation still ongoing in relation to a contractual dispute. In the event the contract award was suspended and ultimately the services were taken in house by the Authority. This led to the administration of the Trust given that its purpose was to provide the services. The procurement dispute was ultimately settled following two remote mediations during the pandemic and we currently act for the administrators in the contractual dispute.

We are therefore currently supporting the Trust and the office holder in resolving its dispute having conducting the procurement challenge and now the orderly winding down of the Trust. We have been able to do this because of our experience across a range of sectors, procurement, leisure, dispute resolution and restructuring. This multi disciplinary approach to assist the trustees and office holder is ongoing.



Education Law

The education and training landscape has changed progressively in recent years through academisation, decentralisation, and various public/private collaborations in higher education institutions, further education and sixth form colleges and academy schools.

We have one of the largest cross-sector education teams in the UK, with over 40 lawyers advising on all aspects of schools' funding, governance, employment, and pensions.

Our team helps clients deliver complex education projects and provides wide ranging advice and support to clients including issues arising in operational PFI contracts (including variations and terminations); ICT and FM contracts; completion of legacy BSF projects; Priority School Building Programme projects; Academies (including PFI schools converting to academy status); education PPPs, ESFA and SFA (Funding Agreements) and grants; commercialisation of education services including advising on outsourcing and employee mutual solutions.

Case study:

Lead adviser to the ESFA on four frameworks for all procurement documents and advice relating to the frameworks. These include the Component Primary Schools Framework (modular), Modular B (for additional schools), the new Construction framework (replacing the previous regional and national frameworks and involving multiple lots) and the Technical Advisory and Project Manager Framework (involving 3 separate lots). For the component/modular frameworks, single provider frameworks were established with the primary provider being awarded the first batch of schools and the reserve providers able to step in and take over in the event of default and to compete against the primary provider in mini-competitions for future schools. The Construction Framework involved multiple lots with rules on which regional and value lots each contractor could bid for. Our team worked with the ESFA to ensure that the process was clear, streamlined and compliant with the public contracts regulations 2015.

Food, Rural and Environmental Affairs

We are a leading practice in agriculture and rural affairs, advising landed estates, landowners, farm tenants, and mortgage lenders. Our team works closely with our private wealth, employment and corporate departments to offer a full service to support farmers, rural businesses, financial institutions, and landowners.

We also have specialist planning, environmental and renewables/energy teams. We have developed an outstanding reputation for our ability to understand the needs and provide practical solutions for this specialised market.

Our experience covers buying and selling farms or farmland, negotiating rights of way, including water and drainage agreements and access for telecommunications, restrictive covenants on farm land and advising on all aspects of agricultural tenancies, buying stables, paddocks and other rural property as well as estate planning and sporting rights.

We have considerable experience of assisting property owners and managers with the regulatory impacts of non-compliance, such as how to deal with statutory notices, interviews under caution, regulatory investigations and the threat of prosecution. We regularly advise landowners on management of asbestos within their property portfolios, as well as on a variety of property-specific issues such as gas and electrical safety, legionella, radiation, fire, insect infestations, noise and light pollution. We advise on the whole range of contentious and non-contentious environmental matters.

Case study:

Confidential – Our client owns 9 farms and hold a mixed property portfolio of around 1800 properties - this is made up of leasehold and freehold, commercial and residential properties. Instructed to complete a review of numerous statutory review notices under the Agricultural Tenancies Act 1995. Thereafter, we were instructed to serve rent review notices on the same tenants to implement the increased rent level.

We have since completed a further review across the client's portfolio and provided strategic advice in relation to the service of further rent review notices. Our advice focussed on the legal process, timings and in particular the commercial value of doing so given the Covid-19 position, changes to the farming subsidy schemes and the state of the market generally.

Health, Healthcare and Social Care

From the providers of services to those that commission them and from the developers building tomorrow's hospitals, retirement villages and care homes, to the investors supporting the future of health and social care. We help organisations and businesses navigate this vital sector. We have a multidisciplinary team that covers all aspects of healthcare work from major infrastructure projects, acquisitions, investments to regulatory matters and disputes.

We often advise developers building tomorrow's hospitals, retirement villages, supported housing and care homes (for both older people and those with disabilities) – combining our leading real estate experience with in-depth Health & Social Care know how.

Our clients who are service providers range from NHS trusts and private care homes to those delivering high-end clinical services and supporting everyday community-based living. We also advise local authorities and NHS trusts commissioning services, helping them to identify and manage their supply chain and identifying their best options.

Case study:

London Borough of Hammersmith and Fulham – working on proposals for a completely new way of providing integrated family support services enabling the systemic integration of budgets, work forces and professional practice across a range of family and health services through an innovative special purpose vehicle. Advising on the public law, local government powers, public procurement, state aid and corporate implications involved in integrating local government and health in an entirely innovative way.

Charities Law

We provide our charity clients with legal experts in every field who have a knowledge and understanding of charities. Areas of expertise include commercial property, contracts, corporate law, finance, tax, procurement, construction, care, employment and pensions.

Acting for major charitable funds the main focus of our charity practice is on large, dynamic and innovative charities that raise funds from contracts or from charging the beneficiaries of their services. This client group needs responsive, pragmatic and commercially sound legal advice grounded in an understanding of charity law and practice to identify and manage legal risks such as those arising from payment by results contracts.

Our knowledge and understanding of multiple regulatory regimes and pressures covering registration with the Charity Commission, OSCR and other regulators such as the CQC and the Regulator of Social Housing enables us to help clients meet all of the multiple compliance demands and risks that they face.

We work with local authorities, helping them to identify the vital services that charities can provide, negotiate contracts and manage successful relationships or, where they are responsible for a charity or charitable assets, helping them to ensure that they are fully compliant with charity law in fulfilling that responsibility.

Case study:

Aster Foundation is an innovative charity looking at ways in which it can enhance communities in which it works. This includes work acting as an incubator for grass roots social entrepreneurs.

We have been working with the Foundation to establish it as a CIO and a registered charity in its own right. We have also been providing commercial advice to it in terms of how it will structure investments into those social entrepreneurs at an early stage to provide them with financial and other support they need to develop their ideas.



Telecommunications

Our digital and telecoms team support on a range of relevant legislation, commercial projects and third party engagement. This can range from internal transformation projects, large capital projects to requests to build telecoms infrastructure on their land.

Case study:

We are currently advising WM5G Limited (an SPV set up by WMCA) on its pathfinder 5G project. This is an innovative and unique partnership between a regional body and central government bringing £40m+ of public investment into the region. We are providing legal support on corporate, commercial, public law, vires, procurement, employment, data protection, GDPR, pensions, property, telecoms, competition/ state aid and tax aspects of the project. We have assisted in navigating an ever-changing political, governance and financial landscape, offering hotlines, secondments, innovative pricing plans and undertaking lobbying with local and central government as necessary.

Health and Safety

We have extensive knowledge of health and safety procedures and laws. We advise on a range of issues including accidents involving employees and members of the public, water leaks, fuel spills and fires and also assist with crisis management.

A significant amount of the advice we provide is in the context of a regulatory investigation where our understanding of legal professional privilege and information management is invaluable to clients. More importantly, we fully appreciate the potential threat to businesses and individuals that such investigations can entail. We are therefore used to supporting senior managers and in-house lawyers through often difficult processes with an initial focus on the potential reputational damage and public relations issues, as well as responding to statutory notices, managing interviews under caution, and preparing evidence for criminal proceedings.

In addition to providing a responsive service in respect of incidents that may occur, our regulatory team provides training for boards and senior management teams around managing health, safety and environmental risks and their responsibilities as individuals as well as part of their wider organisation.

Case study:

During the Covid pandemic, we provided several registered providers advice on how best to still gain access to properties to comply with the Gas Safety (Installation and Use) Regulations 1998 whilst ensuring the health and safety of employees and contractors entering tenants properties during a pandemic. This included preparing policies at short notice and re-wording registered providers no access letters to send to tenants to take account of the Covid pandemic, such as requesting that tenants notify the registered provider if they had contracted Covid or had symptoms, and addressing any concerns such as setting out the measures that would be taken to minimise the risk to tenants and staff.

More broadly, we advise registered providers on their duties under the Health and Safety at Work etc. 1974 and associated secondary legislation so that they understand their legal duties, including the duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees and what this means in practice. In particular, we advise many supported housing providers where the landlord will owe duties to its tenants but also to its staff entering tenants home to provide support services.

Transport Law (excluding Rail)

Known for our fluency in both public and private sectors, we often work with central governments and local authorities creating transport and infrastructure networks and managing their transition to private businesses.

Case study:

Working with GLA/TfL Legal to create contractual structures to underpin the delivery of these bespoke funding programmes including advisory on powers, State Aid; creation of programme specific funding agreements including variants to accommodate the different corporate/regulatory status of grant recipients; project specific documentation in respect of Innovation Fund bids and specialist RtB advice in respect of the BCH programme.

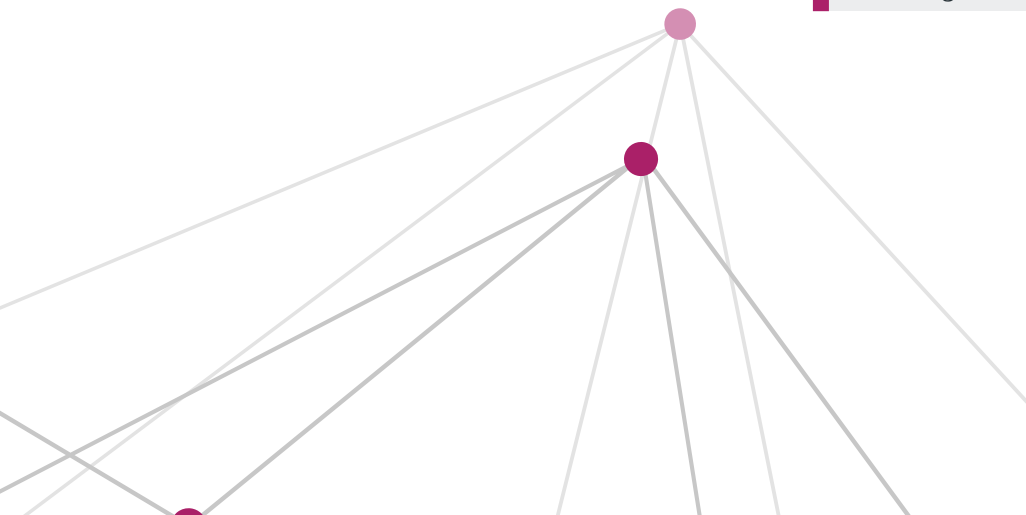
Tax

We help our clients innovate to produce more with less. Both charities and the public sector face unique tax issues and we ensure you remain tax compliant and manage tax risks affecting your organisation. For many years we have guided charitable groups through the maze of tax reliefs and different structures, especially charitable housing providers undertaking new developments.

We are pioneers in land regeneration work and our public sector team has decades of experience in resolving the complex and often politicised challenges of large and complex urban redevelopment and town centre regeneration. Over recent years the tax team has helped our local authority clients innovate to increase the types of housing supply in their areas by incorporating local housing companies, joint venture LLPs or companies. We have helped get exciting regeneration projects up and running in these vehicles. Large-scale regeneration demands market knowledge and an understanding of the wants and needs of all parties involved, along with the tenacity to see it all the way through. The tax implications of large regeneration schemes can alter during their life cycle. With our strength and depth of tax expertise we ensure clients manage tax risks and tax compliance burdens appropriately.

Case study:

Royal Borough of Greenwich on the SDLT implications of a proposed integrated community building as part of the “Heart of East Greenwich” project led by the Homes and Communities Agency with First Base; Staffordshire Moorlands District Council and Moorlands Housing on complex VAT, SDLT and corporation tax issues arising out of a proposed joint venture for the provision of affordable housing in the Staffordshire Moorlands area; and Stoke on Trent City Council on VAT issues arising out of its joint venture with Kier Group for the provision of building maintenance and repair services.



Outsourcing / Insourcing

With collaboration being a key part of upcoming legislative reforms, local government should take the opportunity to learn from those who have already taken the steps to share service delivery and explore where there are wider opportunities across the public sector to pool funding and expertise. Service delivery models may also provide opportunities for revenue generation with highly successful service delivery entities paving the way to additional long term income streams.

Our specialist service delivery team has a wealth of experience of different models and have been at the forefront of some of the most innovative delivery models in local government in recent years. We appreciate that “one size” does not fit all and can work with you to tailor solutions to your bespoke requirements. We know what has worked well and the obstacles to avoid to ensure that your service delivery model is fit for purpose and successful. Our local government employment and pension specialists will ensure that any resulting changes in staff structure will be planned and provided for upfront so that any transition is seamless and compliant.

Case study:

London Councils: We advised the London Councils on options for structuring a delivery vehicle to deliver pan London adoption services to fulfil Government policy objectives outlined in the Department for Education's policy papers Regionalising adoption and Adoption, a vision for change. This Department of Education funded project required us to develop models which were capable of complying with legislative and policy requirements; had to deliver best practice and address the inefficiency of the current fragmented adoption service by encouraging the participation of all London Authorities and existing Voluntary Adoption Agencies in a structure which is attractive to its stakeholders and has clear, transparent governance arrangements.

Islamic Finance / Sukuk

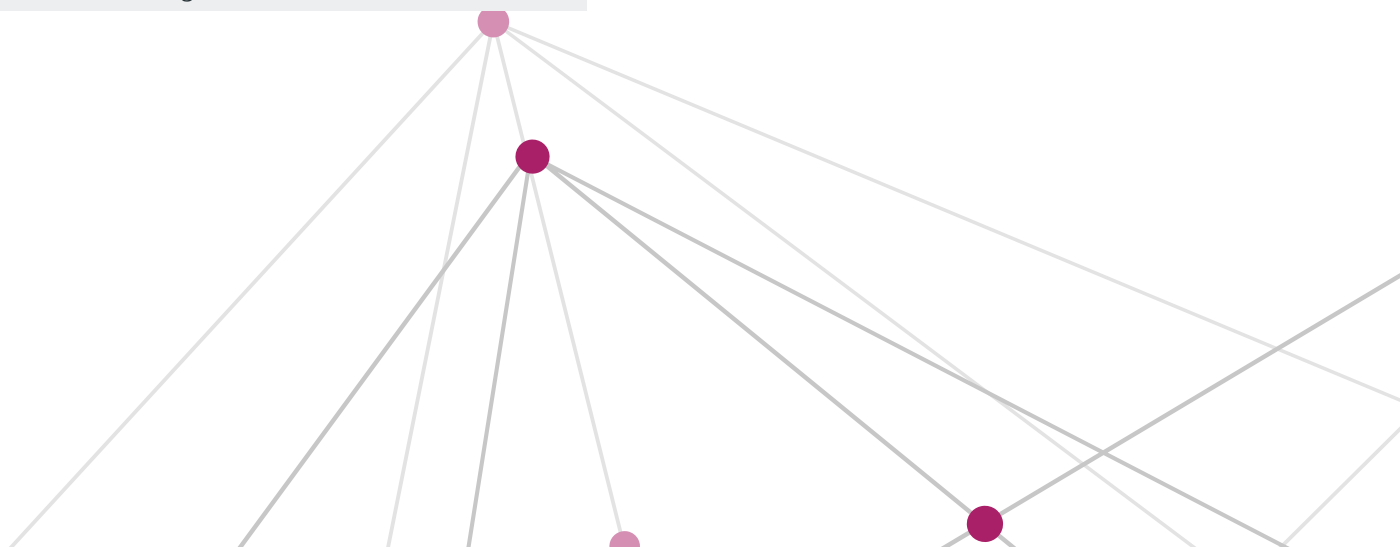
Our Islamic finance expertise includes capital markets, banking regulation and documentation, project finance, real estate, leveraged property funds, development finance, trade finance, working capital facilities, Shari'ah compliant hedging and asset finance.

With offices in the key hubs of the UK, the Middle East and Malaysia, we have been advising investors on the structuring and financing of Shari'ah compliant investments across all asset classes for 25 years. Our clients include issuers and financiers, privately owned and publicly listed corporations, government entities, family offices, private equity firms and Islamic finance institutions.

Case study:

Greenridge Investment Management Limited/ Greenridge Egham PropCo Limited. We acted on the financing of a £57,000,000 acquisition of commercial property by an SPV of Greenridge Investment Management Limited, a real estate investor with a global professional investor base. The property is the Gartner Headquarters in Egham, Surrey.

We negotiated and advised on a £37,050,000 Commodity Murabaha Agreement between Greenridge Egham PropCo and Abu Dhabi Al Islami UK, the proceeds of which were used to purchase the property. We advised on the related security documentation and the subordination of the existing shareholder loan and acted on all the property aspects of the acquisition.



Public Inquests and Inquiries

Our team has a detailed understanding of the CQC regulatory system and applies that knowledge in both advisory and transactional work. Our advice in this area is not limited to the CQC however. It also includes advice on inquiries and investigations by the Health and Safety Executive, Local Authorities (in particular their safeguarding teams), the Care Quality Commission and Ofsted inquiries.

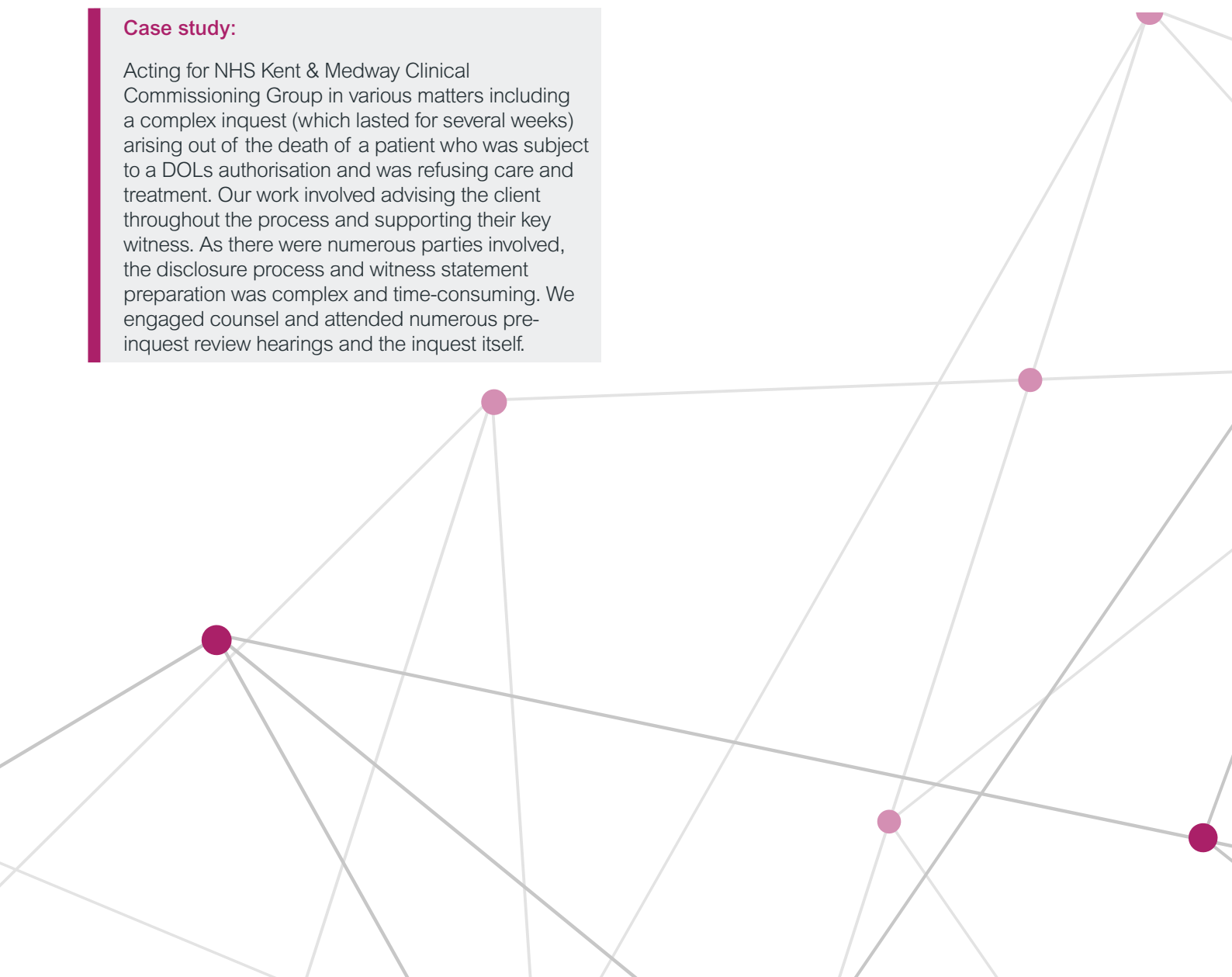
We have advised a number of clients on Coroner's inquests following service user deaths, covering inquest practice and procedure, representing providers at hearings in the Coroner's Court with the assistance of Counsel. We also advise providers in relation to complaints by service users and families and management of any associated legal, regulatory and public relations implications. Where clients also face potential criminal prosecutions, we are able to assist them in taking appropriate steps to protect their position.

We do not specialise in the following areas:

- Children and Vulnerable Adults
- Franchise Law
- Life Sciences
- International Trade, Investment and Regulation
- Public International Law
- Licensing Law
- Media Law
- Immigration
- Mental Health Law

Case study:

Acting for NHS Kent & Medway Clinical Commissioning Group in various matters including a complex inquest (which lasted for several weeks) arising out of the death of a patient who was subject to a DOLs authorisation and was refusing care and treatment. Our work involved advising the client throughout the process and supporting their key witness. As there were numerous parties involved, the disclosure process and witness statement preparation was complex and time-consuming. We engaged counsel and attended numerous pre-inquest review hearings and the inquest itself.



Lot 2a Team structure



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Specialism	Key Contact
Property and Construction	Tonia Secker
Social Housing	Scott Dorling
Child Law	N/A
Court of Protection	Lucy James
Education Law	Assad Maqbool
Debt Recovery	Dan Butler
Planning and Environment	Jacqueline Backhuas
Licensing	N/A
Pensions	Martin McFall
Litigation / Dispute Resolution	Lucy James
Intellectual Property	Caroline Hayward
Employment	Emma Burrows
Healthcare	Kyle Hollings
Primary Care	Kyle Hollings
Mental Health Law	N/A

*Our wider public sector team
draws upon experience of over
55 Partners and more than
180 other lawyers across
our business.*

Lot 2a Elective specialisms

Property and Construction

We offer expertise in real estate and regeneration that is geared to the needs and ambitions of local authorities. This gives us a unique understanding not just of real estate but also of the political context in which it must be delivered. Councils need dedicated support with, for example, complex strategic land, regeneration, infrastructure, housing, mixed use developments, construction and asset management.

Case study:

Meridian Water, Enfield Council: Meridian Water is a major £6bn, 25-year London regeneration programme led by Enfield Council, bringing 10,000 homes and 6,000 jobs to Enfield, north London, next door to the beautiful Lee Valley Regional Park. Alongside attractive new homes and fantastic new public spaces and community facilities, the development now has its own brand new railway station, unlocking the area for commuters, with better connections south to Stratford and London Liverpool Street and north to Stansted and Cambridge. With our support the Council is taking master developer control of Meridian Water and overseeing its delivery.

Court of Protection

We are experienced in advising individuals and care providers on complex legal issues concerning capacity to make decisions concerning health, welfare, property and financial affairs in accordance with the Mental Capacity Act 2005. We have significant experience of dealing with deputyship and enduring and lasting powers of attorney (including advance decisions). We advise on contentious and non-contentious matters concerning patient capacity regarding care and accommodation, contact with others and capacity to marry. We advise on matters involving the abuse of vulnerable adults and where appropriate, making safeguarding referrals. We have worked collaboratively with Local Authorities and NHS local mental health services in order to ensure that the best interests of the vulnerable patients we represent via an LPA or deputy are protected, if necessary by making an application to the Court of Protection, and where appropriate, collaborating with the Official Solicitor. Central to these matters is the protection of the patient's fundamental rights and freedoms under the European Convention on Human Rights, in particular the patient's Article 5 and 8 rights.

Case study: confidential

We act for a national care provider in connection with proceedings issued in the Court of Protection, to which our client has been joined as a Respondent. An application was made by the local Health Commissioner in order to authorise the care and accommodation provided to a young adult 'P' with Autistic Spectrum Disorder, to the extent that such arrangements constitute a deprivation of liberty. P is now separately represented and the Court is asked to consider the wider issue of whether the current placement remains appropriate following a number of objections about the care provided and the other potential alternative placements which may be available. We reviewed the extensive court bundle and assisted with the preparation of detailed witness evidence, setting out the client's plans to transition the service user's support from a previous care provider, communicating throughout with the Court and the other parties. This has also involved reviewing the revised care plans/ risk assessments, ensuring compliance with Court Orders and assisting with disclosure obligations. Detailed witness evidence was prepared, filed with the Court and served on the other parties. We will also shortly represent the client at a hearing.

Education Law

We have a large cross- sector education team advising on all aspects of schools' funding, governance, employment and pensions. We help deliver complex education projects and provide wide ranging advice and support on operational PFI projects, Academy conversions, education PPPs, and the establishment of new schools, including UK's first ever local authority run fee-paying school for children with special educational needs.

Case study:

National free schools and priority schools programmes, Secretary of State for Education:

We have advised the Department for Education on the acquisition and construction projects for 700 individual school projects across England over the past 7 years. In addition, we advised LocatED (the Government's arm's length development body) on its three flagship mixed-use developments, funding new school buildings with capital injection from developers co-locating new residential buildings.

Debt Recovery

We undertake a range of debt recovery activity for our clients and have been involved in pre-court and litigious activity.

Case study:

Northamptonshire County Council – we were instructed by the Council to act on their behalf in connection with clearing the Council's Council Tax debt portfolio. This area of work was extensive and included a large amount of individual claims and a streamlined and cost effective system for processing the appropriate correspondence and, as necessary pleadings. Our involvement included preparation and issue of pre-action notices and, where debts were not cleared as a result of the same, preparation and issue of all court papers, leading to default judgment for the undefended claims. Where claims were defended, our work involved reviewing the Defence and advising the Council further as necessary. Where appropriate, we instructed counsel to attend trial on behalf of the Council and thereafter advised on the most appropriate enforcement option in each case.



Planning and Environment

Our wider real estate practice includes specialist planning and environmental experts. We were voted as number one Planning Law Firm of the year by Planning Magazine.

We have expertise in planning, highways and compulsory purchase law, advising both the public and private sectors including commercial developers, registered providers and local authorities on all related matters. We are able to advise on the compulsory purchase process from start to finish including advising on compensation claims and references to the Upper Tribunal.

Case study:

A firm wide, multi-disciplinary are advising on the proposed relocation of the Museum of London from its current site on London Wall to a new location in the historic Smithfield Market – described in the press as the most exciting cultural project in the UK. The Museum has the largest urban history collection in the world with over six million items and the proposed relocation is part of plan to engage Londoners and visitors with the City and its history, through the creation of an iconic “showcase” building sitting at the heart of a new cultural hub in the City of London with outstanding links to the rest of London and further afield. Our planning team are advising the Museum on a number of planning issues and conducted a full legal review of the planning application before submission, provided detailed advice on Community Infrastructure Levy requirements and charitable relief. We also negotiated a detailed and complex s106 obligation with the local planning authority. The planning application covers an area of 2.2 hectares and includes a Grade II listed building. The current proposal comprises of a mixed use scheme and through its sensitive design will revive underutilised areas, which will provide substantial environmental, cultural, economic and social benefits.

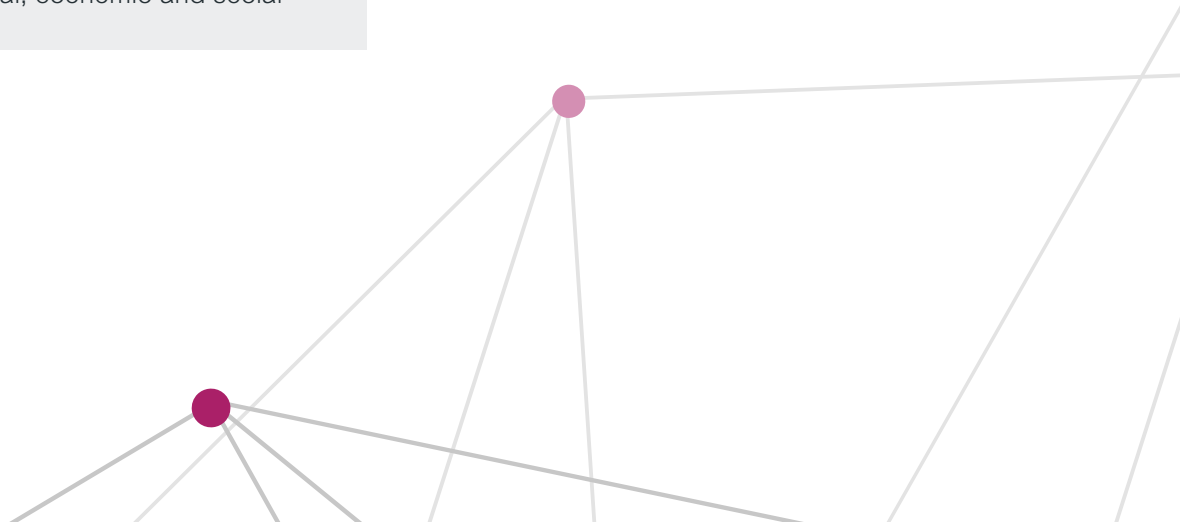
Pensions

We have a dedicated pensions team lauded for their expertise, and recognised for its Local Government Pension Scheme (LGPS) proficiency as we are appointed to the legal panel of the National LGPS Framework. Our team have worked with charities and RPs to manage LGPS liabilities and avoid crystallisation of termination liabilities. We have worked with the LPFA and other LGPS funds to put in place deferred debt agreements (DDA) where active membership has receded. We were pathfinders in this area The team are also leading specialists in matters relating to the Social Housing Pension Scheme (SHPS) and stand-alone defined benefit schemes.

Case study:

National free schools and priority schools programmes, Secretary of State for Education:

We have advised the Department for Education on the acquisition and construction projects for 700 individual school projects across England over the past 7 years. In addition, we advised LocatED (the Government's arm's length development body) on its three flagship mixed-use developments, funding new school buildings with capital injection from developers co locating new residential buildings.



Litigation / Dispute Resolution

We have a significant Dispute Resolution and Litigation department. We work across all sectors and for a variety of different clients. We draw on this breadth of experience and relevant sector knowledge to give our clients tailored, creative solutions to any issues they may face. Our understanding of public law enables us to advise clients in respect of their consultation and decision-making procedures, mitigating against the risks of a successful challenge and ensuring proper audit trails are created. Many of our cases have involved significant infrastructure or planning matters, where the need to resolve the disputed issue expeditiously is paramount, so we understand the real pressures our clients face.

Our contentious procurement team advises on all aspects of procurement challenges, both pre-action and where proceedings are pursued. We provide strategic advice and insights to find the most effective way of resolving client's disputes (including through alternative dispute resolution).

We have acted in a significant number of reported cases, including the leading authority on abandoning procurement procedures. Our local government clients also have the benefit of our contentious team's tactical experience at an early stage in the procurement process, including reviews of tender documents from a "challenge perspective", feedback and standstill notices.

Case study:

Powerrapid Limited v Harlow District Council We act for Harlow District Council in a costs claim by Powerrapid. Harlow failed to obtain a compulsory purchase order (CPO) against Powerrapid's land. The Inspector ordered that Harlow pay Powerrapid's 'costs of the CPO inquiry'. Powerrapid subsequently sought a court order and has claimed for cost pre-dating and post-dating the actual inquiry itself. Powerrapid also claimed costs on an indemnity basis. The Senior Courts Costs Office ordered 2x two day hearings of the costs claim. The first hearing, held in October 2021 before Master Leonard, addressed a number of preliminary issues, including (i) the scope of the order of 'costs of the inquiry' (ii) whether costs should be paid on an indemnity basis (iii) Powerrapid's solicitors' hourly rates. By an ex tempore judgment Master Leonard held that Powerrapid's costs should be assessed on the standard basis and allowed the hourly rates charged by Powerrapid's solicitors. By a subsequent written judgment the Master held that 'scope of the inquiry' included Powerrapid's costs incurred before and after the inquiry. The Master granted Harlow permission to appeal his judgment on pre-inquiry costs but refused permission to appeal on post-inquiry costs and hourly rates. Harlow is appealing all these points (including seeking permission to appeal on the points it does not have permission for).

Intellectual Property

Our IP practice is a specialist IP team advising on all aspects of IP law and is best known for 'soft' IP work in trade marks, passing off, designs and copyright, although recent years have seen an increase in patent-related work. Our expertise extends to wider media-related issues, including false and misleading advertising, comparative advertising, product 'defamation' type claims, domain name and ISP issues including the removal of material from on-line retailer websites, third party websites and social media sites.

We specialise in both contentious and non-contentious intellectual property law and we also undertake certain portfolio management services.

Case study:

Advising a leading welfare to work charity in respect of the ownership of IP rights arising from services provided by employees and third party consultants pursuant to a suite of employment and service contracts. Work included an audit of historic and existing contracts between the client and each employee and consultant, and preparation of deeds of assignment of present and future IP rights.

Acted for a government agency responsible for mapping and maps in relation to a full range of copyright issues, from licensing (service level agreements to value added resellers), infringement and use issues.

Employment

Our employment lawyers have wide ranging experience which includes advising employers on a range of complex issues such as immigration and recruitment, working time issues, changing terms and conditions, collective consultation and industrial relations issues, discrimination and bullying claims including managing investigations, whistleblowing and tribunal litigation including equal pay. We also have experience advising on disputes involving elected members and officers, including disciplinary investigations and severance arrangements for senior individuals, such as the Monitoring Officer or s.151 Officer.

Case study: confidential

Clarion is the largest provider of social housing in the country. We are their sole employment law providers. In the last year alone, we have acted for them on over 20 employment tribunal claims, a range of restructures and business transformations, TUPE transfers, whistleblowing and grievance investigations, disciplinary and capability matters, Trade Union relations as well as supporting the client with a restructure of the new People team and some senior level exit negotiations. We have also supported with matters arising out of the pandemic, such as working abroad, COVID security in the workplace, and the introduction of hybrid working. On the Employment Tribunals we have a good record of using robust tactics and have secured strike outs, low value settlements, withdrawals by Claimants, and costs orders in favour of Clarion. We have provided regular training and updates for the People team, including training on investigations, training on commercial HR issues including their Regulatory regime as a regulated provider of social housing, and a Mock Employment Tribunal.

Healthcare

In this complex and evolving market, clients are looking for deep sector specialisms in their legal advisors. We understand all facets of the sector, in depth, working across clients in all the organisations and service types. Our team has considerable experience of working with the Department of Health and Social Care, and DLUHC; The NHS with a focus on real estate transactions for Trusts, GPS, Non-NHS operators and providers and services; local authorities where we lead on ground-breaking projects and funders and investors into the sector investing in both the real estate assets of and the operational businesses delivering healthcare services.

Case study:

Camden and Islington NHS Foundation Trust
- Lowther Road, Integrated Community Mental Health Centre – we have been advising the Trust in connection with its proposed contract to be entered with Kier Construction Limited for the design and construction of a new integrated community health centre at Lowther Road, North London; we have drafted and assisted the Trust to negotiate a Schedule of Amendments to the former contract being reused – JCT Design and Build 2016 – together with associated ancillary documents such as a bond, parent company and warranties.

The new facility at Lowther Road forms a further part of the Trust's upgrade of its existing estate, by way of the provision of new and refurbished facilities, which includes the upgrade of the existing mental health facility operated by the Trust at Dartmouth Road (known as Highgate West – project value circa £5 million) and the construction of a new facility on the adjoining site at Dartmouth Road known as Highgate East (contract value circa £54 million) on both of which projects we acted on the construction documents.

Primary Care

We are familiar with all forms of primary care contracting, including GMS, PMS, APMS and the associated funding streams. We act for practitioners as well advising on GP Federations, mergers and partnership changes dealing with appropriate contract, property and partnership deed variations. Members of our team have advised on prison health issues and responsibilities and our inquests team is familiar with the issues arising from an unexpected death in a care situation.

We do not specialise in the following areas:

- Child Law
- Licensing
- Mental Health Law

Case study:

Acting for NHS Kent & Medway Clinical Commissioning Group in various matters including a complex inquest (which lasted for several weeks) arising out of the death of a patient who was subject to a DOLs authorisation and was refusing care and treatment. Our work involved advising the client throughout the process and supporting their key witness. As there were numerous parties involved, the disclosure process and witness statement preparation was complex and time-consuming. We engaged counsel and attended numerous pre-inquest review hearings and the inquest itself.





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