

Crown  
Commercial  
Service  
Supplier



**BURGESS SALMON**

# Supplier Prospectus

**RM6360 Legal Services Panel**

Lot 2: Major Projects & Complex Advice

# Contents – Lot 2: Major Projects & Complex Advice

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### Disclaimer notice

We confirm that the use of information provided throughout is not commercially sensitive, and where it is not a matter of public record then appropriate permission has been sought for inclusion.

# Introduction to Burges Salmon

## Who we are

- An ambitious, sustainable and inclusive firm that ensures its clients, people and wider communities flourish. We work across the UK with lawyers who are qualified to work in all three legal jurisdictions in the UK - England and Wales, Scotland and Northern Ireland.
- With offices in Bristol, Edinburgh, London and Dublin, we work wherever clients need us to be, both within the UK and internationally. Our collaborative and cohesive culture underpins the quality of our work and client service.
- Over 30 years' experience advising public sector clients, from the large strategic projects to day-to-day operational requirements. Our team includes former senior civil service lawyers, local government lawyers and secondees.
- 550+ lawyers, over 120 of whom work regularly with public sector clients ensuring resilience in our teams and that work can be dealt with at the right level.
- A robust public sector litigation team acting on live commercial litigation for central government and other public bodies and on recovery and administrative law claims
- We have a strong global network of like-minded independent law firms, our Preferred Firm Network, a non-exclusive network of law firms which we have assembled over many years, who share our values and provide expert advice and excellent service at a fair price in their jurisdictions.

## How we work

- Working collaboratively with our colleagues, clients and community, we remove the barriers to successful delivery and building strong, long-lasting and enjoyable relationships.

- We listen to our clients, to ensure their objectives and priorities drive everything we do.
- We provide strategic, commercially-focused advice and intelligent solutions to complex problems.
- We offer alternative fee arrangements and flexible engagement models available including day-to-day support, secondment arrangements, substantial projects and ad-hoc instructions.
- We provide real-time tracking and communication of costs, ensuring value for money.
- We conduct regular joint reviews of what is working and where we can improve.
- We use technological solutions to increase efficiency and enhance service delivery, including our collaborative, secure Burges Salmon clientspace portal and document review and search/analytics solutions.

## Why choose Burges Salmon

- In-depth knowledge of how the public sector works – the drivers and constraints, the challenges of achieving policy objectives and the complex environments in which public bodies operate.
- Track record of successful delivery and meeting stakeholder expectations, often to challenging timescales and under political and media scrutiny.
- Dedicated to adding value to our service – whether through knowledge transfer, strategic support, training or provision of meeting rooms, we aim to be an integrated part of your team.
- We take an authentic responsible business approach and strive for social and environmental sustainability, equality, diversity and inclusion in all aspects of our work. We want to ensure our clients, our people and our wider communities flourish.

## OUR YEAR IN NUMBERS



**1,000+**

Number of Burges Salmon people



**550+**

Fee earners



**100+**

Number of Partners



**60**

Award wins, shortlists and accreditations



**5,096+**

Hours of pro bono advice given and volunteering hours

# Team Structure

If you would like to discuss any aspect of this Prospectus or an opportunity, please contact any member of the core team or email us at: [publicsectortenders@burges-salmon.com](mailto:publicsectortenders@burges-salmon.com)



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Additional support such as trainees, paralegals and business services will be available to you depending on your requirements.

We also have a collaborative arrangement in place with Fieldfisher LLP to deliver advice in relation to Public Inquiries and Inquests. Further information about the arrangement is available on pages 63 and 65 of this prospectus.

## MANDATORY SPECIALISMS

Assimilated Law John Houlden	Commercial Litigation and Dispute Resolution Richard Binns	Competition Law Chris Worrall	Aviation and Airports Chloe Challinor	Charities Catherine de Maid	Children and Vulnerable Adults Matt Ramus
Construction Law Steven James	Contracts Matt Ramus	Corporate Finance Rachael Ruane	Credit Insurance and Related Products Matthew Kaltas-Walker	Education Law Matt Ramus	Environmental Law Michael Barlow
Corporate Law Nick Graves	Debt Capital Markets Graham Soar	Employment Law Adrian Martin	Equity Capital Markets AJ Venter	Fintech Crypto Assets Martin Cook	Food, Rural and Environmental Affairs Kevin Kennedy
Energy and Natural Resources Nick Churchward	Finance and Investment Graham Soar	Financial Institutions Rescue, Restructuring and Insolvency Andy Eaton	Franchise Law Brioney Thomas	Health and Safety Charlotte Whitaker	Health, Healthcare and Social Care Patrick Parkin
Financial Services, Market and Competition Regulation Tom Dunn	Grants John Houlden	Information Law including Data Protection Law Lucy Pegler	Housing Law Colin Ligman	Immigration Adrian Martin	Insurance and Reinsurance Matthew Kaltas-Walker
Information Technology Law Lucy Pegler	Intellectual Property Law Helen Scott-Lawler	Investment and Commercial Banking Rachael Ruane	International Development/Aid Funding Stuart McMillan	International Finance Organisations Stuart McMillan	International Trade Paul Browne
Merger and Acquisition Activity Nick Graves	Outsourcing Keith Beattie	Pensions Law Michael Hayles	Investment and Asset Management Mark Shepherd	Islamic Finance / Sukuk Graham Soar	Life Sciences Patrick Parkin
Planning Law Gary Soloman	Projects/PFI/PPP Matt Ramus	Public Law Ian Tucker	Media Law Jeremy Dickerson	Partnership Law Kevin Kennedy	Project and Asset Finance Stuart McMillan
Public Law Litigation and Dispute Resolution Richard Binns	Public Procurement Law John Houlden	Real Estate and Real Estate Finance Richard Clark	Private Law Litigation and Dispute Resolution Richard Binns	Public Inquiries – Support to Participants and Inquests Gemma Ludgate	Public International Law Ian Tucker
Restructuring / Insolvency Emily Scaife	Tax Law Ian Carnochan		Supporting Public Inquiries Gemma Ludgate	Sustainable Finance / Green Finance Graham Soar	

## OPTIONAL SPECIALISMS

# Social Value

At Burges Salmon, we commit to delivering meaningful responsible action through social value and we understand this is important to our clients.

Our approach is holistic, considering environmental, social and economic factors to create comprehensive solutions that benefit all parties involved.

This is core to our firm's strategy, purpose and culture. Within our strategy, we strive for best practice.

We are a signatory to the UN Global Compact, a member of Business in the Community and have integrated the UN Sustainable Development Goals into our responsible business strategy.

## Wellbeing:

We prioritise mental, physical, financial and emotional health to empower our team members to thrive both personally and professionally.

We aim to create a workplace where everyone feels valued, motivated and equipped to contribute their best. This is supported by:

- Our dedicated team of wellbeing professionals including a Reward, Benefits and Wellbeing Manager and over 55 Mental Health First Aiders
- Alignment with industry standards, including Mindful Business Charter principles, and attending sector events to understand trends in wellbeing challenges and shape planned initiatives
- Our accessible learning management system which allows our people to access learning for personal and career development
- Increasing our maternity/shared parental pay to 26 weeks and paternity pay to four weeks
- Annual wellbeing event, regular bulletins, financial wellbeing support and private GP service.

We intend to make improvements against our Wellbeing Action Plan, informing our approach and

demonstrating our commitment to the health and wellbeing of our people. This includes:

- Maintaining our subscription to the Headspace mindfulness app for our people and their family/friends
- Delivering wellbeing-related training/ learning sessions with our community partners for our people to attend
- Establishing more support networks for our people (i.e., menopause support) with the help of external specialists
- Establishing a new partner wellbeing strategy for FY25/26.

The initiatives in this plan are assessed against data from our people surveys. By monitoring our wellbeing initiatives, we aim to identify a path to maintain Investors in People Platinum status in 2028.

## Equal opportunity and tackling inequality:

We believe shaping a diverse and inclusive workplace is not only the right thing to do but is also essential for our success and the wellbeing of our people.

Our values of fairness and respect drive us to create an environment where everyone can thrive, regardless of their background. Initiatives include:

- Four people-led networks that support the progress of our D&I initiatives
- Being a Disability Confident Leader and working with WECIL to improve workspace accessibility
- A dedicated Diversity and Inclusion team shaping, delivering and reporting on central strategy
- A Diversity Taskforce with representation from senior leadership, subject matter experts and members with lived experience
- Reverse mentoring scheme where colleagues from

ethnic minority backgrounds mentor senior leaders to foster deeper understanding of lived experiences and upskill them in terms of inclusive leadership

- People surveys and D&I data, informing targeted interventions on representation, retention and experience
- Participating in charters and frameworks, such as Women in Business, Stonewall Diversity Champion and PRIME to understand issues affecting inequality for under-represented groups
- Publishing our gender and ethnicity pay gap report yearly to identify causes of disparity and targets to address them
- Member of the legal sector apprenticeship Trailblazer group, helping to shape apprenticeship standards, being one of the first firms to offer solicitor and paralegal apprenticeships.

Our D&I strategy informs the actions we take to support equal opportunity and tackle inequality.

Whilst we are happy with our progress, we understand there is more work that can be done to make improvements and maintain our commitment to our people. These include:

- Continuing partnerships and initiatives with local schools and charities that encourage women and under-represented groups to pursue legal careers
- Completing an annual people survey to provide visibility on the experience of under-represented groups in our firm compared to external benchmarks
- Expand our Career Focus programme to improve transparency of opportunities at all levels.

# Social Value

In addition to our CCS commitments to wellbeing and tackling inequality, we also strive for best practice in all other elements of our social value framework. This includes:

## Fighting climate change

We believe in meaningful action to embed sustainable practices into our operations, lead by example and support local communities in their transition to sustainable futures. This includes:

- Carbon reduction. Alongside our carbon reduction plan (which can be found [here](#)) we use Science Based Targets to move us towards a 50% reduction in Scope 1, 2 and 3 emissions by 2030
- Our Green Week initiative supporting and promoting sustainability in our offices
- Promoting sustainable travel
- Community partnerships focused on sustainability (education, volunteering, fundraising)
- Carbon literacy and Net Zero training
- Responsible procurement and an Environment Manager to oversee our progress in this area
- Environmental collaboration with key sector and industry services, including: Legal Sustainability Alliance, Net Zero Lawyers Alliance, The Chancery Lane Project
- Promoting circular economy principles

## Employment and human rights

We focus on fair employment practices addressing critical issues such as modern slavery, disability inclusion and equal opportunities. We aim to ensure that our workplace promotes a culture of integrity and respect and that employment opportunities are opened

up to a wider range of communities. Examples include:

- Employment scheme for candidates with disabilities or neurodivergent conditions
- Modern slavery and code of conduct training
- Following the principles and guidelines of the UN Global Compact, the UN Universal Declaration of Human Rights, the core conventions of the International Labour Organisation (ILO), and the UN Guiding Principles on Business and Human Rights (UNGPs).

## Community

We are dedicated to building strong, thriving communities in which our people are proud to make a difference. Community engagement is integral to our culture, reflecting our commitment to being a force for good and giving back by sharing our expertise and resources. This includes:

- Our charitable themes. We run three-year charitable themes to maintain and support ongoing relationships with more than 60 key charities. Our theme this year of 'Fairer Futures for Young People' focuses on supporting young people through projects related to education, health and wellbeing and social mobility.
- Volunteering and pro bono legal advice
- Founding partner of Social Mobility Business Partnership (SMBP), bringing together local businesses, organisations and schools to deliver meaningful workplace experiences to young people from low-income backgrounds. Our Chief People Officer, Alice Bretherton is a trustee on the board.
- Founding member of Bristol Future Talent Partnership.

## SOCIAL VALUE HIGHLIGHTS

- Renewed our firmwide partnership with Headspace following a 54% adoption rate in its first year, significantly above the average benchmark of 30%
- Moved from c.20% female partners to 32% female partners over the last five years
- Accreditation as a Disability Confident Leader
- Awarded 'Disability/Neurodiversity: Best Initiative to Attract and Retain Talent' and 'Ethnicity: Best Initiative to Attract and Retain Talent' at the 2024 Legal 500 ESG Awards.
- Completed a circular economy focused fit out for our London offices
- Delivered carbon literacy training in partnership with Business in The Community (BITC), supporting colleagues to understand emissions measurement and net zero planning
- 28 apprentices employed across legal and business professional teams including Marketing, People, Facilities, and IT as of September 2024
- Rolled out of our social mobility focused Bright Sparks work experience programme in our Edinburgh Office
- Launched diversity mentoring schemes with the University of Bristol and the University of the West of England focused on legal and business career pipelines for disadvantaged and underrepresented students
- Re-accredited with platinum Investors in People in 2024.

# Mandatory specialisms

# Assimilated Law

## How we can help you

Our assimilated law team undertakes the full range of advisory, non-contentious and contentious competition, State aid/subsidy control, procurement and economic regulation work, before the UK, EU and international authorities and courts.

We provide pragmatic, commercially-focused and solution-oriented strategic advice on day to day as well as complex and high-profile matters. The team have experience of working for and against the EU, including its competition and regulatory authorities. We advise on a wide range of disputes before the UK and EU courts and tribunals.

We advise on the implications of activities undertaken by our public sector clients helping them to minimise risk whilst achieving their objectives.

## Our expertise includes:

- Advising clients on the application of EU Treaties and law (including the TCA) to commercial agreements, joint ventures, strategic alliances, business strategies and conduct
- Defending clients subject to cartel, abuse of dominance and other competition investigations
- Advising and defending clients operating in regulated sectors in relation to EU competition and economic regulatory matters, including compliance with licence conditions and price reviews
- Assisting clients in obtaining clearance for mergers and joint ventures across the EU and in the UK
- Litigation and disputes: representing clients involved in disputes, including before the UK and EU courts, including appeals against regulators' decisions, judicial review proceedings, follow-on damages actions and commercial disputes
- Advising on compliance with EU State aid rules and the TCA for the purposes subsidy control
- Advising on other aspects of Retained EU Law including in relation to public procurement, environmental, transport and other regulation
- Complaints to, and proceedings by, the European Commission.

## Case studies

**Multinational rail services provider:** Providing representation on the application of EU Treaties, regulatory systems and international/cross-border EU agreements regarding the use of the Channel Tunnel as well as the application of EU Directives. We have also been involved in advising the client on engagement with the European Commission regarding potential Commission investigations.

**Transport for Wales:** Advising in relation to the merger control and procurement aspects of the Wales and Borders rail franchise. The project required the transfer or facilitation of powers to Welsh Ministers and TfW's solution had to utilise the benefits of a vertically-integrated rail system while ensuring ongoing compliance with EU Directives and UK competition law.

**Advent International:** Advising in relation to its proposed acquisition of Cobham plc for £4 billion. This transaction was notified to the European Commission. The Secretary of State issued a European Intervention Notice. We are advising in relation to the public interest aspects of the transaction.

**UK Research and Innovation:** Advising on various issues including the implementation of the government's Brexit research guarantee and the establishment of UK grant funding agreements to replace the EU Horizon 2020 scheme.

# Commercial Litigation and Dispute Resolution

## How we can help you

Our commercial and business disputes experts help clients across multiple sectors resolve complex contract, corporate, procurement, partnership and shareholder disputes through tailored solutions, whilst ensuring minimal disruption. We have considerable experience in handling key procurement and commercial dispute matters for government departments and agencies such as the Foreign, Commonwealth Development Office, Ministry of Justice, Department of Health and Social Care, Financial Services Compensation Scheme and the Home Office. We are conscious of the nuances of managing litigation in the public sector, including national reputational issues, the requirement for key stakeholder briefings, policy imperatives and pressure on the public purse. We are familiar with ministerial briefings and the risk-based analysis of issues using the Attorney General's risk matrix.

We offer case management expertise via bespoke project management tools and are able to provide creative solutions to help facilitate settlement. We work with our clients to resolve their disputes as quickly and cost efficiently as possible and, where appropriate, without recourse to the courts (and the associated publicity). We are often able to resolve claims through the effective use of pre-action tools and have considerable experience in all forms of alternative dispute resolution procedures such as mediation and ENE.

## Our expertise includes:

- Client-focussed, strategic approach to complex commercial and public procurement disputes
- Senior team members with DV or SC security clearance
- Extensive experience in structuring and project managing complex mission critical disputes for government public bodies
- Expertise in successful high-quality delivery of large major complex electronic disclosure exercises
- Active use of alternative dispute resolution including mediation and adjudication for government public bodies
- Familiarity with arbitration, specialist tribunals and the criminal justice system including specialist fraud recovery
- Rapid response in urgent emergency situations
- Reputation critical investigations and inquiries.

## Case studies

**Department of Health and Social Care:** Advising on disputes with PPE suppliers. This involved handling a portfolio of recovery claims relating to alleged defective PPE and working with both Government Legal Department and the departmental commercial team to take them forward to Court proceedings if necessary.

**Ministry of Justice:** Advising the Ministry of Justice alongside Government Legal Department on a major public procurement challenge for a HM Courts and Tribunals Service contract in the High Court.

**Government department:** Acting for a government department on breach by a contractor and exit from contracts for IT services and IT migration for a high-profile national infrastructure service.

**Government department:** Acting for a government department in a dispute with a new contractor immediately after procurement mobilisation, where performance was inadequate and safety issues were potentially engaged. We used contractual levers including remedial advisors and potential step in and threats of action and breach to bring the contract back into satisfactory delivery without loss of service.

**Government department:** Acting for a government department on a high-pressure issue of loss of confidentiality in a public procurement bidding process.

**Arbitration proceedings:** Acting in confidential arbitration proceedings seeking damages in excess of £40 million relating to the late delivery under a manufacture and supply agreement with an aggregate contract value in the region of £900 million.

# Competition Law

## How we can help you

Our team provides expert competition law advice and representation before competition and regulatory authorities, as well as UK and EU courts. We have expertise across a range of sectors and provide pragmatic, solutions-focussed competition law advice. We also advise on state aid/subsidy control law and funding arrangements and on National Security and Investment Act matters.

## Our expertise includes:

- Defending clients subject to cartel, abuse of dominance and other competition investigations
- Advising clients during dawn raids
- Advising and defending clients operating in regulated sectors (including regulators themselves)
- Assisting clients in obtaining clearance for mergers and joint ventures including complex “Phase II” reviews
- Representing clients involved in competition litigation and disputes, including appeals against regulators’ decisions, judicial review proceedings, follow-on damages actions and commercial disputes
- Assisting clients throughout market studies including the design and implementation of remedies
- Advising clients on the application of competition law to commercial dealings
- Devising compliance policies and programmes, audits and training.

## Case studies

**Department for Transport:** Advising the Office of Zero Emissions Vehicles on the competition law and subsidy control aspects of its deployment of the Rapid Charging Fund, a £950 million fund to future-proof electric capacity at motorway and major A road service areas to prepare the road network for 100% zero emissions vehicles uptake. This has involved advising in relation to a Competition and Markets Authority market study into electric vehicle charging, and a subsequent Competition and Markets Authority investigation into potentially anti-competitive exclusive agreements between motorway service operators and a particular charge point operator and advising in relation to other potential competition law based challenges to the powers sought by government in the Future Transport Bill to promote and protect competition in this market.

**Welsh Ministers and Transport for Wales:** Advising on merger control, State aid and procurement issues associated with the letting of the Wales Borders passenger rail franchise and innovative combination of infrastructure manager roles.

**Co-operative Group:** Representing the Co-operative Group in successfully appealing, at the Competition Appeal Tribunal, an Office of Fair Trading decision (imposing a fine of £14.2 million) that it had participated in alleged anti-competitive practices in the tobacco sector and subsequently for its subsidiary, Somerfield, in appeal and judicial review proceedings to recover the fine imposed on it for its separate participation in those alleged practices.

**UK Research and Innovation:** Supporting UK Research and Innovation on the arrangements for the provision of £1.6 billion worth of funding to the UK’s nine Catapult organisations. The Catapults are leading technology and innovation centres spanning over 50 locations in the UK and are critical to bolstering the UK’s innovation capability in sectors of strength.

# Construction Law

## How we can help you

Our substantial team of specialist construction and engineering lawyers work with all client types involved in the development and delivery of complex infrastructure, construction, engineering and facilities management / asset maintenance projects. We also advise on the resolution of disputes under all forms of construction and engineering contract. Our team includes dual-qualified lawyers including chartered surveyors.

Our work covers many specialist sectors including energy (nuclear, all types of renewables, energy from waste), utilities, transport, real estate development, defence, health and social care, leisure and education. We advise both public and private sector clients, including developers, investors, occupiers, contractors, consultants, funders and investors.

## Our expertise includes:

- **Public and private sector clients:** advising on the procurement and funding of construction and engineering works and services
- **Public and private sector clients:** advising on complex facilities management contracts using forms such as the NEC4 Facilities Management Contract and the Term Service Contract and the CCS FM1 and FM2 forms of contract
- **Suppliers:** advising contractors, consultants, subcontractors and suppliers on the supply of materials, equipment, construction works and services
- **Funders and investors:** construction investment including project finance
- **Procurement and funding strategies:** including PPP and PFI
- **Regulated procurement**
- **Health and safety**
- **Construction contracts and professional appointments:** drafting, negotiating and advising on all standard and bespoke forms of contract including NEC3, NEC4, JCT and other commonly used standard forms
- **Security documents:** such as bonds, parent company guarantees and warranties
- **Disputes:** advising on construction disputes using a broad range of methods of dispute resolution including adjudication, arbitration, litigation, expert determination, conciliation and mediation.

## Case studies

**Department for Transport:** Advising on a strategically important procurement of Facilities Management and Workplace services for the Department for Transport and certain Department for Transport agencies and arms-length bodies including the Air Accident Investigation Branch and the British Transport Police.

**Department for Environment, Food and Rural Affairs:** Advising on the regulated procurement and bespoke NEC4 FM contract (a call-off under CCS Framework RM6232) for the Department for Environment, Food and Rural Affairs' WPFM24 programme, a long-term, high-value (c£770 million) programme to deliver FM services across assets with widely differing needs, some of which support critical risk management infrastructure of national importance. Working hand in glove with the Department for Environment, Food Rural Affairs and key stakeholders to structure the procurement, develop the contracting model for this complex programme, advise during the bidder negotiation stage and support governance and approvals processes.

**Defence Infrastructure Organisation:** Advising on the procurement of the Future Defence Infrastructure Services (FDIS) programme to deliver hard Total FM services across the Built Estate requiring close collaboration with the Defence Infrastructure Organisation, other stakeholders and advisers to develop the contracting structure to reflect the requirements for the programme. Advising on various capital works projects across the Defence Infrastructure Organisation estate including single and two-stage delivery models using NEC4 forms of contract amended to reflect its policy.

**UK Industrial Fusion Solutions (part of UK Atomic Energy Authority):** Advising UK Industrial Fusion Solutions on the procurement of key Delivery Partners for its first-of-a-kind fusion demonstration powerplant including the development of a bespoke multi-party collaboration agreement and bilateral agreements combining a variety of NEC4-based package order conditions.

**Welsh Minsters and Transport for Wales:** Advising on the £738 million transformation of the Core Valley Lines, part of the South Wales Metro scheme. This groundbreaking project is the largest procurement ever undertaken by Welsh Ministers and will deliver economic regeneration across Wales through the transformed rail infrastructure. We advised on the development and negotiation of a complex bespoke NEC3-based contract with multiple call-off terms and conditions to facilitate the works and services required to deliver the transformation comprising over 300 separate construction sites.

# Contracts

## How we can help you

We advise public sector bodies on all types of commercial contracts, from complex multi-party transactions in highly regulated sectors to simple supplies of goods and services. We can help you with advising on all aspects of contract and commercial law (including procurement, drafting and negotiation of such contracts and the allocation of risk).

Our experience enables us to help you find practical solutions that reflect best practice, meet your objectives and align with your priorities and policies, including value for money, optimum risk allocation, delivery to schedule, meeting performance standards, the right behaviours, appropriate project controls and regulatory compliance.

## Our expertise includes:

- Agency and distribution agreements
- Alternative delivery models (e.g. joint ventures, alliancing)
- Changes and change in law
- Concession contracts
- Design and manufacturing contracts
- Contract and portfolio management
- Data protection, confidentiality and intellectual property
- Grants
- Guarantees and indemnities
- Outsourcing / contracting out of services (including complex facilities management)
- Procurement
- Pricing, payment and incentivisation mechanisms
- Shared services
- Supply of goods and services
- Public infrastructure regulation (UK and EU)
- Reorganisations/restructuring (eg novation, assignment and change in control)
- Standard terms and conditions
- Termination, exit and transition between suppliers.

## Case studies

**Ministry of Defence:** Advising on the Dreadnought nuclear submarine programme, a large and strategically significant programme in the UK defence sector. Our role includes advising on the contracting strategy and development and negotiation of the design and build contracts and the alliance agreement. We are also advising the Ministry of Defence on the naval nuclear propulsion programme supporting the negotiation, drafting and procurement of contracts with key strategic suppliers (including manufacture, design, research and technology and professional services contracts), as well as its emerging programme to develop the UK's first sustainable and enduring submarine disposal capacity.

**Foreign, Commonwealth and Development Office:** Advising on a new framework agreement for the delivery of confidential translation and interpretation services to UK government departments, EU institutions and other organisations.

**Birmingham City Council:** Advising on the impact of COVID-19 on the delivery of construction and engineering projects for the Birmingham 2022 Commonwealth Games, with a focus on non-performance of contracts for the supply of goods and services including force majeure events and frustration.

**Department for Environment, Food Rural Affairs:** Advising in relation to its urgent procurement of food boxes for delivery to up to 1.5 million clinically vulnerable individuals during the COVID-19 pandemic, described by the Communities Secretary, Rt. Hon. Robert Jenrick MP as "an unprecedented package of support".

# Corporate Finance

## How we can help you

Our experience covers a range of services from finance facilities provided by banks, debt funds and family offices, to more bespoke asset and asset backed finance.

We have extensive experience advising both lenders and borrowers, and work with many of the leading names in lending markets, including on green loans and sustainability linked loans.

We also advise a range of clients, including corporates, investment funds, pension fund trustees and financial institutions, across a broad spectrum of hedging and derivatives matters.

## Our expertise includes:

- Sovereign entities (including sovereign debt funds) as lenders and borrowers in relation to a variety of asset classes.
- Syndicated/club/bilateral facilities
- Facility-linked hedging, ISDA documentation, bespoke OTC derivatives contracts and repo agreements as well as regulatory advice, including EMIR.
- Private placements
- ESG/green loan principles
- Receivables and asset-based finance
- Precedent facility documentation
- Aviation finance
- Equipment and vehicle finance and bespoke asset finance
- Acting for security/collateral agents on syndicated and cross-border transactions including on sovereign finance

## Case studies

**Middle Eastern Sovereign Wealth Funds:** Advising a middle eastern sovereign wealth fund on the disposal of two SPV owning hotels.

**UK Borrower:** Advising a UK borrower on a £134.5 million facility to refinance existing debt in relation to an exclusive hotel in London and provide equity repatriation to a sovereign wealth fund.

**Sovereign Wealth Fund:** Acting for a sovereign wealth fund on two concurrent refinancings of its UK hotel portfolio with a combined value of £546 million

**Foreign, Commonwealth and Development Office:** Acting for the Foreign, Commonwealth and Development Office as lender on the amendment, increase and extension of their £145 million revolving credit facility provided to the British Council as working capital RCF.

**Mobico Group:** Advising Mobico Group on a range of financing transactions, and on its £600 million revolving credit facility.

**British Business Bank:** Acting for the BBB on its ENABLE finance guarantee programme, which enables additional commercial lending to UK SMEs.

**University of Oxford:** Advising the University of Oxford as borrower on its revolving credit facilities.

**HSBC:** Advising HSBC on multiple bilateral and club facilities for investment grade and mid-market borrowers, including supporting acquisitions and management buyouts.

**Finance in Motion:** Advising funds managed by impact investor Finance in Motion, on loans to financial institutions throughout eastern Europe and Africa, to support small businesses to address the world's social and environmental challenges.

**Plantforce:** Advising BGF-backed Plantforce, a national supplier of advanced plant hire machinery, on its syndicated asset backed lending facilities comprising stocking finance and invoice finance lines.

# Corporate Law

## How we can help you

Our corporate lawyers combine legal expertise with industry insight to give tailored solutions to our clients, whatever their sector. We have a proven track record in corporate law matters, acting for a wide range of clients, from central government departments, multi-national corporates and financial institutions to early stage businesses, partnerships, co-operative societies, and high net worth individuals and investors.

We have extensive experience of advising public sector entities on company law and corporate governance matters, including incorporation of new entities, company secretarial and directors' duties matters. This includes providing training and providing written advice. Our corporate law team also advises private sector businesses and listed companies on strategic matters as well as day-to-day company law and regulatory issues.

## Our expertise includes:

- Company law
- Entity selection and formation of government companies and venture capital advice
- Company secretarial services
- Operating and partnership agreements
- Equity Capital Markets
- Corporate governance matters including advice on directors' duties
- Restructuring of ownership and complex / innovative legal structures.

## Case studies

**National Wealth Fund:** Advising National Wealth Fund on the terms of a proposed new investment product, aimed at introducing NWF funds into a new, emerging market. This included close collaboration with the National Wealth Fund team to develop a novel and very bespoke set of contract terms and conditions, specifically regarding proposed share rights.

**HM Revenue and Customs:** Advising on a range of company law issues in respect of a subsidiary company, including directors' duties and the management of conflicts of interest, as well as corporate procedures and corporate governance practices and the mitigation of risks arising from specific identified activities.

**Ministry of Defence:** Advising on the early stages of a proposed joint venture in respect of the Future Combat Aircraft Systems project. This involved advising on entity structure and involved co-ordinating advice across multiple jurisdictions.

**Innovate UK:** Advising Innovate UK, as part of UK Research and Innovation, on the terms of its Innovation Loan scheme including the establishment of Innovate UK Loans Limited as a wholly owned subsidiary of UK Research and Innovation.

**Department for Environment, Food Rural Affairs:** Advising on matters relating to the establishment of the independent Office for Environmental Protection, including the transfer of assets by the Department for Environment, Food Rural Affairs to the Office for Environmental Protection as part of its obligation to provide grant-in-aid to it. This is being achieved via an asset transfer process as well as an arrangement for Department for Environment, Food Rural Affairs to provide interim services to the Office for Environmental Protection during the transitional phase, prior to the it achieving operational independences.

# Debt Capital Markets

## How we can help you

We can provide specialist legal advice to public sector bodies on all aspects of derivatives and structured products, ensuring robust risk management and compliance with regulatory requirements.

Our derivatives and structured products practice forms part of our wider Banking and Finance team, an exceptional partner-led practice (operating from offices in Bristol, London and Edinburgh) with a leading national reputation for high value and complex work.

## Our expertise includes:

- Bond issuances
- Commercial paper programmes

## Case studies

**Northern Gas Networks:** Advising Northern Gas Networks on a bond issuance to fund construction works to ready a gas network for hydrogen.

**Atlantic Green:** Acted for Atlantic Green in securing a £152 million financing package, including the hedging arrangements, for the construction of the 624MWh Cellarhead battery energy storage system (BESS).

**Aura Power:** Advised renewable energy developer Aura Power as borrower on a c. £44 million project financing debt facility, including the hedging arrangements, made available by Coöperatieve Rabobank U.A, a Dutch multinational sustainable cooperative bank.

# Employment Law

## How we can help you

We provide the full range of contentious and non-contentious employment law advice to a wide range of public sector bodies, as well as FTSE-100 and 250 listed companies, smaller companies and those in the not-for-profit sector.

We regularly advise on both HR casework and high profile and business critical projects, devising solutions which achieve commercial objectives within relevant statutory and public sector policies and guidance. Our experience in delivering advice for this wide range of clients means there is little we haven't seen before.

We are active in helping to shape UK employment law and participate actively in numerous government consultations, employment law organisations and committees, and we help clients plan for and navigate legal developments.

## Our expertise includes:

- **Strategic employment law advice:** on HR project work, such as TUPE, statutory transfer schemes, COSOP, restructuring, redundancy, outsourcing and changes to terms. We add value by shaping our advice to factor in upcoming legal changes, market insights and issues we have seen arise before to deliver solutions that we know will work on the ground
- **C-suite and senior appointments and exits:** advising on the employment law aspects and Managing Public Money and special severance payments, including structuring exits and drafting business cases to seek approval
- **Grievances, dispute resolution and litigation:** advising on grievances, disciplinaries and workplace disputes (including advising on related DSARs) and advising on settlement agreements and exits. Running employment tribunal and High Court claims to ensure they are both cost-effective and managed to a high standard
- **Investigations, regulatory compliance and whistleblowing:** advising on and carrying out workplace investigations, including in relation to sexual harassment and other forms of discrimination and offering expertise on whistleblowing law and ESG reporting and compliance
- **Industrial relations:** we have extensive experience supporting clients with trade union relationships and disputes, including advising on annual pay bargaining and support on managing industrial action, including advice on contingency planning.

## Case studies

**Foreign, Commonwealth and Development Office, Government Property Agency, Department for Environment, Food Rural Affairs and Department for Transport:** Advising on major facilities management services procurements and outsourcings across their various estates, including drafting tender documents and contractual provisions in line with Government standards, engaging with bidders in procurement processes, contract negotiation, the TUPE process and industrial action within the supply chain.

**The Office for Students:** Advising on the full range of HR and employment law advice and services, including internal grievance and disciplinary procedures, complex employment tribunal proceedings, drafting contracts of employment, secondment agreements and contractor agreements, and advising on the implications of TUPE and transfer schemes in various wider public sector restructures.

**Department for Education:** Advising on the creation of children's services trusts and the provision of children's services for a number of local authorities in the UK, including Birmingham, Bradford, Reading, Northamptonshire and Slough Borough Council. We have advised on the employment aspects of the provision of these services including the large-scale TUPE transfer of employees, trade union consultation, secondment arrangements, negotiations of the services and support services contracts, and a number of issues of public law.

**Public body:** Advising on a wide range of employment issues, including a major industrial relations project regarding its annual pay award and proposed changes to its pay framework. This included advising on the pay framework status and the extent to which proposed changes would be subject to consultation or negotiation with trade unions and the potential implications of section 145B of TULRCA 1992 and managing communications with the trade union and wider workforce.

# Energy and Natural Resources

## How we can help you

We are immersed in the UK energy sector with a particular strength in renewables and nuclear and the associated regulatory issues.

Our work has involved all new technologies and our expertise has developed as those technologies have emerged and become mainstream. We were the first firm working on tidal and marine technologies and now can say the same for nuclear fusion and small modular reactors. We work at the cutting edge of the sector, with a reputation built upon first-of-a-kind projects and deals and provide expert advice throughout the project/plant life cycle.

Within our team of energy lawyers, we have developed expertise in all the key technologies and activities in the sector: nuclear, renewables, oil and gas, energy regulation, energy storage, waste and water.

We are also heavily involved in the emerging low carbon transport sector on electric vehicles and connected autonomous vehicles. We work on on-site generation, heat networks and energy services (efficiency) contracting.

## Our expertise includes:

- Consents and planning applications for energy projects
- Build out
- Power purchase and grid connection
- Project finance
- Energy regulation
- Operational advice
- Mergers and acquisitions
- Energy disputes
- Community Energy and District Heating Networks.

## Case studies

**Clean Heat:** Advising the Department of Energy Security and Net Zero on its Heat Network Transformation Programme, which aims to attract £100 billion of private sector investment into the district heating sector by 2050, including advising DESNZ on the South Westminster Area Network district heating project. Advising DESNZ on heat network regulation and heat network zoning.

**Net Zero projects:** Advising public and private sector clients on private wire and export power purchase arrangements, corporate power purchase arrangements, solar, wind, biogas and battery developments, grid sharing arrangements, EV charging infrastructure and fleet procurement/financing.

**Nuclear:** Advising on all aspects of nuclear law and nuclear project development (including small modular reactors). Advising on Hinkley, Sizewell, the UK's Geological Disposal Facility and the STEP Fusion project.

**Energy Regulation:** We have a deep understanding of UK Energy regulation. Clients including Ofgem, and National Grid and businesses such as Drax, Octopus, and RWE have trusted us over the last 20 years on a wide variety of matters.

**Land, Planning and Consenting:** Our real estate and planning experts have significant energy sector specific experience of delivering very complex sites and ensuring all necessary rights, consents and services to ensure long term operational certainty, security (and fundability) as well as a clear allocation of operational and environmental risk. We have advised developers on Development Consent Orders for major energy schemes including for Hydrogen Production and Carbon Capture and Storage projects (including onshore pipelines) and Offshore Wind. We are advising National Grid on a transmission infrastructure DCO.

**Decarbonisation Partnerships:** Advising on the 'City Leap' plan to raise around £1 billion of investment to transform Bristol into the UK's first smart-energy, carbon neutral city by 2030. The procurement for energy companies, delivery partners, technology providers and others launched in 2019 is now underway. We have assisted with every aspect of this enormous project, including the extensive energy-related regulatory and commercial advice.

# Finance and Investment

## How we can help you

We offer a full complement of banking and finance legal services including financial services litigation. Our expertise spans complex financing transactions for clients operating within the UK and across multiple jurisdictions.

With a reputation for our sector knowledge, we understand the challenges faced by our clients in today's financial markets.

Our team stand alongside our clients, supporting them to respond to market pressures, including challenges from increasing levels of financial distress, liquidity challenges and regulatory change and increased scrutiny, as well as helping them to navigate threats and opportunities resulting from the rapidly evolving digital economy, and green or ESG based financings.

## Our expertise includes:

- Asset backed lending
- Corporate and private banking
- Derivatives
- Equity Investments
- Food and farming finance
- Islamic finance
- Leveraged finance
- Project finance
- Real estate finance
- Regulatory advice
- Restructuring and insolvency
- Financial markets disputes.

## Case studies

**Mainspring:** Advising Mainspring, a fund administration house and investment platform, on its sale to Apex. The deal was a key strategic acquisition for Apex, giving it access to Mainspring's specialist knowledge and experience in VC fund administration.

**Eden Geothermal Project:** Advising the financial sponsor of the landmark attraction. Led by our firm's Banking team, we advised on the corporate arrangements, the interface between the institutional funding and the public funding and associated state aid advice, the proposed project documentation approach and the land arrangements. We played a key role in structuring and negotiating bespoke arrangements with the government to unlock the public funding for the project.

**DESNZ:** Advising on an area-wide low-carbon district heat network in South Westminster, an ambitious energy network opportunities in the UK, using heat from the River Thames to supply more than 1,000 buildings.

**Atlantic Green:** Advising Atlantic Green, a JV between Nofar Energy and Interland, on the development and project financing of its 700MWh Cellarhead battery portfolio development, which is anticipated to be one of the largest BESS construction financings in the UK.

**Abrdn:** Advising on on the £66 million refinancing of a property portfolio owned by part of the Commercial Estates Group with assets located in England and Scotland.

**Lender claims and disputes:** Advising lenders on the recovery of debts and enforcement of security, including professional negligence claims against advisors, disputes security enforcement and insolvency disputes.

# Financial Institutions Rescue, Restructuring and Insolvency

## How we can help you

Our corporate restructuring and insolvency (CRI) team provides specialist advice in connection with businesses facing a variety of financial challenges. For each matter, we assemble a team of experts from a range of legal disciplines and sectors, tailored to the client's specific needs.

Our contentious and non-contentious practice regularly advises on both domestic and cross border matters that span a wide range of sectors and clients; including companies, lenders, shareholders, opportunistic investors, insolvency practitioners, pension trustees, regulators and public bodies. We are active members of R3, INSOL Europe, the IBA, TMA and NARA.

## Our expertise includes:

- Contingency planning, options analysis, supply chain review, enforcement analysis and contractual and transactional structuring advice
- Cross-border and domestic financial restructuring
- Distressed investing and M&A (including debt sales)
- Corporate governance and directors' duties
- Pension schemes in stressed and distressed companies
- Schemes of Arrangement, Restructuring Plans, CVAs, Moratoriums, Administrations, Liquidations and Receiverships
- Insolvency litigation and asset tracing.

## Case studies

**Rebel Energy / Teneo:** Acting for the Rebel Energy Group (and subsequently Teneo, as administrators of that Group) in relation to the invocation of Ofgem's Supplier of Last Resort mechanism and the subsequent administration of the Group

**Four JV companies owned by Prax Lindsey Oil Refinery Limited (in liquidation) and Philipps 66 Limited:** Advising our clients on the impact of the compulsory liquidation of Prax Lindsey Oil Refinery Limited including liaising with the Official Receiver and special managers from FTI on critical supply and infrastructure issues.

**FCDO:** Advising in connection with urgent contingency planning relating to the insolvency of a critical supplier, Crown Agents.

Acting for a client in connection with the Special Administration of Argentex LLP under the Payment and Electronic Money Institution Insolvency Regulations 2021.

**Foreign Ministry of Defence:** Acting for a foreign Ministry of Defence on the insolvency of one of its critical UK suppliers. This includes negotiating with the prospective administrators of the UK supplier under compressed timescales to ensure continuity and quality of supply.

**One of the largest unsecured creditors of a further education college:** Supporting our client by liaising with insolvency practitioners engaged by the DfE in relation to an accelerated M&A process, liaising with the FE college and the Charity Commission in relation to emergency funding from ESFA and advising on possible outcomes in an Education Administration.

**Care Quality Commission:** Acting for the Care Quality Commission to prepare legal independent business reviews in relation to registered care providers which are within the CQC Market Oversight Regime.

**Financial Services Compensation Scheme Limited:** Advising the representative of the "Exiting Creditors" in the 2018 High Court and Court of Appeal cases relating to the MF Global UK CVA.

# Financial Services, Market and Competition Regulation

## How we can help you

Our team has deep experience of advising on all aspects of financial services and markets legislation and compliance, including FSMA 2000 and subsequent FSMA Acts, subordinate legislation, the Financial Conduct Authority Handbook and non-Handbook guidance, as well as working closely with industry bodies on preparing their members for regulatory change.

Our team provides expert competition law advice and representation before competition and regulatory authorities, as well as UK and EU courts. We have expertise across a range of sectors and provide pragmatic, solutions-focussed competition law advice. We also advise on state aid/subsidy control law and funding arrangements and on National Security and Investment Act matters.

We regularly support our publicly traded clients (whether listed on the Main Market or traded on AIM) on MA and other corporate transactions governed by the Takeover Code, the prospectus regulation requirements, the Disclosure Guidance and Transparency Rules, the UK Market Abuse Regulation and the National Security and Investment Act 2021. We also guide our clients through the requirements and impact of the UK Listing Rules or AIM Rules on their day-to-day operations, on their corporate transactions and on their reporting requirements.

## Our expertise includes:

- Regulatory advice and guidance to ensure compliance across a broad spectrum of regulatory issues, including governance, risk and compliance
- Supporting clients with regulatory change projects and advising clients on engagements with the regulator
- Advising on the structuring, formation, operation, management and distribution of investment funds, both UK regulated and private funds
- Advising on the procurement and outsourcing of services to financial services businesses
- Representing clients involved in competition litigation and disputes, including appeals against regulators' decisions, judicial review proceedings, follow-on damages actions and commercial disputes.
- Assisting clients throughout market studies including the design and implementation of remedies
- Defending clients subject to cartel, abuse of dominance and other competition investigations.

## Case studies

**Insurance and wealth management clients:** Advising on new products, propositions and structures, including material outsourcing arrangements.

**UK and overseas financial services firms:** Advising on cross-border arrangements including Brexit planning and implementation and on applications and notifications to the Financial Conduct Authority including authorisations and change in control applications.

**Openwork Partnership LLP:** Advising on the regulatory aspects of a strategic investment in The Openwork Partnership from leading global private investment firm, Bain Capital.

**Department for Transport:** Advising the Office of Zero Emissions Vehicles on the competition law and subsidy control aspects of its deployment of the Rapid Charging Fund. This has involved advising in relation to a Competition and Markets Authority market study into electric vehicle charging, and a subsequent Competition and Markets Authority investigation into potentially anti-competitive exclusive agreements between motorway service operators and a particular charge point operator and advising in relation to other potential competition law-based challenges to the powers sought by government in the Future Transport Bill to promote and protect competition in this market.

**Welsh Ministers and Transport for Wales:** Advising on merger control, State aid and procurement issues associated with the letting of the Wales Borders passenger rail franchise and innovative combination of infrastructure manager roles.

**Nucleus Financial plc:** Acting for investment platform business, Nucleus Financial plc, on its successful £144.6 million takeover by pensions and investment firm, James Hay.

# Grants

## How we can help you

We help authorities navigate through the complex landscape of public funding, often in very politically sensitive environments.

Leveraging our experience in competition law, and drawing on insights from sector specialists, we provide comprehensive advice on compliance with the Subsidy Control Act 2022 and funding agreements.

We guide public authorities through the process of making subsidy referrals to the Subsidy Advice Unit as well as supporting them to defend formal and informal subsidy challenges.

## Our expertise includes:

- Producing template grant documentation including grant funding agreements, internal and external grant guidance for specific funding programmes
- Drafting and negotiating grant funding agreements and Memorandums of Understanding
- Advising on vires and governance in respect of grant awards
- Advising on compliance with the Subsidy Control Act 2022 including assessment against the Subsidy Control Principles and gathering evidence and making referrals to the Subsidy Advice Unit
- Advising on legal challenges under the Subsidy Control Act 2022 and challenge mitigation strategies
- Advising central government bodies on Ministerial submissions in respect of high value and politically sensitive grant awards
- Audit of publicly financed projects.

## Case studies

**UK Research and Innovation:** Advising on (1) subsidy control principles assessment and negotiation of the funding agreement and security documentation for the £210 million grant to **Rolls Royce SMR** for the design of a small modular reactor; (2) subsidy control compliance and negotiation of funding agreements totalling £1.6 billion with nine **Catapult organisations** for the 2023–2028 funding period; (3) developing the grant funding agreement templates and associated guidance for the UK government's **Horizon 2020 and Horizon Europe guarantee** funding (£multi-billion); (4) negotiating the grant funding agreements for £200 million **Whole Genome Sequencing Project**; (5) negotiating several **Memorandums of Understanding with central government** bodies for specific funding programmes; (6) developing the funding terms for the **Contracts for Innovation / SBRI** programme.

**Kent County Council:** Advising on the £45 million grant for development works at the Port of Dover. This involved negotiating the grant funding agreement between Department for Transport, the Council and the Dover Harbour Board and advising on compliance with the Subsidy Control Act 2022 including gathering evidence for the subsidy control principles assessment and liaising with the Port, the Department for Transport and Competition and Markets Authority for the referral to the Subsidy Advice Unit.

**Vaccine Taskforce / Department of Health and Social Care / UK Health Security Agency:** Advising on politically sensitive COVID-19 projects (£10 billion+) on subsidy control, grant funding and procurement law issues. This includes grant funding to the private sector for several vaccine infrastructure projects.

**Ministry of Defence:** Advising on subsidy control matters on various £multi-billion projects.

**Department for Work and Pensions:** Developing template grant funding agreements.

**Nuclear Waste Services:** Advising on the grant funding agreements and subsidy control compliance of various awards under the Community Investment Funding programme.

# Information Law including Data Protection Law

## How we can help you

Our data and cyber security lawyers are highly skilled in simplifying and demystifying even the most complex issues for clients, helping to understand them, and ensuring their compliance. We work closely with clients to identify unique needs and deliver advice that is practical, commercial and straightforward.

We can help with all aspects of data protection and cyber security regulation, from simple ad hoc queries and analysis to advice on the development of data products and services, comprehensive risk mitigation strategies and breach response plans.

The team has considerable experience providing robust crisis management support for data protection and cyber security breaches, responding to subject access requests and investigations by the ICO and performing full-scale UK GDPR compliance audits.

We also offer a data protection briefing service and helpdesk which assists clients with their queries on data protection regulation. The helpdesk offers both 'response' and 'fix' times to clients via dedicated email addresses.

## Our expertise includes:

- Structuring data protection audits including the development of questionnaires and project plans
- Developing and reviewing data protection and cyber security policies, procedures, statements and handbooks and data protection breach and cyber security incident handling
- Advising on compliant international data transfers
- Advising on the introduction of new technologies including AI tools and the associated data protection considerations
- Responses to subject access requests
- In-house training programmes, workshops and seminars
- Advising on data sharing arrangements
- Supporting on large, nationally-significant projects involving data sharing including structuring projects to ensure data protection compliance, preparing DPIAs, data sharing and processing agreements and related documentation.

## Case studies

**Department for Digital, Culture, Media and Sport:** Advising in relation to the data protection aspects of the Events Research Programme, examining the risk of transmission of COVID-19 from attendance at events to inform future policy on safely lifting restrictions at large events. Our work included working closely with the Events Research Programme delivery team, event organisers and the Department of Health and Social Care and Public Health England research teams, providing time critical advice and practical support in a rapidly evolving research programme.

**Guy's St Thomas' NHS Foundation Trust:** Advising on its data sharing arrangements including in relation to the sharing of patient data for research and non-research purposes.

**Bristol City Council:** Advising Bristol City Council on complex data sharing/processing contractual arrangements in relation to its 'City Leap' initiative to support ambitions to make Bristol a carbon-neutral city by 2050.

**Department for Work and Pensions:** We provided a 'virtual secondee' to support in handling business as usual data protection queries. Our work ranged from providing guidance on the designation of parties as controllers, processors or joint processors, through to advising on the impact of data protection legislation on the proposed text for new Bills to be introduced to Parliament.

**Arts Council England (ACE):** Advising on technology procurements, including in relation to audience engagement tools for ACE's national portfolio organisations, and on data privacy with a particular focus on complex data sharing arrangements.

# Information Technology Law

## How we can help you

With over 20 years experience at the cutting edge of the technology sector, our IT and telecoms lawyers act for a range of clients - from start-ups, dotcoms and corporates to financial institutions, governmental bodies and private equity groups - on all aspect of IT and telecoms law.

We deliver practical, innovative solutions to complex technology law matters, including litigation. Our cross-firm expertise ensures comprehensive legal support for both supplier businesses and their customers.

Our telecoms specialists understand the commercial and operational needs of telecoms operators and internet service providers, helping clients anticipate challenges and resolve them efficiently.

## Our expertise includes:

- **Information and Technology:**
  - Cloud hosting
  - Big data (including data storage and security)
  - Content provision
  - Convergence and digitisation projects
  - Open source content management systems
  - e-Commerce regulation
  - The provision of internet services including 'the internet of things', strategies and website terms and contracts
  - Social media platforms
  - Cyber and IT security arrangements.
- **Telecoms:**
  - Advising on content and rights licensing and the application and operation of the Telecoms Code
  - Interconnection and Roaming agreements
  - Satellite launch contracts
  - Network Sharing Network Optimisation Agreements.

## Case studies

**Financial institution:** Acting as legal technology partner to assist it with its business-critical regulated technology procurements, which include developing a framework for technology contracting services and advising on its framework agreement for the provision of value-added reseller services.

Advising on a number of industry-first negotiations with utility and other critical national infrastructure clients for the deployment of a Long-Range Wide Area Network ("LoRaWAN") based hardware and software solution using a cellular backhaul to provide network coverage and data analytic services for those clients and third parties, in relation to remotely deployed Internet-Of-Things (IOT) devices.

Advising **a government client** on the development of a £5 billion, multi-lot, multi-supplier framework agreement for the provision of innovative technology solutions to government.

**Competition Commission:** Supporting on IT outsourcing during the £1.5 billion sale of Gatwick Airport, ensuring a smooth transition and integration of IT services into the new operational structure.

**Transport for Wales:** Advising Transport for Wales on Code issues relating to the transfer of the Core Valley Lines from Network Rail.

Advising **Financial and Insurance sector clients** on outsourcing cloud services, data storage, database security and 'everything as a service' agreements, ensuring compliance with data regulations.

# Intellectual Property Law

## How we can help you

Our intellectual property lawyers have in-depth insight into a range of sectors and clients come to us for our expertise in complex issues (we are often asked to provide second opinions). We are regularly praised for our problem-solving and pragmatic solutions.

The team includes (in the UK and in Ireland) trade mark attorneys and paralegals which allows us to offer a distinct, but complementary, brand protection service and because of our Irish presence, we can service EU brand work.

As well as the public sector we also work in a range of sectors including life sciences, energy (including nuclear), healthcare, defence, transport, manufacturing, food and drink, media, sport and retail.

## Our expertise includes:

- Clearance, ownership and protection of intellectual property rights including trade mark and design rights, intellectual property audits, registrations and management of national and international portfolios. We have an Irish office, and can support on EU brand work
- Development and exploitation of intellectual property rights including through RD arrangements, collaboration agreements, joint ventures, licensing arrangements and assignments, sponsorship agreements
- Transactional IP including IP in commercial contracts, through the supply chain
- IP investigations including due diligence and IP audits
- Intellectual property disputes including litigation, trade mark oppositions and cancellations and Company Names Tribunal and domain name disputes.

## Case studies

### **UK Atomic Energy Authority and UK Industrial Fusion Solutions Limited:**

Advising on multiple projects including:

- the UK's leading fusion project - STEP (Spherical Tokamak for Energy Production) to deliver a prototype fusion energy plant, targeting 2040, with a path to commercial viability of fusion; and
- on a collaboration with Eni to build the world's largest and most advanced tritium fuel cycle facility.

**Department for Business, Energy and Industrial Strategy:** Advising on the establishment of UK Research and Innovation, including the transfer of large quantities of registered IP from legacy bodies (such as the Medical Research Council), working closely with stakeholders to support them through the process of establishment, and advising on interactions with the European Commission in respect of 200+ EU funded research projects.

**UK Hydrographic Office:** Providing day-to-day legal and brand advice, as well as working on larger projects such as drafting and advising UKHO on its standard terms and conditions, and IP licensing, for global distribution of its marine navigational paper and digital products and services.

**Guy's St Thomas's NHS Foundation Trust:** Advising on multiple projects including a collaborative joint venture with Kings College London for the development and exploitation of new technology.

**John Lewis and Waitrose:** We have advised the Partnership on day to day matters since 2015, including advising on and preparing an IP strategy for use across the Partnership. Work includes advice on product development, endorsement, brand collaborations and branding arrangements with high profile individuals.

**BBC and BBC Studios:** Appointed as sole counsel in 2017 to the on all UK and EU trade mark applications and registrations. Our role includes providing clearance advice in relation to a wide range of new projects and core brands as well as advice on a range of other contentious and non-contentious brand protection and intellectual property issues.

# Investment and Commercial Banking

## How we can help you

We advise on all aspects of specialist finance, including asset-based lending and structured finance. Our large, experienced finance team has a proven track record in delivering complex transactions for lenders and borrowers alike.

## Our expertise includes:

- Advising on unsecured facilities for listed borrowers
- Advising on “Holdco” and back-to-back financing arrangements for participants in the lending market including on guarantee structures supporting such lending
- Providing support to lender and borrower clients on secured corporate debt and acquisition finance facilities
- Advising on lending terms and conditions
- Providing expert guidance on drafting and negotiating syndicated and bilateral receivables finance agreements
- Advising on sustainability linked loans and other green loan concepts and products.

## Case studies

**Civil Aviation Authority:** Acting for the regulator on a large number of matters involving reporting on proposed changes to the debt and equity structures of ATOL license holders and ensuring that the CAA’s objectives, including the protection of customers, are appropriately addressed. This includes recommending, negotiating and implementing: new security, guarantees, subordination or other contractual protections in favour of the CAA.

**The Electric Car Scheme Holdings Ltd:** Advising an EV sector employee salary sacrifice platform provider as borrower on a secured revolving facility with LendNet LLP (Triplepoint) as lender.

**Leumi ABL:** Acting for Leumi ABL as lender on a £33 million ABL facility (receivables and inventory) with Special Melted Products Limited, a manufacturer of super alloys used in the aerospace oil & gas, and nuclear industries.

**Plantforce:** Advising this national supplier of advanced plant hire machinery as borrower on its ID and ABL facilities and additional investment from Business Growth Fund.

**Folk2Folk:** advising FCA regulated peer to peer lender on its financing terms and conditions and bespoke co-financing arrangements from British Business Bank.

**GCP Infrastructure Investments Limited:** Advising GCP Infrastructure Investments Limited on Eden’s ground-breaking geothermal project – the UK’s first operating deep geotherm heating plant since 1986.

**KfW IPEX Bank** - Provided English law advice to KfW IPEX Bank on various trade finance and receivables finance facilities across multiple jurisdictions

**FirstGroup plc:** Advising FirstGroup plc on its bus fleet decarbonisation programme for up to 1,000 electric buses involving parallel debt funding from MUFG, SMBC, and NatWest, and syndicated hire purchase funding (documented as a green loan) from Lloyds, NatWest and Bank of America.

# Merger and Acquisition Activity

## How we can help you

Our M&A lawyers ensure that advice to clients is grounded in sector expertise and designed to achieve their strategic goals and commercial objectives.

We provide advice on every aspect of M&A transactions, leveraging our experience in managing corporate transactions. We have significant experience in advising central government, local government and other public sector entities (such as non-departmental public bodies) on M&A transactions including advising on due diligence elements as well as pre-transaction advice on company law matters.

We collaborate with sector specialists within the firm to tackle a broad range of transactions. This collaborative approach enables us to range of transactions of varying complexity and deliver tailored advice that aligns with your specific commercial objectives.

## Our expertise includes:

- Share of shares held by public sector/central government entities
- Transfers of business functions structured as asset sales
- Transfers of business functions effected under statutory transfer schemes
- Joint ventures
- Reorganisations of corporate shareholdings held by public sector entities.

## Case studies

**UK Atomic Energy Authority:** Advising on the establishment of the STEP programme including advising on the establishment and stand-up of UK Industrial Fusion Services Limited and advice on the transfer of assets by UK Atomic Energy Authority to UK Industrial Fusion Solutions.

**UK Research and Innovation:** Advising on the sale of Vaccine Manufacturing and Innovation Centre to a private sector counterparty, including advice on corporate governance issues affecting UK Research and Innovation and the Vaccine Manufacturing and Innovation Centre entity and the terms of the sale documents.

**Department for Transport:** Advising the Department for Transport on the transfer of the entire issued share capital of London Continental Railways Limited to Network Rail Infrastructure Limited, as part of the Platform4 project to consolidate publicly owned residual railway land into a new development entity.

**University of Oxford and Oxford University Hospitals NHS Foundation Trust:** Advising on the joint venture with Mayo Clinic, a US based non-profit organisation committed to clinical practice, education, and research. The joint venture was structured using a limited liability partnership and drew on a wide range of specialised experience from across the firm, particularly regarding the bespoke and technical corporate aspects of the partnership arrangements.

**Ministry of Defence:** Advising on various joint venture matters, including a corporate joint venture established to provide a solution for the provision of maintenance, repair, overhaul and upgrade services for the F-35 Lightning II aircraft.

**Department for Business, Energy and Industrial Strategy (Department for Business, Energy and Industrial Strategy):** Advising on the transfer of assets (valued at £3.5 billion) from the UK's seven Research Councils, Innovate UK and the research and knowledge exchange functions of the Higher Education Funding Council for England to UK Research and Innovation, the UK's new research and innovation body. This was achieved using a statutory transfer scheme under the Higher Education and Research Act 2017.

# Outsourcing

## How we can help you

Our outsourcing lawyers provide end-to-end, strategic outsourcing advice for all types of on and offshore business processes. Our experience of working for both users and vendors of outsourcing services gives us an understanding of the pressures faced by clients on both sides of the table.

From IT, telecoms, HR, accounting and finance to payroll, claims processing, customer care, asset management, marketing, and training, we cover all types of outsourcing projects. We provide expert guidance to our clients, whether they are outsourcing for the first time or are seeking to renew or replace an existing contract.

Our outsourcing lawyers work as part of the client team in the competitive tendering process and our advice covers the entire lifecycle of an outsourcing project; from transition planning and statements of work to post-completion support and exit management.

## Our expertise includes:

- Business transformation (including in relation to complex facilities management)
- Global sourcing solutions
- Teaming agreements
- Partnering agreements
- Contribution and secondment mechanisms
- UK Economic Interest Group agreements
- Partnership agreements (limited and unlimited)
- Corporate investments
- Joint ventures (including contractual joint ventures)
- Mergers and acquisitions.

## Case studies

**Department for Education:** Advising on the creation of Alternative Delivery Models that deliver children's social care services on behalf of failing Councils (Doncaster, Slough and Sandwell) pursuant to Statutory Directions.

**Foreign, Commonwealth and Development Office:** Advising on the flagship procurement of a dynamic purchasing system for global facilities management across its estate (including embassies, Official Residences and other properties) and individual procurements for Asia Pacific, Europe and the UK estate.

**Welsh Water:** Advising on the outsourcing of its new integrated customer contact centre and desktop platform. We advised from the outset, starting with the tender and throughout the subsequent negotiations with tech vendor Infosys.

**Department for Environment, Food Rural Affairs:** Advising on the regulated procurement and bespoke NEC4 FM contract (a call-off under CCS Framework RM6232) for the Department for Environment, Food Rural Affairs' WPFM24 programme, a long-term, high-value (c£770m) programme to deliver FM services across assets with widely differing needs, some of which support critical risk management infrastructure of national importance.

**Foreign, Commonwealth and Development Office:** Advising on outsourcing arrangements with a private sector entity and with CCS to facilitate the repatriation of UK citizens abroad as a consequence of COVID-19.

# Pensions Law

## How we can help you

Our pensions law team is widely respected across the UK. Our national client base comprises trustee, administering authorities of public sector schemes and employer clients across the private and public sectors. Our specialist pension lawyers advise on defined benefit, defined contribution and hybrid schemes.

In the context of public sector pensions we routinely advise on the application of New Fair Deal (and the original Fair Deal) in the context of outsourcing, implementation of benefit changes and drafting rules to accommodate such changes, restructuring of public sector bodies and the application of pension protection (including statutory protection for former publicly owned industries – including rail, energy and nuclear).

Our pension lawyers regularly provide tailored training for clients, and pensions seminars are run in Bristol, London and Edinburgh. Our team is one of the largest pensions teams in the UK – with nine pensions partners and 45 pensions lawyers overall.

## Our expertise includes:

- Automatic enrolment
- Northern Irish pensions
- Pensions disputes and litigation (including advising on *McCloud*)
- Pensions legal advice
- Pensions regulatory
- Pensions tax
- ESG legal requirements
- Local Government Pension Scheme funds and asset pooling.

## Case studies

**Department for Transport:** Advising on the pension aspects of the incorporation of Highways England and the TUPE transfer of around 3,000 civil servants, including negotiating the admission agreement which allowed Highways England to participate in the Principal Civil Service Pension Scheme. Subsequently advising Highways England on pensions matters relating to the end of concession of the Severn River Crossings and the transfer back to public ownership.

**Foreign, Commonwealth Development Office:** Advising in relation to the outsourcing of facilities management across the Foreign, Commonwealth Development Office's embassies in northwest Europe and compliance with Fair Deal principles in UK and overseas settings (including in relation to the Civil Service Pension Scheme).

**Transport for Wales:** Advising on pension matters relating to the new Wales and Borders Rail Service. We advised on the arrangements for a section within the Railways Pension Scheme to accommodate the employees operating on the new franchise and on contracts to meet the cost of pension provision in the franchise in the context of a review by the Pensions Regulator of the actuarial assumptions used by the Scheme.

**Nuclear Decommissioning Authority:** Advising the Nuclear Decommissioning Authority (in its role as a scheme manager) on each of its various trust based and statutory pension arrangements (both defined benefit and defined contribution) in relation to both day to day benefit and administration matters and in relation to special projects which have related to restructuring of the Nuclear Decommissioning Authority group and new decommissioning projects.

**Local Government Pension Scheme:** Advising Local Government Pension Scheme funds on a full range of legal issues, including: IDRPs complaints and TPO submissions; complex benefit issues; GMP reconciliation; TPR reporting duties; pre-payment of employer contribution; exit credits; governance issues; delivering training to pension boards and committees; procurement; employer admissions; and investments (including at fund and pool level, asset transition, and the procurement of advisers and providers). We also advise Local Government Pension Scheme asset pools on governance, investment and procurement issues and we are advising them on their implementation of *Fit for the Future* proposals.

# Planning Law

## How we can help you

Our planning and compulsory purchase lawyers are nationally-recognised for our expertise and the quality of work we undertake. We deliver planning law advice to the public and private sectors, across the UK, through the whole development process, from consenting strategy to legal challenge.

## Our expertise includes:

- Consenting strategy and Planning applications, including Environmental Impact Assessment (EIA) and Habitats Regulations Assessment (HRA)
- Negotiating and drafting planning obligations for landowners, developers, local authorities and funders
- Planning appeals, including advocacy at public inquiries and hearings
- Interpretation of planning permissions and conditions, and advice on safeguarding planning consents
- Site assembly including compulsory purchase promotion and claims for compensation, including Upper Tribunal advocacy.

## Case studies

**Isle of Anglesey Council:** Providing legal support on all aspects of the proposed nuclear power station at Wylfa and other applications for major energy projects including the recently approved Tidal Demonstration Zone and Port Health Authority advice following amendments to port inputs as a result of Brexit.

**National Highways:** Advising on numerous NSIPs, including planning advice in relation to the former proposals for the Heathrow expansion DCO process, the new 9km A30 dual carriageway between Carslake and Carland Cross and the A417 proposals.

**Department for Transport:** Advising the Department for Transport as decision maker on numerous DCOs and Transport and Works Act Orders and related issues including Environmental Impact Assessments and Habitats Regulations Appraisals.

**Environment Agency and Canal and River Trust:** Advising these clients jointly in connection with a £20million scheme for installing state-of-the-art fish passes at several weirs located along the River Severn. Our work has included advice on strategic planning, site acquisition, public rights of way and CPO powers.

**Board of Trustee of the Royal Botanical Gardens, Kew:** Acting on their objection to the proposed development of a 32 storey scheme near the Kew Gardens World Heritage Site.

**Torbay Council:** Advising on the CPO for the redevelopment of the Crossways Shopping Centre, Paignton including dealing with the CPO process from start to finish and related planning application. Dealing with implementation of the confirmed CPO.

# Projects/PFI/PPP

## How we can help you

Our large and diverse team of specialist projects lawyers combines market-leading industry sector insight with the highest level of legal expertise to deliver clear, effective solutions to our clients. Critically, we have particular expertise in relation to projects involving the public sector, including specifically PFI/PPP projects.

We provide a seamless service throughout all stages of the project life cycle, including: development of commercial and procurement strategies and business cases; establishing and supporting a regulated procurement process; drafting and negotiating contract documentation; contract management support during operations (including for example construction, commissioning, variations, disputes, refinancings, benchmarking and market testing and restructuring distressed projects); contract expiry and handback; and reprocurement or alternative service delivery. Our multi-disciplinary team is structured to respond to the needs of large infrastructure projects, including specialist advice in areas such as financing, planning, real estate, tax, employment and pensions.

We understand the legal and commercial challenges inherent in any project and are renowned for our creative approach to problem solving.

Our projects lawyers have a proven track record of successful project delivery in a range of key infrastructure and wider sectors including energy, health, transport, defence, rail and education. We advise bidders, developers, investors, regulators, finance parties and the private and public sector.

## Our expertise includes:

- Delivering complex and high value infrastructure projects across sectors (including PFI/PPP projects and highly regulated infrastructure projects), from inception /procurement through to operations and expiry/handback
- Advising procuring authorities and bidders (including funders and supply chain) meaning we have an understanding of drivers on all sides
- UK wide projects under English, Welsh, Scottish and Northern Irish law
- Consenting of large infrastructure
- Community and social value provisions
- Development of models, financing structures and pathfinders
- Regulatory and compliance matters
- Onshore and offshore outsourcing.

## Case studies

**Welsh Government Mutual Investment Model:** Members of our team led advice to Welsh Government on the development of the Mutual Investment Model (“MIM”) standard forms and guidance, together with delivery of the initial pipeline of projects in the education, health and roads sectors, including the Velindre Cancer Centre MIM Project; 21st Century Schools WEP Strategic Partnering procurement.

MIM is the most recent form of PPP model in the UK, likely to be adopted in Scotland and England. With over 20 years of experience in the sector, the lead partner was responsible for supporting Welsh Government deliver value for money through commercially balanced risk transfer, aligned with Welsh policy and classification rules; and the reduction of transaction costs through development of a standard approach, reasonably acceptable to the market.

**Ministry of Defence:** We have advised the Ministry of Defence since 2014 on the procurement of the Dreadnought and Astute class submarines — a strategically significant programme replacing the UK’s continuous at-sea nuclear deterrent. Our work covers the full suite of contracting arrangements, from alliancing and collaboration structures between the MOD and its suppliers to detailed bi-lateral contracts for both programmes. We are also advising on the naval nuclear propulsion programme, supporting the negotiation, drafting and procurement of contracts with major strategic suppliers across manufacture, design, research, technology and professional services.

In addition, we have advised the MOD on the Skynet military communications satellite programme since the late 1990s. This includes acting on the first outsourcing through the Skynet 5 PFI, one of the UK’s most successful PFI projects, involving the manufacture and launch of two satellites. We are currently advising on the Skynet 6 programme, including the appointment of a replacement service provider following expiry of the PFI, a sole-source contract for the supply and integration of the Skynet 6A satellite, and the procurement of up to four satellites under the Enduring Capability Programme.

## Handback/expiry

Acting on behalf of a large local authority in respect of the one of the first PFI projects to reach expiry.

**UK Research and Innovation and the British Antarctic Survey:** Advising on a competition to procure an aircraft and associated support to provide the airbridge to Antarctica.

# Public Law

## How we can help you

Our public law team specialises in advising on complex, innovative and high-profile projects and challenges, including those with political, newsworthy or public interest dimensions. Our significant public sector client base means that we routinely deal with administrative and public law issues, including advice on subsidy control, equalities law and devolution.

Comprising former senior civil service lawyers, local government lawyers and secondees, the team offers significant first-hand experience of the public sector and the associated public law issues.

## Our public law expertise includes:

- The status, powers and functions of Departments and other Central Government bodies (including Non-Departmental Public Bodies, executive agencies and trading funds)
- Subsidy control
- Judicial reviews, inquiries and other associated dispute resolution
- Devolved powers of the Welsh Assembly, Scottish Parliament and Northern Ireland Assembly and sub-national devolution.
- Acting for government and non-governmental bodies on contracts and litigation with a public law decision making overlay.

## Case studies

**Department for Education:** Advising the Department for Education and the new Children's Services Company for Northamptonshire on the statutory direction to Northamptonshire County Council in relation to the provision of children's social care services. We advised on all legal and commercial aspects, including the corporate governance arrangements; outsourcing agreement; employment/TUPE; pensions; third party contracts; property arrangements and all other contractual arrangements.

**Foreign, Commonwealth Development Office:** Advising on a number of projects related to the response to the COVID-19 pandemic, including advising on the Secretary of State's powers in respect of the provision for and organisation of repatriation flights for UK citizens.

**Home Office:** Numerous claims and disputes regarding termination and non-performance of Home Office contracts with third parties subject to spending approvals and decision making on spend of public money.

**Equalities and Human Rights Commission:** Acted for Equality and Human Rights Commission as the regulator for Equalities law under the Equalities Act 2010 in defending a series of judicial reviews in court (including court of appeal) and pre-action regarding its consultation and publications regarding the application of the Equalities Act to trans people following the judgment on biological sex in *For Women Scotland*. These challenges were brought and had to be handled during a high profile and contentious public debate in the news.

**Welsh Government and Transport for Wales:** Advising on the transfer of the CVL Network from Network Rail to TfW as part of the wider Wales and Cross-Border Rail Service and Metro and on negotiations with the Department for Transport as to the exercise of powers in Wales.

# Public Law Litigation and Dispute Resolution

## How we can help you

We have public law disputes expertise across judicial reviews, regulatory decisions, procurement challenges and statutory obligations, providing tailored solutions for public bodies. We have considerable experience in handling key public law dispute matters for government departments and agencies including the Foreign, Commonwealth Development Office, Ministry of Justice, Department of Health and Social Care, Financial Services Compensation Scheme, Equality and Human Rights Commission and the Home Office. We are conscious of the nuances of managing litigation in the public sector, including national reputational issues, the requirement for key stakeholder briefings, policy imperatives and managing public money pressures. We have experience of ministerial briefings and providing the risk-based analysis of issues using the Attorney General's risk matrix.

We offer case management expertise via bespoke project management tools and are able to provide creative solutions to help facilitate settlement. We work with our clients to resolve their disputes as quickly and cost efficiently as possible and, where appropriate, without recourse to the courts (and the associated publicity). We are often able to resolve claims through the effective use of pre-action tools (including contractual tools such as remediation plans) and have considerable experience in all forms of alternative dispute resolution procedures.

## Our expertise includes:

- Client-focussed, strategic approach to complex and key public law disputes
- Senior team members with DV or SC security clearance
- Extensive experience in structuring and project managing complex mission critical disputes for government public bodies
- Expertise in successful high-quality delivery of complex electronic disclosure exercises
- Active use of alternative dispute resolution including mediation and adjudication for government public bodies
- Familiarity with arbitration, specialist tribunals and the criminal justice system including specialist fraud recovery
- Rapid response in urgent emergency situations
- Reputation critical investigations and inquiries.

## Case studies

**UK government departments:** Acting in support of the Government Legal Department for UK government departments in relation to judicial reviews brought by campaigning and other public interest organisations associated with the COVID-19 pandemic.

**Cabinet Office / Department of Health and Social Care:** Supporting on the defence of five judicial review actions brought in respect of procurement policy decisions, including award of PPE contracts to a major international supplier and 'Moonshot' mass testing policy. We handled extensive preparations to support the defence, working effectively alongside Government Legal Department commercial teams.

**Equality and Human Rights Commission:** Defending the Equality and Human Rights Commission against a series of judicial reviews and pre-action judicial reviews in the High Court and Court of Appeal related to its publications and consultation process following the *for Women Scotland* decision.

**FirstGroup plc:** Advising in the Supreme Court and below in a highly publicised test case on disability rights and equality law concerning access to wheelchair spaces on buses.

**Financial Services Compensation Scheme:** Assisting the Financial Services Compensation Scheme in recovery actions to recover compensation from financial services industry participants and insurers in accordance with Financial Services Compensation Scheme's statutory objectives. Our experience covers acting in high value individual matters (worth £multi-millions), including in relation to off-shore investments through large scale portfolio actions on issues such as PPI and personal pension (SIPP) mis-selling.

**Non-departmental public body:** Successfully defending against compensation claims worth over £220 million under Section 283 of the Proceeds of Crime Act. Our team was engaged to defend all aspects of the claims and managed the review of around 700,000 documents on behalf of government departments as part of their respective involvement with a high-profile public inquiry.

# Public Procurement Law

## How we can help you

We have extensive experience of working with authorities and utilities to design and implement regulated procurement processes under both the pre and post Procurement Act 2023 regimes.

Our team is dedicated to ensuring not only that procurements are robust and legally compliant, but also commercial and manageable, with the ultimate focus at all times being on delivering a successful outcome for our clients.

We also commonly work with bidders giving us a detailed understanding of bidders' commercial objectives and strategies when participating in regulated processes.

We provide expert assistance should disputes arise, either during the procurement process or post-award, and our team has been involved in many high-profile bid challenges brought before the Courts.

## Our expertise includes:

- Procurement strategy
- Business case development
- Drafting specifications
- Contract drafting and development
- Tender document preparation and development including selection questionnaires, invitations to tender and other associated documentation
- Negotiation, dialogue and interactions with bidders
- Stakeholder engagement and governance
- Evaluation, standstill and award
- Mitigating and managing procurement challenges and disputes
- Procurement project management
- Subsidy control and funding arrangements including risk assessments following government guidance
- European Commission complaints and proceedings.

## Case studies

**Department of Health and Social Care:** Advising on various procurement issues, including the development and operation of a Framework Agreement and subsequent Dynamic Purchasing System for supply of lateral flow testing devices for the detection of COVID-19.

**Ministry of Justice:** Advising in relation to procurement proceedings issued by a private sector contractor in relation to contracts for HM Courts and Tribunals Service.

**Foreign, Commonwealth Development Office:** Advising on a range of procurements and numerous day to day queries, including the implementation and then operation of facilities management arrangements across its estate, the acquisition of IT and other services. As well as providing end to end support, our advice on ad hoc issues has included queries on material change and evaluation. We have also advised on risk mitigation and the avoidance of challenges.

**Department for Environment, Food and Rural Affairs:** Advising on various procurements and associated issues including the delivery of food boxes during COVID-19 and the use of and then implementation of facilities management contracts, following call offs from CCS frameworks.

**Home Office:** End to end support on various procurements and advice on day-to-day queries concerning the supply of services to support asylum, border and homeland security activities.

**UK Atomic Energy Authority:** Advising on various procurement issues concerning the application of exemptions, the choice and structuring of processes and evaluation queries associated with UK Atomic Energy Authority's programme to support the development of Nuclear Fusion regulation in the UK. This has also included advising on risk mitigation strategies regarding potential challenges.

**Ministry of Defence:** Advising on a range of procurements and ad hoc procurement queries alongside our complex projects work.

# Real Estate and Real Estate Finance

## How we can help you

Our substantial commercial real estate group provides a comprehensive, fully integrated service with real estate lawyers working seamlessly with planning, construction, finance, environment and dispute resolution colleagues. Our work includes real estate development, regeneration, investment, portfolio management and strategic land promotion. We advise across the UK in all asset classes with notable expertise in the office, industrial, logistics, housing, leisure and rural land property markets and advising on real estate industry policy.

## Our expertise includes:

### Investment:

- Complex and high value real estate freehold and leasehold acquisitions and disposals
- Fund structures and structured investment transactions
- Sale & leaseback and income strip arrangements

### Asset Management:

- UK wide asset and portfolio management
- Landlord and tenant occupational office transactional and advisory services
- Occupational facilities management

### Development / regeneration:

- Housing and urban regeneration schemes including public/private JV partnering
- Land promotion for residential development

### Real Estate Finance:

- Lending for acquisition, commercial and residential projects
- Restructuring existing finance arrangements

### Real Estate Litigation:

- Mediations, arbitrations and contested litigation
- Contested rent reviews, dilapidations and lease covenant enforcement

### Specialist areas:

- Real estate policy
- Heritage and listed property
- Rural land disposal, promotion and management
- Telecoms including leasing land for telecoms apparatus.

## Case studies

**Greater London Authority:** Advising on the regeneration project at Beam Park, Dagenham. The 10-year £1 billion scheme, providing 3,000 homes, new schools and leisure facilities and a new railway station, is supported by our expertise in planning (complex s106 obligations), transactional real estate joint ventures (a tripartite development agreement), rail real estate and energy (two new energy centres).

**Post Office Limited:** Providing real estate transactional and advisory services across Post Office's extensive UK property estate. This includes c.250 directly held properties and involves the full spectrum of landlord and tenant work as well as freehold/long leasehold acquisition and disposal transactions and development project work.

**Financial Conduct Authority:** Our Tenant and Corporate Occupier team is appointed on a five-year mandate to provide corporate occupier advice across the Financial Conduct Authority's London, Leeds and Edinburgh offices. Our mandate includes landlord and tenant matters, real estate advisory and dispute resolution and occupational facilities management advice.

**Birmingham City Council:** Advising on the development of Perry Barr (Commonwealth Games former athlete's village), including disposal of the four undeveloped phases and of 4 developed blocks, the recent sale of 487 homes to L&G and on the development and onward management of 1,000+ homes on the site. Also advising on its multi-lot procurement of responsive repairs and maintenance services relating to the Council's housing stock.

**LGPS Central Limited:** Advising LGPS Central UK Direct Property Fund acquiring c.£500 million of directly held property investments over the next three years. In the last 12 months, we have advised on the acquisition of London Retail Park (£18.8 million, Maidstone) and Goodmayes Retail Park (£23.4 million, Chadwell Heath) and provided a range of asset management advice.

# Restructuring and Insolvency

## How we can help you

Our corporate restructuring and insolvency team provides specialist advice in connection with businesses facing a variety of financial challenges. For each matter, we assemble a team of experts from a range of legal disciplines and sectors, tailored to the client's specific needs.

Our contentious and non-contentious practice regularly advises on both domestic and cross border matters that span a wide range of sectors and clients; including companies, lenders, shareholders, opportunistic investors, insolvency practitioners, pension trustees, regulators and public bodies. We are active members of R3, INSOL Europe, the IBA, TMA and NARA.

## Our expertise includes:

- Contingency planning, options analysis, supply chain review, enforcement analysis and contractual and transactional structuring advice
- Cross-border and domestic financial restructuring
- Distressed investing and MA (including debt sales)
- Corporate governance and directors' duties
- Pension schemes in stressed and distressed companies
- Schemes of Arrangement, Restructuring Plans, CVAs, Moratoriums, Administrations, Liquidations and Receiverships
- Insolvency litigation and asset tracing.

## Case studies

**Civil Aviation Authority:** Acting for the regulator, on a large number of matters involving reporting on proposed changes to the debt and equity structures of ATOL license holders and ensuring that the Civil Aviation Authority's objectives, including the protection of customers, are appropriately addressed. This includes recommending, negotiating and implementing: new security, guarantees, subordination or other contractual protections in favour of the Civil Aviation Authority.

**Department for Education:** Acting for the Department for Education on a due diligence review on the proposed merger of three further education colleges. One of the colleges was financially distressed and the merger was the solution to avoid an Education Administration.

**Foreign Ministry of Defence:** Acting for a foreign Ministry of Defence on the insolvency of one of its critical UK suppliers. This includes negotiating with the prospective administrators of the UK supplier under compressed timescales to ensure continuity and quality of supply.

**Care Quality Commission:** Acting for the Care Quality Commission to prepare a legal independent business review in relation to a registered care provider which had breached certain financial covenants under its senior facilities agreement.

**A supplier:** Advising a supplier in connection with the insolvency and pre-packaged administration of one of its major customers including urgent retention of title advice and facilitating commercial negotiations with the administrators and their buyer.

# Tax Law

## How we can help you

Our tax team delivers pragmatic and effective advice to public sector clients. As well as advice on specific matters, we also provide tax support in relation to a wide variety of transactions, including in the context of different sectors such as transport, infrastructure, technology and real estate.

We have extensive experience advising government departments, executive agencies, local government authorities including local government pension schemes, as well as other public and institutional bodies.

The reputation of our team is reflected in our membership of committees, including the Law Society Corporation Tax Sub-Committee and the City of London Law Society's Revenue Law Committee.

## Our expertise includes:

- Advising on all direct and indirect UK tax aspects of corporate, real estate, funds and financing transactions
- Advice on stamp taxes including stamp duty, stamp duty land tax (SDLT), land and buildings transaction tax (LBTT) and land transaction tax (LTT)
- VAT advice
- Tax advice on acquisition, holding and investment structures, as well as on restructurings and reorganisations
- Real estate tax advice, including advice on property acquisition and development transactions, including sub-sales and forward funding arrangements
- Employment tax advice, including employment tax status and off-payroll working (IR35)
- Finance and funds tax advice
- Negotiating and drafting documents dealing with tax risk
- Advice regarding reputational issues in relation to tax.

## Case studies

**Local Government Pensions Scheme Pool:** Tax advice in relation to the implementation of an authorised contractual scheme to pool real estate investment assets of a pool of Local Government Pensions Schemes.

**Statutory Body:** Advising in relation to real estate tax-related matters, including on complex lease surrender and regrant transactions, exchange transactions, estate sales and transfers of going concerns (TOGCs), SDLT and VAT.

**Executive Non-Departmental Public Body:** SDLT and tax advice in connection with the development funding arrangements for a science centre.

**Executive Agency of a Government Department:** Advice in relation to the withholding tax treatment of certain payments.

**Government Department:** Advice in relation to the negotiation of contractual provisions relating to tax in relation to a procurement programme.

**Executive Non-Departmental Public Body:** Advice on contractual provisions relating to the Construction Industry Scheme.

# Optional specialisms

# Aviation and Airports

## How we can help you

We advise on a wide range of transactions, commercial, contentious and regulatory matters in the airports and aviation sector. Our clients include airlines, airports, travel companies, aircraft leasing companies, component manufacturers, debt and equity funders, service providers, governments and regulators.

We understand the key issues facing our clients – regulation, safety, security, competition – and are able to apply our legal expertise in a commercial and pragmatic manner, focusing on the client's key drivers.

Much of our experience has had a public sector angle, whether through regulation, advising government clients on PPP projects or commercial procurements or planning. As such, we have experience of supporting public sector clients on aviation related matters where the aviation angles are novel to them.

## Our expertise includes:

- Advising regulatory authorities on issues affecting businesses operating in the aviation sector including mergers and acquisitions, pensions issues and restructuring and insolvency
- Advising airports, airport stakeholders (including shareholders, subcontractors and funders), surrounding landowners, local authorities and other interested parties on matters affecting the operation of an airport including:
  - Planning
  - Regulation at both a domestic and international level including that relating to economic regulation, noise, environmental issues, passenger assistance, airport security, airport slots and safety
  - Infrastructure works including green energy projects
  - Alternative fuel sources
  - Airport conditions of use
  - Commercial agreements in relation to airport operations including leasing of facilities and concession agreements
  - Commercial dispute resolution including liability to third parties and passengers
- Advising on large scale government and public sector space and aviation projects including simulator and training projects, satellite projects such as the MoD's Skynet procurements and contributing to the design of space sustainability standards developed by the British Standards Institute.

## Case studies

**Civil Aviation Authority:** Advising the regulator on a large number of matters involving reporting on proposed changes to the debt and equity structures of distressed ATOL licence holders and ensuring that the Civil Aviation Authority's objectives, including the protection of customers, are appropriately addressed.

**Advent:** Advising on the aviation regulatory aspects of the acquisition of Cobham PLC.

**Bristol City Council:** Advising in relation to the planning aspects of the expansion of Bristol Airport.

**Competition and Markets Authority:** Advising on the £1.5 billion sale of Stansted Airport, the £807.2m sale of Edinburgh Airport and the £1.5 billion sale of Gatwick Airport.

**UK Research and Innovation:** Advising on the acquisition of an aircraft (and associated maintenance support) to provide the airbridge between South America, the Falkland Islands and Antarctica for research ventures.

**Edinburgh Airport:** Advising on the insolvency of an airline, the potential exercise of their statutory right of lien, possession of aircraft and section 88 notices.

**Ministry of Defence:** We have advised on numerous large complex Ministry of Defence procurements on both the public and private sector sides including the Skynet satellite programme, Global Combat Air Programme and the UK Military Flying Training System PFI project.

# Charities

## How we can help you

Our specialised charity lawyers advise charities on all aspects of their governance, structure and operations. We are experienced in dealing with a variety of different charitable entities, including trusts, CIOs, charitable companies and unincorporated associations. We regularly advise non-departmental public bodies incorporated under Royal Charter. We collaborate with overseas lawyers where required, either with preferred firms that we already know and work with, or firms that you would prefer to use.

We are committed to providing clients with the best mix of advice, service and value by offering a combination of legal and commercial expertise with a deep understanding of the charity sector to deliver strategic and pragmatic advice.

### Our expertise includes:

- Advising on the appropriate choice of charitable entity and group structure
- The creation of new charitable vehicles and registration with the Charity Commission and HMRC
- Restructuring and mergers
- Drafting or reviewing governing documentation including trust deeds and articles of association
- Managing conflicts of interest
- Advising on the establishment of and advice in relation to trading subsidiaries
- Advising on exempt charity status and the role of a principal regulator
- Advising complex organisations that work internationally and coordinating local tax advice in overseas jurisdictions
- Advising on fundraising and commercial participator requirements
- Advising on the charity law implications of disposing of land.

## Case studies

**Large international charity:** Advising on the tax implications of conducting primary purpose trade in six jurisdictions. The first phase of work involved advising on the charity and tax implications of becoming an exempt charity.

The second phase involved coordinating local tax advice in each jurisdiction and preparing a consolidated report with our conclusions. Following the report, our charity team provided follow up advice on the process for becoming an exempt charity, the role of a principal regulator and cross-border considerations.

**Charity:** Advising an exempt charity and non-departmental public body on the tax treatment of intra group loans with its trading subsidiary and providing practical guidance to the charity trustees regarding their powers and duties under charity law when making loans.

**Educational charity:** Providing guidance regarding the allocation of permanent and expendable endowments and whether to adopt a total return approach to investment.

**Various universities:** Advising on proposals including the construction of a new research facility and a green energy project with a local authority. This involved providing advice in relation to tax, procurement and charity law.

**Various museums:** Advising on the transfer of collections to other institutions, including tax, charity and trust and contract law considerations.

**Large retailer:** Advising on its relationship with its charitable foundation, including charity trading regulations and its commercial participator requirements.

# Children and Vulnerable Adults

## How we can help you

We have experience acting for the Department for Education on complex Children's Services intervention projects, and over the last eight years we have supported the Department for Education with its Statutory Interventions in Doncaster, Slough, Sandwell and Northamptonshire. On these projects, we provide the full range of legal support to both the Department for Education and the new companies/trusts that are set-up to improve the services.

We have also supported on the Local Authority side of these intervention projects, having acted for Sunderland, Reading and Birmingham (and the wholly-owned children's services companies set up as part of these interventions) on their Children's Services transformation projects.

Our team therefore has an excellent understanding of the current challenges being faced within the Children's Services sector and the social, financial and political agendas driving reform.

Our experience extends to advising on complex Alternative Delivery Models in this sector, where we have advised, for example, on the restructuring of Achieving for Children (a joint Local Authority Children's Services' company) and on Birmingham's Regional Adoption Agency services competitive procurement.

## Our expertise includes:

- Complex projects
- Public law
- Alternative Delivery Models including Joint Venture arrangements, "Teckal" companies and Outsourcing
- Procurement law
- Corporate law
- TUPE Pensions
- Public/private sector PPP arrangements
- Children's social care Statutory Intervention projects for Central and Local Government.

## Case studies

**Department for Education:** Advising on complex Statutory Intervention projects in **Doncaster, Slough, Sandwell and Northamptonshire**.

**Department for Education:** Advising on a suite of precedent contractual documents, with corresponding guidance notes, for use in different Children's Services Alternative Delivery Model structures.

**Various councils:** Advising Sunderland City Council, Reading Borough Council and Birmingham City Council (and their respective Children's Services companies) on their major Children's Services transformation projects.

**Birmingham City Council and Birmingham Children's Trust:** Advising on the competitive procurement of Regional Adoption Agency services.

**Achieving for Children:** Advising on various contractual and commercial matters, including the joining of Windsor and Maidenhead into its joint "Teckal" company structure and the consequential Service Delivery Contract arrangements between the company and the local authority.

# Credit Insurance and Related Products

## How we can help you

Our insurance team has a focus in policyholder work, with extensive historic experience of insurer-side matters, such that the team has an in-depth understanding of the concerns, commercial drivers and attitudes of insurers. As such, we are able to take a holistic approach to matters.

The team are comfortable working across a range of different sectors and have in depth understanding of those sectors. As a firm, we are known for our firm-wide expertise in construction, transport and infrastructure, energy, rail and financial sectors – the insurance team enjoys strong practices and expertise in these areas. We are confident taking instructions which assume in depth sector knowledge.

## Our expertise includes:

- Drafting and advising on credit insurance policies;
- Advising clients on innovative alternative risk transfer mechanisms, such as the use of captive insurance and parametric insurance products;
- Counter-indemnities given in the context of Guarantees, Letters of Credit and similar surety arrangements.

This experience sits alongside the team's wider expertise advising policyholder clients on a full range of issues and disputes relating to a variety of insurance products, including professional indemnity, business interruption and D&O.

## Case studies

Advising a cooperative on the drafting of a bespoke trade credit insurance policy relating to trading of grain. The policy formed a key part of the trading structure used by those within the cooperative to sell products in the market.

**House Builder:** Advice given to a housebuilder clients involved in the development of a large scale residential housing project, concerning the establishment of a captive insurance company for the Deposit Unlocked scheme. The purpose of the captive was to provide mortgage default insurance (i.e. credit insurance) to mortgage lenders who would provide finance to purchasers of new build homes. The aim of the scheme was to allow mortgage companies to continue providing 95% mortgages after the Government help to buy scheme was ended.

**Energy Investor:** Advice on the negotiation of a parametric insurance product for a client owning a number of solar assets. The policy was designed as an alternative to power CfDs as a means of hedging electricity price risk. The policy operates on the basis that the insurer will pay out if the price of electricity moves outside of the prescribed parameters during a set period of time.

# Education Law

## How we can help you

We act for schools, HEIs, FE colleges, private sector providers, Ofsted, Office for Students, as well as the Department for Education and local authorities.

We have built a reputation for taking on complex and high profile projects. Through our collaborative approach, we draw on experience and expertise from across the firm to build a team tailored to our clients' needs. We provide straightforward, to-the-point advice, guiding our clients through complex legal matters.

Our work for both public and private sector clients gives us an understanding of the issues involved in delivering transformational projects in the sector, from both sides of the table.

## Our expertise includes:

- PPP and joint venture projects
- Outsourcing
- Business transformation projects
- Alternative Delivery Models
- PFI/PF2 projects
- Student accommodation projects
- Employment disputes and tribunals
- Employment law advice (including TUPE) and training
- Commercial and contractual matters
- Pension schemes
- Academic restructuring programmes
- Mergers and acquisitions
- Private equity.

## Case studies

**Higher Education:** Advising **Babcock Training Limited** on the contractual arrangements necessary to enter into a partnership with the Metropolitan Police Service as lead provider of the delivery of new recruit training and assessment through two new Level 6 qualifications (a three year degree level apprenticeship and a two year diploma in policing for those who already hold a degree).

This eight year contract was awarded to Babcock following a regulated procurement process. Babcock worked with a consortium of four London based universities as part of its bid, **Anglia Ruskin University**, **Brunel University**, **University of East London** and **University of West London** (the HEIs) and the qualifications will be delivered by Babcock and the HEIs working in collaboration on different aspects.

**Schools:** Significant experience advising on the restructuring and delivery of education support services to schools. We act for local authorities, the **Department for Education**, private sector providers and local authority “spin outs” on the procurement and delivery of statutory and traded services to schools across the UK.

**Employment HR:** Providing a wide range of employment advice to the HR and legal teams of the **Office for Students**, **Ofsted** and the **University of Bristol**.

# Environment law

## How we can help you

Through our work with the full spectrum of clients from both the public and private sectors, we are able to view environmental law from all perspectives. From shaping the landscape of environmental law, to helping businesses ensure regulatory compliance, our lawyers provide the highest quality, specialist advice.

We collaborate closely with expert teams from across the firm including health and safety, planning, energy and disputes to secure the most effective outcomes for our clients. Our environmental law clients include, on the public sector side, government departments, non-departmental public bodies and environmental regulators and, in the private sector, large multinationals, SMEs and private individuals.

## Our expertise includes:

- Product stewardship (including REACH, circular economy, product standards)
- Energy efficiency
- Regulatory investigations and enforcement
- Site closure and divestment (including contaminated land)
- Environmental litigation and disputes
- Carbon law (including ETS)
- Environmental risk management and compliance
- Water law
- Resource and waste management
- Environmental credits.

## Case studies

**Canal River trust:** Advising on six appeals relating to conditions in abstraction licences, a key strategic issue for the client.

**Ministry of Defence:** Advising on various International and EU-derived environmental, chemicals and product compliance regimes (including, REACH, RoHS, POPs, CLP and the Montreal Protocol/Kigali Amendment) in the context of drafting and developing contractual clauses for a key contract for a design and build project relating to one of the UK's largest defence programmes.

**Statutory water undertaker:** Advising on contractual and regulatory aspects of a trading scheme to allow for future residential developments in water-stressed areas.

**Great Western Trains:** Acting on an appeal against a statutory nuisance noise abatement notice. The appeal raised several key issues and required close liaison with Department for Transport and Network Rail before the case was ultimately settled.

**The European Commission:** Providing advice on the adequacy of the REACH regime in tackling the use of microplastic beads in cosmetics.

**Developer:** Key advisor to the developer of a geological disposal facility for radioactive waste, one of the UK's largest environmental and infrastructure programmes.

**Local Authority:** Acting for a local authority in establishing its contaminated land strategy.

**International Pension Fund:** Advising an international pension fund on compliance with a number of regimes relating to carbon including EU ETS, SECR and ESOS.

# Equity Capital Markets

## How we can help you

We act for issuers, shareholders, bidders, targets, management, financial advisers, nomads, underwriters and other intermediaries.

We combine our expertise and experience in complex equity capital markets transactions with sector-specific knowledge and insights and understand equity capital market transactions (including takeover transactions) from all vantage points. We also collaborate with specialist employment, IP, tax and other lawyers across the firm to deliver focused and pragmatic advice for our clients.

Our ability to deploy our expertise, understanding and practical advice in a timely and user-friendly manner, helps to shape our clients' strategies and tactics. Our view of the market allows us also to understand and anticipate the opportunities and risks associated with equity capital market and public takeover transactions.

## Our expertise includes:

- IPOs
- Demergers
- Reverse takeovers
- Block trades
- Dual Track Processes
- Capital Reorganisation – including share buyback programmes, capital reductions and equity reorganisations
- Secondary fundraising – including placings, rights issues and open offers
- Issuing plc shares as part of M&A transactions
- Takeover transactions

## Case studies

**AOTI, Inc.:** Advising US medical technology group, AOTI, Inc. in relation to its £140 million IPO on AIM.

**Lounger plc:** Advising the senior management team in connection with the rollover arrangements on the recommended offer by Fortress Investment Group, LLC, for Loungers plc.

**Future plc:** Advising publishing company, Future plc, on its court approved reduction of capital.

**Saltus Partner LLP:** Acting for Saltus Partners LLP, a leading UK financial planning and investment management company, on its acquisition of certain subsidiaries and key assets of Tavistock Investments plc, a disposal which was classified as a "significant transaction" for the purposes of the AIM Rules.

**Fintel plc:** Advising leading provider of fintech and support services to the UK retail financial services sector, Fintel Plc, on its acquisition of Rayner Spencer Mills Research Limited, one of the most recognised fund ratings and research agencies in the UK.

**ITM Power plc:** Advising specialist electrolyser designer and manufacturer, ITM Power plc, on a series of secondary fundraisings, including a £52 million placing and open offer arranged by Investec.

**Premier Asset Management Group plc:** Acting for Premier Asset Management Group PLC on its merger with investment manager Miton Group plc, creating a new group with £11.5 billion of assets under management.

**Michelmersh Brick Holdings plc:** Advising specialist brick manufacturer, Michelmersh, in relation to its £5 million secondary placing arranged by Canaccord and on its acquisitions of Carlton Main Brickworks Limited and Floren B.V.

**Zeus Capital:** Advising WH Ireland (now part of Zeus Capital), as NOMAD and broker, in connection with (i) Pittards Plc's placing and open offer and (ii) with the acquisition by way of reverse takeover by Drumz plc of Acuity Risk Management

# Fintech Crypto Assets

## How we can help you

Positioned at the intersection of financial services and tech, the fintech sector is delivering real impact across banking, pensions, payments and consumer finance, via new and emerging technologies. These developments are taking place within a regulatory framework that continues to evolve, requiring public sector organisations to:

- monitor changes in financial regulation, market and customer conduct standards, data protection obligations and operational resilience requirements; and
- engage with innovators who look to bring new solutions and technology to market and with increasingly-systemically important technology vendors.

With many of our team having worked in-house in senior roles within the international fintech sector, we are well-versed in the unique requirements and dynamics involved in this fast-changing space on a day-to-day basis. We manage risks, identify solutions and leverage opportunities, ensuring that our clients remain compliant, competitive and innovative.

Crypto assets are becoming more prominent in day-to-day financial activity, particularly in areas such as payments, asset management and digital record-keeping. We can assist public sector bodies engaging with crypto and digital assets, including advising on the classification of tokens, licensing requirements, financial crime controls and tax treatment.

## Our expertise includes:

- Helping organisations safely develop, protect, and leverage both existing and emerging technologies while using data in innovative ways
- Advising on legal, financial regulatory, data compliance and financial compliance requirements
- Advising on end-user solutions and products and enhancing customer experience
- Advising on commercial collaborations, investments, funding and developing intellectual property as well as related disputes
- Supporting in-scope organisations on the full range of day-to-day activities, including contracts, licensing and innovation.

## Case studies

**Bank of England:** Advising in connection with various technology procurement and contracting programmes.

**Financial Conduct Authority:** Advising in connection with technology procurement and on regulatory change projects.

**Quanta Group:** Advising one of the UK's leading wealth management groups on the creation of a three-way, 10-year strategic partnership with Wipro and GBST delivering a digital-first platform and innovative customer-centric service offering.

**Multiple regulated and unregulated firms:** Advising clients on (a) regulatory perimeter matters to determine if activities are within the scope of authorisation (or structuring to manage risk), (b) critical and regulated technology and business process outsourcing and (c) the development and use of financial products.

**Payments:** Advising payments firms on developing payments products, and non-financial services clients on buying and implementing payments solutions.

**A wealth, savings and investment platform:** Advising on regulatory issues connected with a proposed crypto product offering.

**A payments business:** Advising on the use of stablecoins to effect cross-border payment flows.

**A FTSE 250 business:** Advising on operational resilience requirements and implementation.

# Food, Rural and Environmental Affairs

## How we can help you

Our food, rural and environmental affairs lawyers have expertise and sector insight on all aspects of food, rural and environmental affairs.

We advise on all areas of rural property law and policy, including full-service advice on the ownership and management of rural land portfolios and the issues that arise from them. That includes specialist advice on the Agricultural Holdings Act 1986, the Agricultural Tenancies Act 1995 and related applications to the First Tier Tribunal and rural arbitrations.

Our work in this area includes strategic advice to rural landowners and occupiers as to their ownership and use of rural land, and their aims for its future use. We are experienced at advising on natural capital projects and issues, and the opportunities that they and other forms of development (such as building or renewables developments) can deliver for owners and users of rural land.

We advise on food regulation and issues that arise in that sector, understanding the commercial drivers and challenges facing the industry.

## Our expertise includes:

- **Rural Property transactions:** land sales and purchases
- **Rural land occupation:** agricultural, commercial and residential tenancies and portfolio management (including County Farms estates)
- **Food and drink regulation:** food safety, food labelling, product recall and regulatory enforcement issues
- **Dispute resolution:** contractual disputes, land occupation and ownership, partnership and trust disputes and product liability
- **Corporate:** governance, mergers/acquisitions, joint ventures and fundraising, finance and insolvency
- **Health and safety:** civil, criminal, regulatory and insurance issues
- **Planning and CPO:** issues relating to properties for acquisition or development
- **Natural capital and Renewable energy projects:** strategy, investment, development and financing.

For our Environmental Law expertise please refer to [page 43](#) of this document.

## Case studies

**Department for Environment, Food Rural Affairs:** Advising during the COVID-19 crisis on the contractual arrangements with caterers to provide for the delivery of food boxes to those individuals who are having to be shielded.

**Rural transactions:** Acting for buyers and sellers of large-scale rural transactions, which may include multiple farm, diversified activities, the transfer of employment contacts and pension rights as well as issues such as overage and contract farming agreements. This includes advice on portfolio acquisitions and disposals.

**The Crown Estate:** We have developed the environmental Farm Business Tenancy (eFBT) for The Crown Estate, which has been endorsed by the Tenant Farmers Association and has been made publicly available – providing a new way of dealing with environmental enhancements and diversification on tenanted land.

**Groceries Code Adjudicator:** Appointed to advise on issues relating to the Groceries Code and as secretary to the Groceries Code Adjudicator in related arbitrations.

**Agricultural and Horticultural Development Board:** Advising on regulations relating to the levy imposed on potato growers.

**Natural Capital projects:** Advising on Landscape Recovery schemes and other natural capital projects.

**County Farms estates:** Acting for a number of local authorities who have County Farms estates, including advising on the strategic approaches to such estates, occupation agreements and management, rent reviews and development agreements, as well as smallholdings.

# Franchise Law

## How we can help you

We have an in-depth understanding of franchising, having advised on such issues across a number of sectors, particularly in transport, retail and leisure.

We have played a leading role in franchising the rail sector over the last 30 years. We advised on the majority (more than 20) of the franchises since privatisation and were heavily involved in the development of rail franchising policy. Having also mobilised over ten successful franchise bids in that time, we have experience of the unique dynamics of successful franchise handovers.

We are now deeply involved in the termination of rail franchises and transfer to the Department for Transport Operator ownership.

We also have in depth experience of the bus industry, advising local transport authorities and operators across England and Wales since the deregulation and privatisation of the sector in 1986. During this time, we have advised operators on bus reform provisions in emerging and pending legislation on franchising.

## Our expertise includes:

- Franchise contracts and the protection of data, IP and know-how
- Franchise competitions
- Franchise disputes
- Franchise mobilisations
- Franchise expiry and exit.

## Case studies

**Welsh Government:** Advising on transitioning the rail operations for the South Wales Metro to a new publicly-owned delivery vehicle while setting new requirements and contracting structure for infrastructure management of the Wales and Borders Rail Franchise.

**FirstGroup:** Advising regarding the termination of franchises for the South Western and Transpennine networks and subsequently the transfer of Transpennine Express to the Department for Transport Operator, calculation of payments and terms and the issue of new national rail contract.

**First Bus Holdings Limited:** Advising First Bus Holdings Limited in relation to the public procurement of a franchising scheme for the leasing, operation and maintenance of buses in Liverpool City Region.

**John Lewis and Waitrose:** Advising John Lewis on third party concession arrangements in-store, and Waitrose on arrangements for its branded outlets in third party locations, such as Welcome Break.

**Major hotel owner:** Provided critical advice in relation to a franchise licence agreement regarding data protection roles. Our advice included varying the terms of a franchise licence agreement in order to clarify the role of an independent controller for any personal data processed.

**Global food and beverage retailer:** Advising on the procurement of a customer experience/fulfilment SaaS solution from a major software supplier. As part of this international procurement project use of our client's franchisee and customer data has been central to the discussions. This involved defining the data sets within the solution and how the data can be used by each of the parties during and after the term of the contract so as to benefit our client and its franchisees in terms of customer strategy.

# Health and Safety

## How we can help you

Our health and safety lawyers understand that clients need a focused and effective response to health and safety compliance issues, regulatory and criminal investigations, enforcement action and inquests often in urgent circumstances.

We combine key sector insight and legal expertise, working closely with our energy, construction, transport, real estate and environment teams to deliver the right solutions for our clients. This means we provide a “one-stop shop” bringing the breadth of knowledge to all aspects of safety issues such as civil liability, insurance, employment and data protection. Our team includes regulatory specialists, criminal defence solicitors and a former Health and Safety Executive and Office of Rail and Road prosecutor.

The variety and scale of our advice includes advising on regulatory compliance, conducting internal investigations, advising on inspectors’ statutory powers, external investigations, inquests and enforcement action by the Office of Rail and Road, Health and Safety Executive, Office of Nuclear Regulation, Environmental Agency, local authorities and Fire and Rescue Service Authorities.

Our health and safety lawyers have proven expertise advising on safety frameworks, criminal and regulatory investigations; improvement and prohibition notices; prosecutions including corporate manslaughter and gross negligence manslaughter; inquests and related civil claims. Our clients include leading listed and international companies operating in the UK, land and property owners, energy providers and high-hazard and COMAH industries.

## Our expertise includes:

- Regulatory enforcement action and investigations by the police, safety regulators, local authorities and fire and rescue service authorities
- Incident and emergency response to major health and safety incidents including multi-fatality and high-profile incidents
- Training to senior managers and in-house legal teams on duties in health and safety context
- Advising on appeals of Improvement Notices and conducting appeals in Employment Tribunal
- Inquests including acting for Interested Persons
- Compliance, policy and governance – including advising on RIDDOR reporting requirements.

## Case studies

**Energy Sector:** Advising in connection with a multi-fatality incident at an energy company’s operational site. We were instructed within hours of the incident and advised on the company’s immediate response, Corporate Manslaughter and Health and Safety Executive investigations.

**Transport Sector:** Providing advice to the tram operator following the multi-fatality incident at Sandilands in Croydon. We advised on the third-party investigations including those conducted by Rail Accident Investigation Branch, British Transport Police and the Office of Rail and Road as well as at the 10-week inquest and prosecution at the Old Bailey.

**Rail sector:** Advising on an Office of Rail and Road investigation following a fatality of a passenger. Leading on the inquest proceedings, PACE response and prosecution including preparation of mitigation materials for sentencing.

**Ministry of Defence:** Providing support in the drafting and development of a suite of health safety clauses and related reporting templates for a key contract for a design and build project relating to one of the UK’s largest defence programmes. This was a nationally important non-contentious matter involving a highly collaborative approach drawing on expertise from lawyers in our Defence, Nuclear, and Health and Safety teams.

**Defence Sector:** Providing advice to an Interested Person at an inquest relating to the Defence sector – including advocacy at pre-inquest review hearing, preparation of witness evidence and advising on inquest process.

**Education Sector:** Providing incident response advice to a client in the education sector client after a fatality – including scope of internal investigation, collation of documentation and safety management system advice.

# Health, Healthcare and Social Care

## How we can help you

Our healthcare lawyers are experienced in working on critical, complex and politically sensitive matters for Government Legal Department and other public sector clients, having worked extensively with Department of Health and Social Care and with UK Health Security Agency, as well as leading NHS Trusts. We also have extensive experience of advising private sector healthcare service providers and equipment manufacturers so we are able to consider issues from a provider perspective too.

Both senior and junior members of our team have been seconded into Government Legal Department, Department for Business, Energy and Industrial Strategy and NHS Trusts, giving us first-hand knowledge of the intricacies of working for government and wider public sector clients. We understand the need for clear, succinct advice delivered at speed that provides the foundation for effective Ministerial decision making.

We also draw upon our extensive private sector healthcare expertise to help provide pragmatic advice for our public sector clients.

## Our expertise includes:

- Commercial contract negotiation
- Procurement strategy
- Drafting procurement documents (including SQs, ITTs, notices and standstill letters)
- Procurement challenges and judicial review
- Technology and intellectual property
- Subsidy control and grant funding
- Real estate matters
- Employment and pensions services
- Mergers and acquisitions.

## Case studies

**Department of Health Social Care:** Advising on a variety of workstreams relating to Test and Trace throughout the pandemic, including on a series of procurement procedures for the purchase of lateral flow devices

**Vaccine Task Force** (sponsored by **Department for Business, Energy and Industrial Strategy** and **Department of Health and Social Care**): Advising on a series of projects for the manufacture and supply of vaccines. Our work included negotiating the arrangements with Wockhardt, for the reservation of manufacturing capacity by UK government. This capacity has been used to manufacture the AZ vaccine. We supported the Department for Business, Energy and Industrial Strategy to draft and negotiate contract, and advise on life sciences regulatory issues and subsidy control.

**Major independent care provider:** Advising a major independent care provider of over 230 free NHS and social care services across the UK, on a number of critical contracts including advising on procurement issues, including a £100 million+ procurement claim and on the procurement law implications of a proposed corporate restructuring exercise.

**UK Research and Innovation:** Advising on various medical research grant funding arrangements including in relation to trials, diagnostics and disease detection.

**University of Oxford:** Advising on the establishment of the ground-breaking Vaccine Manufacturing and Innovation Centre (a JV with academic and industry partners) and then Vaccine Manufacturing and Innovation Centre on its subsequent additional government funding to deal with COVID-19 issues.

**NHS Trusts and independent healthcare providers:** We advise **NHS Trusts** (such as **Guys and St Thomas' Hospital**) on contract, corporate and IP matters. We have also advised independent providers (such as **Spire Healthcare** and **Cobalt Health**) on their arrangements with **NHS England**, and **HCRG Care** (formerly **Virgin Care**) on matters relating to its community care arrangements across the UK.

# Housing Law

## How we can help you

We provide comprehensive legal support across all aspects of housing law, with a strong track record of advising central government, public sector bodies, housing associations, and local authorities.

We understand the challenges faced by public sector clients in delivering housing services and managing residential property portfolios. Our lawyers work collaboratively across all legal disciplines to provide clear, pragmatic solutions that help you navigate complex legal frameworks and deliver value for money, factoring in the regulatory requirements of public procurement and CCS frameworks.

We advise on all transactional and dispute matters that might arise in the context of housing law, including project management, planning, construction, delivery, financing, sales/lettings, affordable housing, tenancy management, regulatory compliance, and dispute resolution. Our experience spans both contentious and non-contentious work, ensuring continuity of advice across teams on all aspects of your portfolio management.

## Our expertise includes:

- Complex Development Management Agreements and associated master planning agreements for large scale regeneration and new housing developments
- Landlord and tenant law, including tenancy agreements, enforcement, and dispute resolution, eviction and possession proceedings
- Social housing law and regulatory compliance, including governance and funding arrangements, homelessness law and duties under the Housing Acts
- Leasehold and commonhold law, including service charges, enfranchisement, and lease extensions
- Private rented sector matters, including licensing, management obligations, and tenant rights
- Housing fitness and quality standards, including compliance with the Decent Homes Standard and emerging regulatory frameworks.

## Case studies

**PP08 Finance Ltd:** Advising PP08 Finance Ltd as lender on an £8 million facility agreement with Major Housing Association Limited for the development of a mixed-use property to provide 58 social housing residential units and one commercial unit in Ilford. The Borrower is a regulated entity, which involved significant wider considerations and required regulatory advice on the enforcement of security in the regulated borrowing sector.

**Rise Homes / Gresham House:** Advising on the £8.5 million acquisition and £29.5 million development financing of a Build to Rent portfolio in the North of England, supporting investment in affordable mid-market rental housing, providing coordinated legal advice across banking, real estate, planning, and construction.

**Urban & Civic:** Advising Urban & Civic on the £1 billion+ “Growing Baldock” project, in collaboration with Hertfordshire County Council, that will deliver c.3,300 new homes, around 17ha of employment land, a range of community facilities, shops and services and new primary and secondary schools. In conjunction with all Real Estate matters, we are advising on planning and vacant possession strategy and all agricultural tenancies over the site, with the local character and identity as well as sustainability, being key commercial considerations for the client.

**Aviva Investors, Land Improvement Holdings and the Diocese of St Albans:** Advising on the £1.75 billion development scheme known as Linmere, a 630-acre site, to the north of London, comprising up to 5,150 homes, 1.25 million sq ft of distribution space and up to 1 million sq ft of retail, office and leisure, together with associated open space, schools and community facilities. We deal with all aspects of the serviced land sales, with a combined value now approaching £100 million, continuing site wide infrastructure installation, planning issues in light of the Hillside decision, various disputes and the provision of site wide electricity networks.

**Defence Infrastructure Organisation:** We are appointed on a seven-year mandate to provide all planning, construction, tax, procurement, dispute and real estate advice across the Defence Infrastructure Organisation’s national major projects team for their ongoing management and redevelopment of disused army barracks and/or regeneration schemes across the UK for residential development and to help deliver UK housing targets.

# Immigration

## How we can help you

Our long-standing business immigration practice advises many of the UK's well known employers, as well as overseas businesses, on the immigration and employment aspects of recruiting and employing overseas nationals in the UK. We also advise on right to work checks.

We also offer business immigration advice outside the UK through our Preferred Firm network. Recognising our expertise in this area, we maintain immigration 'How to' guides for the UK's leading online HR resource, XpertHR, and a number of practice notes on leading online legal know-how service, Practical Law.

Our business immigration team works closely with our personal immigration team who advise high net worth individuals and their families on the UK tax and immigration implications of moving to the UK.

## Our expertise includes:

- Recruitment and employment of overseas nationals in the UK including pre-process planning
- Right to work checks and the prevention of employing illegal workers including immigration audits
- Planning of immigration strategy
- Obtaining and maintaining sponsor licences (including for first time sponsors)
- Compliance with ongoing sponsor duties
- Supporting applications for immigration permission (including Skilled Worker visas, Global Business Mobility and UK Expansion Worker) for applicants and their family members
- Procedures and policies to ensure compliance with UK Visas and Immigration requirements
- Immigration and employment issues involving overseas nationals throughout the employment lifecycle
- Advising on international secondments and postings
- Dealing with sanctions imposed by UK Visas and Immigration for immigration breaches
- Advising on the immigration implications of restructures and outsourcing arrangements.

## Case studies

**Public body:** Supporting to put effective and streamlined immigration processes in place for the recruitment and employment of overseas nationals, including providing in-depth support on sponsor duties and holding monthly surgeries with the organisation's Key Personnel to advice on immigration matters.

**UK government research organisation:** Providing on-going immigration advice (including in respect of the sponsorship process under the Skilled Worker, Government Authorised Exchange and Global Talent routes).

**Government approved regulator:** Advising on the recruitment and sponsorship of migrants under the Skilled Worker route, including eligibility requirements, practical steps to be taken, right to work checks and sponsorship duties.

**National transportation company:** Advising on sponsor licence application and reporting a TUPE transfer of sponsored worker.

**Independent regulator:** Advising on the recruitment and sponsorship of migrants, right to work checks and the use of fixed term contract employees with time limited immigration permission.

**Global aerospace manufacturer:** Advising on applicants with graduate visas.

**Leading UK charity:** Providing a comprehensive employment and immigration law service which is tailored to the organisation's specific needs, including delivering training on recruitment and sponsorship of employees.

# Insurance and Reinsurance

## How we can help you

Our multi-disciplinary insurance practice advises on all aspects of insurance and reinsurance law, covering all types of insurances, including:

- property and all risks insurances
- public and employer's liability
- professional indemnity and financial lines
- DO / management liability
- business interruption
- life and health insurances
- WI insurance.

## Our expertise includes:

- **High-value and high-profile claims:** Our disputes team frequently advise policyholders on contentious insurance matters to obtain maximum recovery from their insurances. We have broad experience of resolving claims through mediation and formal dispute resolution (e.g. litigation and arbitration)
- **Advising on policy wordings:** We can advise on the drafting of policy terms and bespoke insurance arrangements. We can advise on any policy type, but we frequently advise on insurances designed to facilitate transactions, such as WI insurance, title indemnity and rights to light cover
- **Policy reviews and gap analysis:** We work with your brokers to help review existing policy programmes to identify gaps and limitations in coverage
- **Retail insurance:** Our Financial Services regulatory team advise on the manufacture and distribution of insurance products to retail customers and acts for a wide range of entities, including insurers, brokers intermediaries and affinity partners.

## Case studies

**Shepherds Friendly Society:** Advising the Shepherds Friendly Society on various propositional launches and distribution relationships. This included providing Financial Conduct Authority regulatory, insurance and data protection advice, and assisting the Society with a range of distribution contracts and a new reinsurance treaty.

**Docks fire:** Advising a national water charity on the suspension of rent, insurance claims and liability for reinstatement works following a fire in industrial premises at their docks.

**Financial Services Compensation Scheme:** Acting for Financial Services Compensation Scheme in an ongoing portfolio of claims under the Third Parties (rights against insurers) Act 2010 against insolvent financial services firms and their PI insurers, seeking to recover £millions of losses suffered by consumers in relation to missold private pensions and investments.

**Major Construction Contractor:** Acting for major Construction Contractor on a portfolio of 13 claims against its PI insurers to recover tens of millions owed by the Contractor to remediate defective cladding and fire safety defects in residential developments. This case involved analysis of: extensive expert evidence to identify cladding and fire safety defects; and, legal analysis of the Contractor's liability under JCT, NEC and other construction contracts.

**High Value Claim:** Advising on a substantial claim (circa £40 million) to recover costs incurred to mitigate design defects in upgrade works at National Grid gas compressor stations

**High Value Claim:** Advising a leading UK-headquartered, technology-based construction and engineering group on a series of high value professional indemnity and CAR claims arising from a £650 million waste to energy PFI project.

# International Development/Aid Funding

## How we can help you

We provide strategic, commercially focused legal advice on all aspects of government involvement in development finance. Whether you are a government body, lender, or sponsor, we help you navigate the legal and practical challenges of development finance, from initial structuring to execution.

## Our expertise includes:

- Advising on export credit guarantees and trade finance arrangements to facilitate cross-border transactions and mitigate risk.
- Structuring innovative financing models for emerging markets, including blended finance, public-private partnerships, and hybrid bank/bond solutions.
- Acting for procuring authorities, lenders, and sponsors on infrastructure and energy projects, leveraging experience with export credit agencies and multilateral institutions.
- Drafting and negotiating complex documentation for government-backed guarantees, syndicated loans, and risk-transfer mechanisms.
- Through our preferred firm network, supporting clients on policy and regulatory compliance across multiple jurisdictions, ensuring alignment with international development frameworks.

## Case studies

**Export Development Canada and NatWest:** Acting for **Export Development Canada** and **NatWest** on the £130 million long-term financing of a 106MW wind farm, located in Caithness in the Scottish Highlands.

**Eco-Business Fund and the SANAD Fund for MSME:** Advised Eco-Business Fund (**EBF**) and the SANAD Fund for MSME (**SANAD**) (impact funds advised by Finance in Motion, a world-leading impact asset manager with specialist experience in generating positive change in emerging markets around the world) on three West African financings. These were:

- a USD 20 million loan from EBF to Coris Holding and Coris Bank International Cote D'Ivoire for the purpose of supporting local investment into agriculture, forestry, fishery and tourism in Burkina Faso and Cote D'Ivoire;
- a USD 20 million loan from EBF to Banque Internationale Pour L'Industrie et le Commerce for the purpose of onward investment into agriculture, forestry, fishery and tourism sector in Benin; and
- a EUR 6 million loan from SANAD to Baobab Cote D'Ivoire for the purpose of investment into agriculture, livestock and/or agro-processing in Cote D'Ivoire.

**Finance in Motion – Eco Business Fund SSA:** Acted for Eco Business Fund S.A. Sicaif-Sif as Lender who has made available a loan of \$5,000,000 to Family Bank Limited. The loan will be used to fund sub-borrowers in key social impact and environmental sectors.

**KfW IPEX Bank:** Acted for KfW IPEX Bank as funder on a master receivables purchase agreement with an international petroleum wholesaler under the terms of which KfW would purchase, on a limited recourse basis, trade receivables generated by its customer.

# International Finance Organisations

## How we can help you

We advise on all aspects of law and practice relating to international financial institutions, ensuring clients can navigate complex regulatory frameworks and cross-border requirements.

Our team supports governments, corporates, and lenders in engaging with global financial bodies to secure funding, manage compliance, and structure transactions that align with international standards.

## Our expertise includes:

- Drafting documentation for development and infrastructure projects funded or guaranteed by international institutions.
- Advising on innovative financing solutions and blended finance models that leverage multilateral support for emerging markets and strategic sectors.

## Case studies

**Facility for Energy Inclusion:** Advising the Facility for Energy Inclusion a debt financing facility for small-scale energy access projects, off-grid solar, small Independent Power Producers, captive installations and mini-grids. Facility for Energy Inclusion was set up by the African Development Bank and also received equity funding from the German Federal Ministry for Economic Cooperation and Development through KfW and Norfund, and a loan commitment from the Austrian Development Bank.

The African Development Bank also invested on behalf of the Clean Technology Fund and the European Commission. Facility for Energy Inclusion is managed by Cygnum Global Partners) an investment bank which provides investment management and financial advisory services in sub-Saharan Africa and other emerging markets.

**European Investment Bank:** Acting for the bank in relation to English law governed guarantee arrangements, advising on terms and providing legal opinions on enforceability.

**Ukrasbank:** Acting for the European Fund for Southeast Europe (whose shareholder base includes a number of investors and development banks) in respect of its Ukraine sub-fund (managed by Finance in Motion) on a EUR 20,000,000 synthetic loan to Ukrasbank (State Owned Bank) for the purpose of financing sub-loans to private micro, small and medium enterprises and entrepreneurs in Ukraine.

**Oschadbank:** Acting for the European Fund for Southeast Europe (whose shareholder base includes a number of investors and development banks) in respect of its Ukraine sub-fund (managed by Finance in Motion) on a EUR 20,000,000 synthetic loan to Oschadbank (State Savings Bank of Ukraine) for the purpose of financing sub-loans to private micro, small and medium enterprises and entrepreneurs in Ukraine.

# International Trade

## How we can help you

Our international trade lawyers help clients to navigate the complexities of trade law, against a backdrop of global challenges from post-Brexit cross-border issues. Our aim always is to support our clients in maximising international growth opportunities in their chosen markets, drawing on specialist expertise across a range of legal disciplines including tariffs, sanctions, trade regulation, remedies and sector-specific compliance.

Trading businesses need to import and export goods and services in accordance with national and international trade laws. Following the UK's exit from the EU Customs Union and Single Market and the introduction of the UK-EU Trade and Cooperation Agreement and other non-EU trade agreements, new rules apply to exports, imports, data and hiring. EU-based importers, UK-based customers and exporters, and importers and exporters from further afield, need to be alert to updated restrictions, tariffs and regulations.

Drawing on expertise from across the firm, we work with a trusted network of independent law firms around the globe to help public and private sector clients achieve their commercial aims.

## Our expertise includes:

- Product stewardship, environmental and safety compliance and investigations
- Supply chain and country of origin implications for registration, labelling and taxation
- Business immigration and visa applications
- Trade, supply and distribution contracts
- Cross-border MA, competition, subsidies and antitrust
- Cross-border financial services including access of EU firms to UK markets (and vice versa)
- Customs, tariffs and trade regulation
- Licensing, advertising, labelling and trading standards
- Inward investment
- International tax and trade finance
- Trade disputes and trade remedies
- Negotiation of Free Trade Agreement IP chapters

## Case studies

**Local Authority:** Advising on the requirements and processes to establish a Port Health Authority and Border Control Post.

**Public Sector client:** Advising on the movement of goods between Northern Ireland, Great Britain and the EU, and the implications of the Northern Ireland Protocol on the movements.

**Department for International Trade:** Advising on patents, data and market exclusivity, designs and trademarks during the negotiation of IP chapters of Free Trade Agreements.

**Foreign, Commonwealth and Development Office:** Advising on the contractual framework for the Foreign, Commonwealth and Development Office to implement its repatriation scheme through an existing CCS enabling agreement.

**Foreign, Commonwealth and Development Office:** Providing advice during the COVID-19 crisis on the implementation of commercial arrangements and loans to facilitate the repatriation of UK citizens abroad. Also provided advice on termination/ relief under various international construction contracts.

**Manufacturing client:** Advising an Asian manufacturer of excavators on implications to their business of UK Trade Remedies Authority anti-dumping and anti-subsidy investigations. This includes advice around the impact of rules of origin and a recommendation on engaging with the investigation.

# Investment and Asset Management

## How we can help you

Our investment funds work includes advising a broad range of clients across the funds and financial services sector.

We have considerable experience advising fund managers on all aspects of investment funds, including formation and operation of funds across different asset classes (including private equity, infrastructure, real estate and commercial forestry), together with the regulatory aspects of such transactions. We regularly advise institutional investors including pension schemes (both public and private sector) and family offices on the terms of their investments in private funds in a number of jurisdictions. We also advise in relation to private fund transactions in the secondary market.

Our regulatory experience extends across the whole financial services sector, including regulated investment funds, private equity funds, fintechs, start-ups and growth companies, investment managers and advisers, investment and wealth platforms, pension schemes, family offices, custodians, insurance intermediaries and payments providers. We work closely and maintain strong relationships with regulatory bodies, government departments, regional bodies, as well as trade and industry associations

## Our expertise includes:

- Fund formation and operation – including fund establishment, additional fundraises and co-investments and operation of funds, along with associated regulatory matters including marketing.
- Fund investments – including advising investors in relation to private fund investments across a number of asset classes.
- Secondary Investments – including the sale and purchase of interests in private funds across a number of asset classes.
- UK regulated funds – including advising clients on launching, managing, distributing and investing in FCA-regulated funds.
- Financial regulation – including a broad scope of financial services regulatory work along with helping clients manage regulatory risk and advising a range of clients across the financial services sector.

## Case studies

**Sustainable investment fund:** Advising a UK asset manager on the structuring and establishment of new sustainable investment funds, additional fundraises and co-investments, together with the regulatory aspects of such transactions.

**Fund investments:** Advising numerous investors, including local government pension schemes and other investors in relation to fund investments across a number of asset classes (including private equity/ venture capital, infrastructure and real estate funds).

**Pension pools:** Advising in relation to new investment structures and funds, direct investments and all aspects of their arrangements including tax and procurement support, including advising one of the largest pension pools in the UK, managing around £64billion in assets on launching the first LGPS real estate ACS with multiple sub-funds.

**FCA's Sustainable Disclosure Requirements:** Advising a number of retail fund manager clients on the FCA's Sustainable Disclosure Requirements (SDR) including navigating the FCA application process both for funds seeking to adopt a Sustainability Label as well as those seeking to operate on an unlabeled basis.

# Islamic Finance / Sukuk

## How we can help you

We have been involved in the Sharia'h finance market since its inception and have advised on a wide-range of transactions, acting for a range of counterparties, including financiers, investors and corporates from both the UK and abroad.

Amongst other clients, we have advised Al Rayan, BLME, Gatehouse Bank, QIB, ABC International Bank and AUB on a range of matters and have advised corporate clients in relation to facilities from BLME, ABC International Bank, AUB and HSBC Bank and others.

Although our work is primarily focussed in the built environment sector and undertaken by specialist advisors in our Real Estate Finance team, we have also advised on Islamic finance transactions in traditional project finance and other corporate finance environments.

## Case studies

**International Company:** Advising international company on £17 million development Murabaha.

**European Investment Manager:** Advising a European investment manager on a £24 million Murabaha facility.

**Jersey investment fund:** Advising a Jersey investment fund on a £16 million Murabaha facility

**Islamic fund:** Advising an Islamic fund on a variety of Shari'ah loans secured on PBSA assets.

**English investment fund:** Advising an English investment fund on a gas peaking Murabaha facility.

**UK Infra fund:** Advising major UK infra fund on establishing Shari'ah product for vehicle financing.

**Islamic Bank:** Advising an Islamic bank on a development Murabaha facility for a PBSA scheme.

**Investment fund:** Advising an investment fund on Shari'ah funding of UK prime office.

Advising on a £20 million Murabaha facility for a housing scheme in London.

**UK Islamic Bank:** Advising a leading UK Islamic bank on its precedent Murabaha documentation.

# Life Sciences

## How we can help you

Our life sciences lawyers are experienced in advising government and other public sector clients, as well as international collaboration groups, on critical, high profile life sciences contracts.

Our work includes working with UK government in its response to the COVID-19 pandemic and ongoing pandemic preparedness, including the urgent need to procure new vaccine and therapeutic capabilities for the public.

Our advice has included drafting and negotiating critical vaccine and contract manufacturing supply arrangements; regulatory advice; tax advice; and advising on grant funding, state aid and procurement law elements.

Above all, our lawyers understand that at a time when government's life sciences requirements are evolving very quickly, it is more important than ever that we provide clear, precise advice that allows government stakeholders to make informed decisions.

## Our expertise includes:

- Contract terms and conditions for medical product manufacturing
- Contract terms and conditions for medical product supply, distribution and development, including clinical trials or investigations
- Grant funding
- Public procurement and state aid
- Materials Transfer Agreements
- Tax
- Regulatory
- Technology Transfer Agreements.

## Case studies

**UK Health Security Agency:** Advising on the establishment of a £1 billion Dynamic Purchasing System, known as Project 2025+, for the procurement of COVID-19 vaccines to address the UK's COVID-19 vaccination requirements over the next couple of years. We supported UK Health Security Agency on the development of all aspects of the contract and procurement documentation, including advising on the first procurement launched under the Dynamic Purchasing System.

**Innovate UK (part of UK Research and Innovation):** Advising on the grant funding agreements for the PACE programme for translational research projects into Anti-Microbial Resistance. Also advising on service level agreements between Innovate UK and Department of Health and Social Care, as well as grant funding agreements, for the network of Advanced Therapy Treatment Centres.

**Department of Business, Energy and Industrial Strategy:** Advising on the negotiation of critically important capacity reservation agreements with contract manufacturers for the fill and finish of COVID-19 vaccines. We supported the Department for Business, Energy and Industrial Strategy on a range of legal aspects, including drafting/negotiating contract terms directly with the suppliers, as well as providing support to the Department for Business, Energy and Industrial Strategy team on state aid and tax aspects, and other work streams to help obtain the necessary approvals.

**Government's Vaccine Task Force:** Advising on a series of other vaccine and antibody manufacturing projects, working together with a series of top tier global suppliers, with a view to improving post pandemic resilience of vaccine supply and the supply chain in the UK. We have provided commercial contract, regulatory, procurement, corporate, banking and subsidy control advice in support of these projects.

**Department of Health and Social Care:** Advising on the design and implementation of an open accelerated tender process for a c.£900 million multi-supplier framework and then a £8 billion+ dynamic purchasing framework for the supply of rapid-testing lateral flow devices, as well as advising on £multi-billion purchases (including potential procurement disputes).

# Media Law

## How we can help you

We advise on all aspects of media law, from reputation management to privacy rights, from copyright infringement to content licensing.

Our media lawyers are used to conducting high profile and wide ranging work for major clients across the media landscape, including film, TV, music, publishing, principally in connection with the protection and enforcement of IP rights. We also advise clients on the related issues such as privacy and defamation / reputation management.

Our broad experience includes acting for central government bodies, independent agencies/bodies, and arms-length corporates.

## Our expertise includes:

- Regulatory and statutory developments and implications for the media industry
- Defamation and reputation management
- Privacy law and data protection
- Exploitation of intellectual property rights –licensing and assignments, recording agreements, publishing agreements, and other media-related contracts.
- Intellectual property protection and disputes – trade mark and copyright litigation, trade mark registrations oppositions, and domain name disputes.
- Sponsorship arrangements, broadcasting rights and exploitation agreements for TV/multimedia clients
- Advertising and marketing (including Advertising Standards Authority complaints).

## Case studies

**BBC and BBC Studios:** Advising on all UK and EU trade mark applications and registrations including clearance advice, oppositions and enforcement issues.

**Department for Digital, Culture, Media and Sport:** Advising on the government's flagship TV Film Restart Scheme.

**Government of the Cayman Islands:** Providing reputation management advice.

**WarnerBros Discovery. (Discovery Channel):** Acting for US mass-media company in managing its UK trade mark portfolio, providing clearance advice on new channels / programmes, and dealing with IP infringement issues.

**The Racecourse Association:** Advising on the exploitation of media rights and RaceTech on the delivery of HD coverage and integrity services at horse racing fixtures.

Providing regular advertising clearance advice on consumer promotions to **Bupa Dental Care** and **Virgin Care Private**.

# Partnership law

## How we can help you

Our partnership lawyers are skilled in all areas of partnership law and work across a range of specialisms. This includes advising on involves partnership friction or disputes, which require the application of specialist knowledge of partnership disputes law and its impact on the rights and obligations of partners and members. As part of this, we have considerable experience of Alternative Dispute Resolution processes which can be particularly helpful to preserve relationships.

We also advise on all aspects of partnership formation for professional firms, whether trading as conventional partnerships or as limited liability partnerships (LLPs).

We provide strategic and tailored advice based on our work with existing clients in both the public and private sectors.

## Our expertise includes:

- Partnership structuring
- Partnership frictional issues and disputes
- Limited partnerships
- Partnership formation
- Partnerships for tax planning
- Mergers and Acquisitions
- Family limited partnerships.

For information on our PFI/PPP project experience, please refer to [page 30](#) of this document.

## Case studies

**University of Oxford:** Advising on the creation of a complex joint venture with Oxford University Hospitals NHS Foundation Trust to facilitate their joint participation in various healthcare opportunities. The joint venture was structured using a limited liability partnership.

**University of Oxford and Oxford University Hospitals NHS Foundation Trust:** The firm also advised on the joint venture with Mayo Clinic, a US based non-profit organisation committed to clinical practice, education, and research. The joint venture was structured using a limited liability partnership and drew on a wide range of specialised experience from across the firm, particularly regarding the bespoke and technical corporate aspects of the partnership arrangements.

**Albion:** Establishing Albion as the bid vehicle for the MBO of Close Ventures Limited and advice on internal constitution. Albion is a LLP, the members of which were the senior management of Close Ventures; Close Ventures is also a member of Albion. The transaction involved complex provisions reflecting classic private equity articles through a members' agreement, while not losing the partnership ethos.

**John Lewis and Waitrose:** Advising on innovative business models and partnerships, such as those with Bupa and DNA nudge.

Advising a **public benefit investment company** on the formation of a new social investment fund.

# Private Law Litigation and Dispute Resolution

## How we can help you

Recognised internationally, our expert disputes lawyers offer pragmatic, commercial advice on complex disputes across a range of forums, ensuring rights are protected.

We have a proven track record of achieving successful and amicable resolutions. Should litigation become necessary, we represent clients in the High Court, Intellectual Property Enterprise Court, UK and European trade mark offices, and other key forums, offering support throughout all stages of the process, including on appeal.

We have particular expertise in intellectual property disputes – including litigation, trade mark oppositions, cancellations, Company Names Tribunal, domain name disputes. We handle the clearance, ownership and protection of intellectual property rights – including trade mark and design rights, intellectual property audits, registrations and management of national and international portfolios.

## Our expertise includes:

- enforcement of rights such as IPRs and/or confidentiality,
- various forms of tort
- claims for damages pursuant to the Human Rights Act 1998 or GDPR.
- cost recovery in a non-contractual context.

## Case studies

**UK Ministry of Defence:** Acting on copyright and database right infringement claims.

**BBC and BBC Studios:** Managing the IP portfolio and protecting global brand assets of the BBC and BBC Studios, advising on IP/brand protection issues concerning their most iconic shows and renowned franchise brands.

**Starbucks:** Managing Starbucks' UK trade mark portfolio, providing clearance advice and brand protection services including enforcement action.

**Government department:** Defending a government department from allegations of loss of confidentiality in business secrets and proprietary documentation and consequent impact on a key (cross-government) contractor. This involved threatened injunction and damages claims and the need for rapid review of the sensitivity of information and effectiveness of mitigation steps.

**Department for Health and Social Care:** Acting for Department of Health and Social Care on recovery claims in relation to PPE supplied during the pandemic which was not fit for purpose or otherwise not of satisfactory quality including negotiating settlements and risk assessment.

**Government Department:** Acting for a government department in relation to claims for payment for work done outside contractual terms in connection with contractual exit and insourcing.

# Project and Asset Finance

## How we can help you

We deliver specialist advice on complex financing transactions across projects, infrastructure, and asset-backed sectors.

Our team works with sponsors, lenders, investors, and public bodies to structure and execute deals that meet commercial objectives while complying with regulatory requirements.

From greenfield developments to refinancing and portfolio transactions, we help clients achieve bankable solutions that support long-term growth.

## Our expertise includes:

- Advising on project and infrastructure finance for energy, transport, and social infrastructure, including public-private partnerships and multi-source funding structures.
- Structuring asset finance transactions for aviation, shipping, and rolling stock, as well as bespoke arrangements for regulated utilities and whole-business securitisations.
- Designing and implementing structured finance solutions, including public and private securitisations, loan portfolio sales, and receivables financing.

## Case studies

**Department of Energy Security and Net Zero:** Advising Department of Energy Security and Net Zero on all financing aspects in connection with its major market intervention intended to stimulate the delivery of zone-scale district heat networks at scale and pace. We are additionally advising in connection with all aspects of the financing and security structure on an area-wide low-carbon district heat network in South Westminster, one of the most ambitious energy network opportunities in the UK, using heat from the River Thames to supply more than 1,000 buildings.

**Banco Santander S.A:** Advising a club of lenders comprising NORD/LB, Santander UK, Commonwealth Bank of Australia, Rabobank and Aviva Investors on its £240 million refinancing package for the Gresham House Energy Storage Fund plc (GRID), a 1GW portfolio of 28 battery energy storage system (BESS) assets.

**Cardiff Parkway:** Advising Cardiff Parkway Developments Limited (a JV among developers, Investec Bank plc and the Welsh Government) on the development and funding of a privately procured railway station in Wales. This includes working with sponsors to determine and implement the financing strategy, which includes elements of project finance, real estate finance, Tax Increment Financing, City Deal Funds and investor equity.

**First Group:** Advising longstanding client FirstGroup plc on two connected projects with a combined value of c.£200 million to support its transition to a net-zero bus fleet. The transactions involved:

- **Creation of NextGen**, a 50:50 joint venture with Hitachi for the acquisition, deployment and management of EV batteries, funded through initial equity contributions and debt facilities from MUFG, SMBC and NatWest. NextGen will purchase up to 1,000 batteries and lease them to FirstGroup, with Hitachi providing battery and charging management services.
- **£150 million syndicated hire-purchase funding** (structured as a green loan under LMA Green Loan Principles) with Lloyds, NatWest and Bank of America for the residual electric bus bodies, following the battery sale and leaseback arrangements.

# Public Inquiries – Support to Participants and Inquests

## How we can help you

### Public Inquiries: Support to Core Participants

We partner with Fieldfisher LLP on Core Participant instructions for public inquiries. We have a collaborative arrangement and work as a combined team providing strength and depth of experience. We offer clear, strategic advice to help Core Participants navigate the complex procedural and legal issues surrounding public inquiries. We also have significant combined experience of advising statutory and non-statutory inquiries which means we understand the dynamics on all sides of an Inquiry.

### Inquests: Support to Interested Persons / Solicitor to Inquests

Our high-quality team has extensive experience in providing support to Interested Persons and those involved in inquests including advice on Article 2 ECHR, inquests with a jury, prevention of future death reports under Regulation 28 Coroners and Justice Act 2005 and the provision of witness and expert evidence.

Our experience responding to inquests and inquires has given us insight and tested processes and strategies to help deal with these potentially sensitive proceedings. Our approach is designed to support business-as-usual needs, ensuring compliance with inquiry protocols and helping organisations and individuals navigate the process efficiently.

### Our expertise includes:

- Advising Core Participants on all aspects of statutory and non-statutory public inquiries – including supporting organisations in responding to evidence requests from inquiries and Coroners:
  - Handling evidence identification disclosure, and document management – including using Legal Project Managers and AI
  - Taking and preparing witness statements and supporting witnesses through the evidential process in inquiries and inquests
- Responding to warning letters issued by inquiries
- Advising on recommendations from inquiries and prevention of future death reports from Coroners and any potential civil or criminal liability Advising on reputational and risk issues, including media attention
- Advising on strategic objectives and balance between proactive and reactive participation
- Delivering end to end project governance.

## Case studies

### Post Office Horizon IT Inquiry – Core Participant (with Fieldfisher LLP):

Acting as Recognised Legal Representative for Post Office Limited, a Core Participant in the Inquiry. Advising on Phases 5 to 7, managing ongoing disclosure, managing and responding to Rule 9 requests, advising on complex legal matters (including without prejudice issues) and procedural issues, supporting Post Office Limited during the public hearings and managing and assisting with the Maxwellisation process for Volume 1.

**The Southport Inquiry – Core Participant:** Acting as Recognised Legal Representative for a Core Participant in the Inquiry.

**Grenfell Tower Inquiry – Core Participant:** Advising a core participant in the Inquiry on responding to the largest ever criminal investigation by the Metropolitan Police Service into allegations of corporate manslaughter and health and safety breaches.

**Croydon Tram Derailment Inquest – Interested Person:** Acting for the tram operating company in the 10-week inquests into the deaths of 7 people. Advising on approach to disclosure, taking witness statements, submissions on use of RAIB Report and application of the ‘Norfolk’ test and submissions on leaving unlawful killing conclusion to jury.

**Rail Inquests – Interested Persons:** Acting on multiple inquests for train companies as Interested Persons, including a 2-week jury inquest into the death of a 15-year-old on the railway tracks.

**Leisure Sector client – Interested Person:** Advising an Interested Person on an inquest where the company had been prosecuted for health and safety failings.

**Defence Sector – Interested Person:** Advising an Interested Person at an inquest in the Defence sector including advocacy at pre-inquest review hearing and preparation of witness evidence.

**Local Authority:** Advising on strategy of applying for Interested Person designation after a death at a recreational facility and preparation of witness evidence.

**Non-departmental Public Body:** Advising an employee of a non-departmental public body following the death of a fellow employee –submissions on whether they should be designated as an Interested Person and preparation of witness evidence.

# Public International Law

## How we can help you

Our public international team has expertise in assisting clients with cross-border regulatory issues, trade-regulated litigation, trade remedies, export controls, labelling and country of origin advice, business immigration, inward investment, cross-border M&A and international taxation.

Our nuclear team is also recognised for advising on the requirements of international nuclear law around the world. We act for governments, state owned nuclear developers, regulators and large international collaborations.

## Our expertise includes:

- International dispute resolution including international arbitration and choice of jurisdiction/courts
- Trade disputes including sector-based disputes concerning tariff breaches
- Regulatory requirements for imports/exports including consumer law, product liability, obtaining approvals and engagement with regulators
- Supply chain and country of origin implications for registration, labelling and taxation
- Trade remedies – anti-dumping, anti-subsidy and safeguarding investigations
- International law and best practice relevant to nuclear safety, nuclear security, nuclear safeguards and nuclear liability
- Nuclear export controls
- United Nations Security Council Resolutions
- International transport of nuclear materials
- Transboundary movements of nuclear waste
- Nuclear safeguards agreements (comprehensive and voluntary offer)
- Bilateral nuclear co-operation agreements
- The constitution, statute and powers of the International Atomic Energy Agency.

## Case studies

**Eurostar:** Advising directly and on the engagement with former UK government shareholder LCR, on the application of the Treaty of Canterbury between UK and France relating to management of the Channel Tunnel Fixed Link. Our advice covered issues such as oversight of safety compliance and responsibility and making submissions to the Inter-Government Commission set up to monitor the fixed link, charging and rights of access (including their overlap with later EU, UK and French law).

**Department for International Trade clients:** Advising Department for International Trade clients such as GCB Cocoa Singapore Ltd (the world's fourth largest cocoa processing company) on their UK market entry and foreign direct investment projects.

**Foreign nuclear regulator:** Advising a foreign nuclear regulator on the requirements of International Nuclear Law and best practice, training staff, reviewing and reporting on the state's implementation of the requirements of the Convention on the Physical Protection of Nuclear Materials, reviewing and amending the state's framework nuclear laws, regulations and regulatory guidance and advising on institutional reform.

**Foreign nuclear developer:** Advising a foreign state-owned nuclear developer on the drafting of domestic nuclear legislation and nuclear liability legislation and adoption of a national policy on nuclear energy.

Advising **NI Translink** and (separately) **Eurostar** on continued operation and access to EU markets after Brexit leading to continuity agreements for both.

Advice to UK sectors including chemicals, food and energy on impacts of trade agreements for country of origin and regulatory approvals.

**Trade remedies clients:** Advising UK and overseas manufacturers on anti-dumping and anti-subsidy investigations.

# Supporting Public Inquiries

## How we can help you

To deliver the key specialism of public inquiries, Burges Salmon has a collaborative arrangement with Fieldfisher LLP. We work as a combined team providing strength and depth of experience across multi-issue investigations, disasters, terrorist attacks and other matters of public concern. We feel passionately that inquiries, when conducted effectively, are a force for establishing facts and driving change. That belief motivates our approach.

We have experience of acting as the Solicitor to the Inquiry for statutory and non-statutory inquiries. We understand the legal and Secretariat sides of managing an inquiry and provide strategic advice to Inquiry Chairs to navigate complex and often sensitive procedural, strategic and legal issues. We have a multi-disciplinary team (including Legal Project Managers and Cost Lawyers) alongside cross-firm collaboration which is where our strength lies. We also have experience of acting for Core Participants so understand the complex dynamics on all sides of an Inquiry.

We have tested processes to assist with delivering inquiries – including drafting protocols on evidence, Core Participant applications, scope for funding and requirements for closed hearings. We recognise that flexibility is required to meet client needs and deliver the service required.

## Our combined expertise includes:

- Providing legal advice and support to Inquiry Chairs on all legal aspects relating to the Inquiry. Carrying out the role of a solicitor under the Inquiries Act 2005 and Inquiry Rules 2006 including drafting and advising on terms of reference, report writing and statement taking
- Monitoring the Inquiry's own legal spend – and delivering on time and to budget
- Instructing, working and managing the Counsel to the Inquiry team
- Embedding Legal Project Managers to lead on project co-ordination for effectiveness and cost efficiency
- Management and collation of documents including maintenance of the inquiry record, the provision and management of virtual data rooms and/or e-disclosure and using AI as part of disclosure
- Judicial Reviews including Cabinet Office and Travellers Movement in the UK COVID-19 Inquiry and the Core Participant designation JR in Omagh Bombing Inquiry.

## Case studies

**UK COVID-19 Inquiry:** Providing the solicitor team representing the COVID Inquiry across all modules of the Inquiry. This includes the role of Solicitor to the Inquiry, lead module solicitors, managing complex legal challenges and procedural issues, assessment of the award of section 40 legal costs to Core Participants and managing the public hearings. We have experience of adopting a trauma informed approach throughout the Inquiry.

**The Omagh Bombing Inquiry:** Providing the solicitor team representing the Omagh Bombing Inquiry, including the Solicitor to the Inquiry. This includes managing complex legal challenges and procedural issues related to a sensitive and high-profile investigation into a terrorist bombing.

**The Thirlwall Inquiry:** Providing legal support to establish and operate the Thirlwall Inquiry. We assisted with setting up the Inquiry's structure, assisted with legal operations and provided the solicitor team representing the Thirlwall Inquiry.

**Post Office Horizon IT Inquiry:** Acting as Recognised Legal Representative for Post Office Limited, a Core Participant in the Inquiry. Advising on Phases 5 to 7, managing ongoing disclosure, managing and responding to Rule 9 requests, advising on complex legal matters (including without prejudice issues) and procedural issues, supporting Post Office Limited during the public hearings and managing and assisting with the Maxwellisation process for Volume 1.

**The Southport Inquiry:** Acting as Recognised Legal Representative for a Core Participant in the Inquiry.

**Fuller Inquiry:** Providing the solicitor team to advise on processes to manage a non-statutory inquiry, including supporting whistleblowers, vulnerable witnesses and roundtable discussions for focused recommendations.

**Jalal Uddin Inquiry:** Advising on the request to establish the inquiry following a decision on public interest immunity in the inquest into Mr Uddin's death. Advice was given on the process of restriction orders, hearing management, warning letters and report writing.

# Sustainable Finance / Green Finance

## How we can help you

Our sustainable finance lawyers work with a diverse range of clients, including retail and private market funds, Financial Conduct Authority authorised investment managers, corporates, banks, pension schemes (public and private), trustees, family offices, philanthropists, charities, and high-net-worth individuals.

We advise on structuring products and investments that meet ESG objectives while ensuring compliance with evolving regulations. Our expertise spans financial regulation, corporate finance, banking, and private wealth.

Our environment and climate change practice is supported by legal specialists in social and governance risks. This unique combination allows us to offer clients a seamless, comprehensive service that addresses all aspects of sustainable finance.

## Our expertise includes:

- **Loan advice:** Advising on green and sustainability-linked loans and the incorporation of appropriate
- **Regulatory framework:** Advising on the evolving national and global regulatory framework regarding ESG matters, and on ESG aspects of MA activity.
- **Fund advice:** Advising on the launch and operation of ESG-focused funds, including on the Financial Conduct Authority's Sustainability Disclosure Requirements (SDR) Energy regulation
- **Pension scheme trustees:** Advising on their Statement of Investment Principles.

## Case studies

**FundRock Partners:** Advising on its successful application (as authorised fund manager of the FP WHEB Sustainability Impact Fund) to adopt a Sustainability Impact Label under the Financial Conduct Authority's Sustainability Disclosure Requirements (SDR) regime.

**First Group:** Advising on the the investment into, and deployment of, up to 1,000 electric buses with a combined value of approximately £200 million

**St. James's Place:** Advising on a major Sustainable Investment Fund transition including successful adoption of the Sustainability Focus label and appointment of a new fund manager.

**Gravis:** Advising on their portfolio financing of four storage assets including one construction BESS asset.

**Balance Power:** Advising on its £300 million partnership arrangement with TagEnergy to build out, own and operate 500MW of new energy storage projects and advising on development and operational matters in relation to these projects.

**OnPath Energy:** Advising leading UK renewables developer OnPath Energy on a bilateral financing to support the development of its Mill Rig Wind Farm project, a 33.4MW Scottish onshore wind scheme.

#### **Bristol**

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