

RM3788 WIDER PUBLIC SECTOR LEGAL SERVICES PANEL

CROWN COMMERCIAL SERVICE (CCS)

GOWLING WLG PROSPECTUS
VERSION 1



Crown
Commercial
Service
Supplier

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SERVICING WIDER PUBLIC SECTOR

Delivering savings and efficiencies is a key concern for government and public bodies. We've acted on significant programmes that have targeted the delivery of savings and efficiencies by restructuring the delivery of services and renegotiating existing contractual arrangements.

And, with many of our leading experts having either worked in, or been seconded to, major public sector organisations, we have first-hand experience of clients' needs, motivators and challenges and a 360-degree perspective that enables us to provide sophisticated legal, regulatory and public policy advice on virtually any matter.

Our clients include all levels of government and their agencies, local and regional authorities, trade and professional associations, non-governmental agencies, Crown corporations, utilities, housing associations, developers and educational institutions, such as schools and universities. Our extensive network of public sector contacts is a key advantage for industry stakeholders in presenting their concerns to decision makers.

We advise on lobbying compliance and ethical obligations and provide guidance on issues relating to conflict of interest at the federal, provincial and municipal levels.

In this prospectus we have described the scope, depth and breadth of the services we offer and experience in the framework's mandatory and optional specialisms. However, we understand that complex legal issues often need a cross-sector and cross-service approach and we pride ourselves on our ability to combine all of these specialisms as and when necessary to offer a 'one stop shop'.

Our aim here has been to provide you with information reasonably needed to assist you in making direct award decisions. However, should you wish to discuss anything with us, please do get in touch.

As a Lot 2 supplier, we look forward to working with you.



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Richard Lowe, CCS Framework Manager

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WIDER PUBLIC SECTOR CLIENTS:

Birmingham City Council

Greater London Authority

Guy's and St Thomas' NHS Foundation Trust

London Borough of Croydon

Sanctuary Housing Association

Gloucester City Council

Greater Manchester Combined Authority

London Borough of Barnet

Metropolitan Police

Transport for London (TfL)

The background features a series of overlapping, concentric circular bands. From the center outwards, the colors transition from a dark purple to a vibrant red, then to a bright cyan, and finally to a deep blue. The text is centered within the innermost dark purple circle.

MANDATORY SPECIALISMS

ADMINISTRATIVE & PUBLIC LAW

An award-winning centre of excellence in all aspects of public administrative law, including judicial review, constitutional and governance issues, and human rights and equalities law. Our public law expertise is concentrated in a dedicated specialist team with relevant knowledge and skills to advise on all public law matters.

Extensive experience of acting for public authorities, including central and local government, regulatory authorities, across a range of industry sectors. The team is familiar with the machinery of government, the political and public interest environments within which public authorities operate and the public law principles applicable to their respective powers and functions.

The team regularly advises on the exercise of statutory and quasi-judicial powers by public authorities, the means of avoiding (and defending) challenges by way of judicial review. We have acted in many leading public law cases, including R (Infinis) v Ofgem; R (Lewisham) v Ofqual; and R (UK Recyclate) v Defra.

WORK HIGHLIGHTS

Department for Business, Energy & Industrial Strategy – Smart Metering programme: as the legal advisors to the project since 2010 we have helped to develop a regulatory framework governing this ground-breaking regulatory change programme – the largest new technology project of its kind in the UK. The team's input involved consideration of an extensive and diverse range of issues including policy development, compliance with and implementation of EU law, and statutory and public law issues. We have drafted the legal instruments and regulatory documents to facilitate and implement the roll-out and operation of smart meters and all key documents have passed both public and Parliamentary scrutiny. Our role in the programme saw us named as Energy & Infrastructure Team of the Year at the 2017 British Legal Awards.

The Northern Ireland Authority for Utility Regulation (NIAUR): the team has acted for the NIAUR since 2003 and advises it on all aspects of its statutory duties and powers under primary and secondary legislation (and EU legislation) as part of the day-to-day running of the regulatory authority, including on how those duties and powers impact on policy development and on the application of public law principles to the exercise of its duties and powers.

John Cooper, Partner



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John Cooper leads our Public Law & Regulation team and is a specialist in public and administrative law. His area of practice incorporates judicial review, advising public authorities on their duties, powers and functions and on vires issues, human rights law, constitutional law, due process and consultation, and statutory interpretation.

Ravi Randhawa, Director



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Ravi is a qualified legal executive specialising in public and regulatory law. She has first-hand working knowledge of the legal, statutory and regulatory frameworks underpinning the role and remit of a wide range of public authorities

BANKING & FINANCE

Our banking and finance team provides a full service in all types of general corporate and investment grade financing, both in a national and an international context. We work at the cutting edge of new and emerging areas in finance and help clients to proactively manage the risks to their business.

We are leaders in banking and financial services. Whether helping financial institutions, major corporates or public bodies, the team handles the most sophisticated transactions in an effective and efficient manner. With a long-established reputation recognised by financial institutions, clients rely on us for expert advice in all types of financing transactions. By combining our sector knowledge with our expertise in banking and finance we are able to ensure the structure of the transaction is appropriate for the customer's business and that the terms of the documents, like covenants, are relevant for the business being financed.

WORK HIGHLIGHTS

Harworth Estates (HE) on the restructuring of UK Coal: we advised both on the strategic and tactical aspects, including the legal aspects of the various roles as landlord, creditor, secure lender and credit support providers to the mining business. The matter involved negotiating standstill arrangements with the Coal Authority, pending completion of the main restructuring. We assisted Harworth Estates to negotiate improved terms with UK Coal, the Coal Authority, the Pension Protection Fund and BEIS in relation to the managed wind-down of UK Coal.

Department for Business Energy & Industrial Strategy: Following our work on the UK Coal Restructuring, we advised the Secretary of State for BEIS on a £20 million state aid loan facility to be made available to Hatfield Colliery Partnership Limited, the owner of Hatfield Colliery. The team had to negotiate with creditors to put in place complex intercreditor arrangements.

A London Borough Council: advising on a number of development funding projects carried out by its development arm Brick by Brick, dealing with finance, state aid and real estate workstreams.

Julian Pallett, Partner



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Julian advises on all aspects of financing but specialises in lending and security arrangements, including project and development finance, asset and acquisition finance, cross-border lending and security, intercreditor arrangements, transaction funding, refinancing and restructuring. His experience of both good and bad-book situations is key in advising on refinancing and restructuring issues.

Pippa Hill, Director



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Pippa helps our clients to protect their varying interests when a company faces financial difficulties. She acts for a range of stakeholders, including banks and other lenders, insolvency practitioners and receivers, and companies and their boards. Financial difficulties can strike companies of any size and in any sector, and Pippa has a wide breadth of experience advising on the restructurings and insolvencies of companies.

CONTRACTS

One of the UK's largest dedicated contracts teams of more than 40 lawyers – advising on both volume routine contracts as well as large, strategically important and complex projects.

Vast experience of advising on the development, implementation and management of public sector contracts across many diverse services, from the routine OJEU compliant procurement of goods and services to ground-breaking projects.

We advise on the full range of commercial arrangements including distribution agreements, e-commerce solutions, franchise agreements, IT development and software licensing, business process outsourcing, property and facilities management, logistics, merchandising, sales and marketing, procurement, HR, sponsorship, shared services, JVs and restructuring.

We were awarded Energy and Infrastructure Team of the Year and Commercial Team of the Year at the prestigious British Legal Awards 2017, both for our work on large public sector projects.

WORK HIGHLIGHTS

Transport for London (TfL): we have been advising TfL and its affiliated bodies since 2003 on various contracts and matters including on all aspects of the London Cycle Hire Scheme (LCHS) – both the initial contract, three contract variations and the re-let of the LCHS in 2016. Throughout, we have provided support on procurement and state aid issues, contract drafting and negotiation, attendance at competitive dialogue meetings as well as specialist advice on issues such as IPR, high profile sponsorship arrangements, insurance, health and safety and property matters.

London Legacy Development Corporation (LLDC) – Olympic Stadium: we advised on the procurement of an operator (Vinci) to run the former Olympic Stadium under an innovative 25-year, £100+ million concession agreement involving a public sector JV, and complex procurement issues. We created a bespoke suite of construction and engineering contracts, advised on sponsorship arrangements and hand-back of the venues from the ODA. We continue to advise on all legal issues arising in the relationships with the key user and the stadium operator.

Sarah Sasse, Partner



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Sarah leads our Public Sector practice and has more than 25 years' experience advising on all aspects of contracts and contract law including commercial and IT contracts, outsourcing arrangements, management agreements and complex procurement. Her relationship with public sector clients gives her strong insight into working collaboratively with in-house teams.

Robert Breedon, Partner



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Robert has experience of large commercial projects and outsourcing contracts. He works with clients in both the public and private sectors to structure, draft and negotiate contracts for the delivery of public services. He spent seven years at the Department of Health, so has extensive knowledge and experience of working within the public sector and understands the issues and politics especially when requiring the buy-in of multiple stakeholder groups.

COMPETITION LAW

Our unrivalled profile and expertise in cartels, merger control and competition litigation is well recognised and the team is widely published including: "Merger Control Guide 2017"; "Cartels"; "Cartels & Leniency 2017"; "Merger Control – Jurisdictional Comparisons"; "Private Antitrust Litigation"; and a Chambers' publication on BREXIT.

The team's ability to adopt an extremely thorough approach to litigation has also earned them a reputation for implementing litigation strategies which allow clients to realise their commercial goals in relation to high-value, high-profile competition cases before the European Court of Justice, Competition Appeal Tribunal, the High Court and the Court of Appeal, including two of the largest damages claims currently before any of the EU Member States' domestic courts.

Offering commercial, coherent and clear advice, the team prides itself on delivering critical commercial outcomes in relation to all aspects of UK and EU competition law.

WORK HIGHLIGHTS

Competition Litigation: Acting for Dixons Retail in relation to bringing an action for damages against certain MasterCard entities before the High Court and the Competition Appeal Tribunal, following the European Commission's infringement decision in respect of intra-EEA multilateral interchange fees.

Competition Investigations: Following our attendance at the initial dawn raid, we advised Thomas Vale on its successful leniency application, under which it received a 50% reduction on the financial penalty subsequently imposed by the authority. After, we acted for Thomas Vale on its successful appeal of the magnitude of the financial penalty imposed, overcoming previous case law to secure a further reduction of approximately 85%.

Acting for a US-headquartered company before the European Commission with regard to a cartel investigation. This included making a successful leniency application, and representing the company at the Oral Hearing before the European Commission.

Merger Control: Advising Legrand North America, Inc. on its \$1.2 billion acquisition of Milestone AV, including securing clearance in Germany.

Bernardine Adkins, Partner



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Bernardine heads our Competition & EU team and has more than 25 years' experience of advising upon competition and EU law, with considerable expertise in relation to anti-competitive arrangements and conduct, merger control, litigation, and state aid. She has a strong reputation as an innovative competition litigator advising on some of the most high-profile and complex cases in the European Court of Justice, the Competition Appeal Tribunal, the High Court and the Court of Appeal.

Samuel Beighton, Director



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Samuel leads on complex and "business critical" matters, particularly in relation to merger control. The breadth of his experience in advising upon multi-jurisdictional merger control issues enables him to provide clients with clear, prompt, pragmatic advice.

CORPORATE M&A

Over 120 legal professionals offering a complete range of corporate law services, from simple registration to complex reorganisations with extensive experience in undertaking and complex corporate transactions.

Specialist restructuring team with dedicated experts focusing entirely on restructuring solutions.

Working with all types of enterprises to develop agile, innovative business strategies to achieve commercial objectives in a constantly changing and increasingly competitive landscape.

Established due diligence team to deliver buy side and sell side due diligence services; in order to provide a more efficient service and a more user friendly product to clients.

WORK HIGHLIGHTS

Birmingham City Council – Sale of the NEC Group to private equity firm LDC for £307 million: a particularly complex project that called upon multi-disciplinary expertise from across the firm – from corporate, commercial and tax to real estate, employment and pensions. We unpicked the pre-sale structure and devised a new structure attractive to bidders and their funders to ensure the Council obtained best value. It took a substantial multi-disciplinary effort to negotiate and deliver a complex suite of documentation under intense time pressure.

The Greater London Authority – London & Partners Limited: advising on the formation and set-up of London & Partners Limited as the new body responsible for promoting London, taking over the roles of Think London, Visit London and Study London, along with the arrangements for funding the new company by the Mayor and the Mayor's rights within the company itself.

Guy's and St Thomas' NHS Foundation Trust – Corporate Review: advising one of the UK's largest hospitals on a substantial corporate review of all its commercial ventures including company law governance, the interaction with FT governance and general corporate governance, structuring commercial ventures (joint ventures, partnerships and LLPs), and designing conflict of interests arrangements.

David Vaughan, Partner



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David advises on all aspects of company law and corporate transactions. Known for his attention to detail and ability to get under the skin of clients' businesses, David offers a 'hands-on' approach to delivering complex projects quickly and within budget while minimising risk. He has developed a particular expertise in advising clients on joint ventures, auction sales and specialist due diligence assignments. David led the team that advised on the successful sale of the NEC Group for £307 million.

Amar Adatia, Director



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Amar specialises in company law, with a particular focus on group structuring and reorganisations. He understands the process of setting up new vehicles and structures, the common pitfalls that can arise, and he works closely with our clients to minimise the impact of these. Amar also has significant experience in advising public and private companies, local authorities and also not-for-profit organisations on a broad range of company law matters including acquisitions, disposals, investments and general corporate governance.

DATA PROTECTION & INFORMATION LAW

Data protection compliance, together with cyber security, is rapidly going up the compliance agenda. We are expert in taking pragmatic, proportionate steps to achieve a sensible level of compliance.

We advise on the full range of issues surrounding the use and control of information, particularly personal data, by public and private sector bodies in the UK and, through our European offices and best-friend lawyers, across Europe. Our team of data protection experts are currently providing a "one stop" solution to many of our clients in supporting them in ensuring GDPR compliance.

We can help with organisation-wide strategic issues like data protection audits, privacy impact assessments, training and compliance programmes and drafting policies and privacy notices, but also the nitty-gritty work of data subject access requests, marketing campaigns and deletion of data.

WORK HIGHLIGHTS

Sanctuary Housing Association: on establishing its data protection programme, implementing staff e-learning, responding to access requests and corresponding with the regulator.

UK's Police and Crime Commissioners and the **Ministry of Justice** on the creation of a national data sharing toolkit across multiple organisations, which received the unofficial approval and high recommendation of the regulator. The toolkit included guidance for a range of different organisations on data sharing compliance, a PIA template and a data security. The data sharing in this context relates to highly sensitive information about vulnerable individuals as well as perpetrators.

NIAUR and **Ofqual** in relation to numerous Freedom of Information Act requests and a number of local councils including **Croydon Council**, **Bury Council** and **Canterbury Council** on a wide range of issues from data protection to subject access requests.

Sally Mewies, Partner



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Sally leads our commercial, IT and outsourcing practice. Her experience of technology-related contracts and data protection issues, gained over 20 years of working in this area means she can guide clients through the jargon to secure an effective agreement where risk is identified, understood and properly managed.

Rocio de la Cruz, Principal Associate



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Rocio is a European data protection lawyer who helps clients to minimise risks in their businesses in matters concerning Privacy, Information Law and Data Protection Law. She works on complex projects where she is able to lead and undertake data protection audits and privacy impact assessments; negotiate and draft data processing agreements, data sharing protocols, binding corporate rules, policies, guidelines and privacy notices.

EMPLOYMENT

From the everyday to the strategic, our 28-strong team (based in London and Birmingham) advises on the full range of employment issues including handling disciplinarys and grievances, TUPE, settlement agreements, trade union advice, absence management, discrimination and whistle-blowing, national minimum wage compliance, employment status and equal pay and gender pay gap reporting.

Commercially-focused support in the context of outsourcing and change of service provision arrangements, as well as other transactions such as mergers, acquisitions, joint venture arrangements, guiding clients through procurement and contract negotiation, employee consultation and workforce issues.

Represent employers in all forms of litigation arising from employment disputes, covering both Employment Tribunals and High Court and County Court actions and advise on or conduct investigations into misconduct by the workforce.

Shortlisted as one of four finalists for Personnel Today's Employment Firm of the Year 2017

WORK HIGHLIGHTS

Metropolitan Police: on high profile employment matters across its operations. Highlights include the successful defence of a disability discrimination claim following an 8-day hearing and the resolution of commercially sensitive discrimination issues.

Guy's & St. Thomas' NHS Trust: on the workforce implications of a joint venture with a global facilities and services provider for the provision of pathology services affecting 400 NHS staff. This involved navigating around some very complex political and regulatory obstacles in order to achieve the Trust's objective of retaining the majority of pathology staff in NHS employment.

A police authority outside London: advising in relation to a sensitive whistleblowing claim and acting as virtual external in-house support to cover absence of dedicated in-house employment lawyer.

Jane Fielding, Partner



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Jane is head of our employment, labour and equalities team and helps clients to find commercial solutions to workforce issues. From re-structuring through to individual disputes, Jane offers clients the most appropriate solution, not always purely legal. She has particular expertise for multiple claim litigation (e.g. equal pay or TUPE information and consultation claims) and supporting clients in designing and implementing new workforce structures while avoiding triggering claims.

Louise Clifford, Director



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Louise handles a broad range of both contentious and non-contentious HR issues, including large-scale reorganisations and complex multi-party tribunal claims. S. Louise has particular experience of advising on issues relating to pay and grading, including the complex interplay between the implementation of new pay structures, equal pay and TUPE or statutory transfer schemes.

INFORMATION TECHNOLOGY

Our specialist IT law team comprising IT contracts and litigation lawyers, have been advising clients on a wide range of IT contracts and disputes for more than 20 years. They understand the context in which to negotiate and deliver a wide range of contentious and non-contentious IT-related projects in Central Government and the wider public sector.

Commercially focused advice covering everything from software development and licensing and cloud computing through to systems implementation and IT services and business process outsourcing, as well as data protection and privacy, freedom of information, and cyber security.

Supporting public sector organisations in finding innovative ways of contracting to achieve their objectives, whilst keeping them aware of the very latest IT developments and underlying legal and regulatory frameworks.

WORK HIGHLIGHTS

Transport for London – London Cycle Hire Scheme (LCHS): We are advising on the IT aspects of the LCHS including the complex licensing arrangements with software vendors and on the IT revenue systems of its green car and bicycle initiatives. We reviewed the procurement documents, helped devise the contract and lotting strategies, hosted the legal dialogue sessions and assisted with contract finalisation. This multi-faceted project also included a Competitive Dialogue procurement for the ICT/contact centre elements of the Scheme with Serco and Cubic.

Birmingham City Council – ICT Contract: We advised on the renegotiation of the Council's £1 billion JV and ICT contract with Capita and assisted with its transition and retendering strategy following the end of the Capita contract.

Jocelyn Paulley, Director



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Jocelyn's experience covers all types of IT and data protection contracts, from day to day licensing and support, through to complex systems integrations, building bespoke systems and large outsourcings. She has extensive experience working with public sector bodies and housing associations. Jocelyn is a member of the firm's Tech sector team and is also advising clients on the impact of GDPR.

Sarah Sasse, Partner



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Sarah specialises in leading large, complex public sector projects, particularly those involving strategic procurement, ICT/technology and services outsourcing. With over 25 years' experience, Sarah has an in-depth understanding of the IT marketplace, with experience of working with most of the large IT suppliers. Sarah leads our public procurement practice and is a member of the Society for Computers & Law.

INFRASTRUCTURE

Extensive experience of delivering complex PPP projects and government programmes, particularly where there are nationally significant infrastructure/assets involved.

Commercial Team of the Year 2017 at the British Legal Awards, and Infrastructure Projects Team of the Year 2017 at The Lawyer Awards, for our work with South London Waste Partnership.

Ranked as a first tier firm for Project Finance and PFI by the Legal 500 2017.

Advise on the full range of structures including innovative alliancing and partnering projects, private finance initiatives, public private partnerships and other complex commercial outsourcing contracts.

WORK HIGHLIGHTS

Ministry of Defence – Project Marshall: advising on the £1.5 billion 22-year PPP for the design, installation and delivery of military air traffic management systems in the UK, the Falkland Islands and Cyprus, including a £350 million upgrade to existing infrastructure facilities. We played a lead role in the Competitive Dialogue process and contract close, working closely with the MOD's team to ensure that the challenging and complex deal was delivered on time, to budget and with the required outcomes.

Highways England: Currently advising Highways England on the A303 Project, a £1.5 billion privately financed DBFM scheme for the construction of a new link road (including a 3km twin bore road tunnel) through the UNESCO World Heritage site at Stonehenge. Our role involves the preparation of a new form of Roads PPP contract, developing the structure for the PPP procurement, including management of complex interfaces such as government support.

Stephen Kenny, Partner



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Stephen has over 25 years' experience advising on government and infrastructure projects in the UK and globally, covering projects in the defence, transport, energy/environment and social infrastructure sectors. He has a detailed knowledge of bankable risk positions, government guidance, public procurement and State Aid issues. Stephen has advised numerous central government departments and significant public sector contractors. Ranked as a first tier firm for Project Finance and PFI by the Legal 500 2017.

Andrew Newbery, Partner



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Andrew advises on significant infrastructure and project finance transactions. His diverse experience (including running his own business and initiating the development of a nationally significant infrastructure project) uniquely position Andrew as an innovative lawyer with broad skills. Andrew's experience includes project developments/financings in Europe, the Middle East, Asia and Africa, with a previous commercial role as Head of Commercial for Thames Water on the £4.2 billion Thames Tideway Tunnel.

INTELLECTUAL PROPERTY

Our market leading IP team advises on multi-million pound disputes and billion pound deals to cost-capped litigation for SMEs in the IP courts and licensing deals for start-ups. As highlighted below, we also have extensive experience acting for public sector organisations and understand the particular issues that they face.

We've successfully represented clients in all levels of court and administrative tribunals on cases involving trade mark and patent infringement and validity, the misappropriation of confidential information and theft of trade secrets, IP licensing disputes, and copyright infringement. We have also advised on licences and collaboration deals in many sectors and of varying degrees of complexity.

The team has gained extensive collective knowledge across varied industry sectors around the world. Many members of our team are scientists. Others have experience working as in house lawyers in leading enterprises like the Forensic Science Service and the Ministry of Defence.

WORK HIGHLIGHTS

Ofqual on the use and ownership of the GCSE brand, and advising on the position of awarding bodies and the IP rights arising in relation to the Qualifications and Credit framework under which educational institutions can award units towards qualifications.

Public Health England on a non-exclusive Material Transfer, Patent and Know-How Licence Agreement with GlaxoSmithKline for the development and manufacture of a 'next generation' polio vaccine which could be a major step in the eradication of polio.

Lancaster University on the UK and Chinese IP issues relating to its £5m China Catalyst programme which will generate R&D programmes between 80 UK companies and 80 Chinese companies.

The Medical Research Council on its licensing and spin out work.

Transport for London on the naming and sponsorship of the London Cycle Hire Scheme, a genuinely innovative example of the public sector developing new revenue streams.

Gloucestershire County Council on the rebranding and protection of one of its public services including securing registered rights.

Kate Swaine, Partner



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Kate is an experienced litigator and works with her clients on both domestic and international intellectual property portfolios. Kate works alongside her clients to ensure they use their intellectual property effectively and commercially to add to the value and reputation of their businesses – whether that's through the clearance of new products and concepts, risk management in the use of IP, training design and marketing teams, developing an intellectual property exploitation strategy, or successfully enforcing rights against infringers.

Luke Kempton, Partner



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Luke has a PhD in biochemistry and leads our IP Transactional team. Luke specialises in intellectual property in both contentious and transactional matters. He has considerable experience of the intellectual property aspects of corporate transactions as well as standalone licensing and collaboration deals in many technology and service sectors. Luke is a member of the University of Leeds, Faculty of Biological Sciences Industrial Advisory Board.

LITIGATION & DISPUTE RESOLUTION

With more than 170 lawyers, one of the largest teams in the UK and “frequently acting on high-profile cases” (Chambers).

Experts in exploring early resolution through open discussion with the opposition, and the use of arbitration, mediation, advocacy, or ADR processes.

A proven track record of securing successful results, whether it's in the specialist divisions of the Business and Property Courts in England and Wales, domestic arbitration, adjudications or international arbitration proceedings under common institutional rules including ICC, LCIA, UNCITRAL, SIAC and DIAC.

Ranked as a first tier firm for Commercial Litigation by the Legal 500 2017, and in Band 2 (National Leaders outside London) and Band 1 (Midlands) for Litigation in Chambers 2018.

WORK HIGHLIGHTS

The Insolvency Service: we pursue directors' disqualification proceedings through the Courts in the name of the Secretary of State for BEIS. Many of these public interest proceedings are high-profile and contested through to trial and frequently involve complex allegations, including fraud on members of the public or public bodies

An NHS Trust – alternative dispute resolution: resolving a dispute over ownership and licensing rights to a software solution. The developer of the software claimed ownership of IP rights, whilst the NHS Trust maintained that the rights transferred to it. Establishing ownership was of vital importance because both parties were exploiting and licensing the solution to third parties. We helped the Trust secure a negotiated settlement which secured their interests without the need for proceedings.

Davinia Gransbury, Practice Leader



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As a commercial litigation lawyer, Davinia has well over 25 years' expertise in corporate governance, directors' responsibilities and duties and insolvency law. She is the supervising partner for the firm's high profile work undertaken for BEIS (The Insolvency Service) and is one of the leading experts in the UK in investigating and pursuing directors' disqualification proceedings where the public interest is a driving factor.

Patrick Arben, Partner



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Patrick is a leading partner in our disputes resolution team, specialising in public sector contracts and acting for both public bodies and suppliers, and on outsourcing disputes. His practice encompasses a variety of specialisms within the technology sector, including software engineering and systems integration projects, IT and BPO outsourcing, software licensing, data security and data protection.

OUTSOURCING / INSOURCING

One of the UK's largest dedicated commercial, IT and outsourcing teams of more than 30 lawyers advising private and public sector clients, both as customers and suppliers.

We advise on the full range of outsourcing needs including procurement issues, contract drafting, reviewing specifications/Statement of Requirements, attending dialogue/negotiation sessions, contract finalising; and associated specialisms such as TUPE, pensions, insurance, IPR, sponsorship and dispute resolution.

We assist clients in the outsourcing of a range of outsourced services including IT, Business Process Outsourcing, Facilities Management, logistics, healthcare and defence, both on first and subsequent generation outsourcings and also when public bodies decide to insource services.

We were awarded Energy and Infrastructure Team of the Year and Commercial Team of the Year at the prestigious British Legal Awards 2017, both for our work on large public sector projects.

WORK HIGHLIGHTS

Transport for London – Cycle Hire Scheme: advised in relation to all aspects of this novel scheme outsourcing including developing the right structure for the scheme, identifying the procurement route and supporting through to contract. We then supported for 7 years on associated contract issues that arose and did it all again on the re-let, appointing Serco for up to 10 years to operate the scheme, worth more than £100 million.

London Legacy Development Corporation – Olympic Stadium: advised on all aspects of the competitive procurement of a concession operator for the Olympic Stadium and the subsequent £100+ million innovative 25-year concession agreement to deliver the Olympic legacy. We advised on the contract structure, the procurement route, and fully supported through competitive dialogue until completion of the contract. Since completion we continue to advise on all legal issues arising in the relationships with the key user and the stadium operator.

Sarah Sasse, Partner



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Sarah brings over 25 years' experience of advising on commercial, IT and outsourcing arrangements. Working exclusively with public bodies, and private sector entities contracting with the public sector, Sarah has an in-depth knowledge of different procurement models and the issues which arise in commercial and outsourcing arrangements. She has worked on many cutting-edge public sector deals in recent years.

Robert Breedon, Partner



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Robert has experience of large commercial projects and outsourcing contracts. He works with clients in both the public and private sectors to structure, draft and negotiate contracts for the delivery of public services and in establishing joint ventures and alliances between providers and purchasers. He spent seven years at the Department of Health, so has extensive knowledge and experience of working within the public sector.

PARTNERSHIPS

We deal with a wide range of contentious and non-contentious issues that affect public sector participants in partnerships, including securing the right return (financial or otherwise), voting power, incentivising co-partners, exit strategies, dealing with deadlock options and default.

We advise on all types of partnerships, including limited partnerships and limited liability partnerships, whether public-public or public-private.

The team includes experts in procurement, tax, financial services regulation, finance, state aid, corporate and dispute resolution aspects of partnership law.

WORK HIGHLIGHTS

The London Borough of Barnet – Brent Cross: advising the local authority on its entry into an English Limited Partnership with a developer, backed by a US investor, on the circa £4 billion redevelopment of Brent Cross. We advised on structuring issues including the usual complex areas of tax, financial services and corporate, which were made more complicated with the interplay of procurement rules and State Aid issues.

The London Borough of Croydon: advising on the local authority's £15 million interest in an English Limited Partnership The Real Letting Property Fund 2 lets property in the Greater London area to house homeless individuals and families. The investment follows on from a preceding successful partnership with the same manager, on which we also advised.

The Greater Manchester Combined Authority: advising in relation to the novation of the Evergreen Fund, a limited partnership. We had previously advised Manchester City Council on the existing Evergreen Fund, a partnership formed by 19 local councils in the Manchester region, in particular on on-lending by the partnership into local projects.

Sharon Ayres, Partner



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Sharon is a corporate partner who specialises in company law and structuring, investment funds and other complex alternative investment structures. Her experience includes advising the London Borough of Barnet on the formation of an English limited partnership and other vehicles to allow for the £4 billion redevelopment of Brent Cross, Greater Manchester Combined Authority.

Amar Adatia, Director



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Amar specialises in company law and leads our solvent structuring practice. He understands the processes that need to be followed when setting up new vehicles and structures (including for the public sector) and the common pitfalls that can arise. Amar also has significant experience of advising public sector organisations on a broad range of company law matters.

PENSIONS

We have one of the UK's largest pensions teams, with 50+ pensions lawyers including specialists in public sector pensions, pensions litigation and pensions and human resources. Our clients include employers, trustees, pension managers, independent trustees, advisers and statutory bodies.

Our experts regularly advise in relation to the main public service pension schemes (such as the LGPS, NHSPS, PCSPS and TPS) and on the requirements of the PSPA 2013. Our experience means that there is rarely an issue that we have not advised on before, often from multiple perspectives.

Our public sector credentials are affirmed by our appointment to the national legal services procurement framework for Local Government Pension Scheme funds. Members of the team also play active roles in the Pensions and Lifetime Savings Association, Society of Pensions Professionals and the Association of Pension Lawyers and Association of Pension Lawyers Public Sector Pensions Committee.

WORK HIGHLIGHTS

Isle of Man Government: we assisted in the design, delivery and drafting of the Rules for the new Unified Scheme for 10,000 public servants on the Island, replacing 15 of the Island's existing public service pension arrangements. The Unified Scheme was awarded "Public Sector Pension Scheme of the Year",

Remuneration Board of the National Assembly for Wales: we advised on the requirements of the Public Service Pensions Act 2013 and the drafting of the Rules for the resulting new scheme for Members of the Welsh Assembly. We re-drafted the Rules of the Scheme and the revised Rules were adopted as legislation.

Birmingham City Council – Sale of the NEC: we advised as part of a large, cross-firm multi-disciplinary team on the sale of the National Exhibition Centre (NEC) Group. NEC Limited was the principal employer of two final salary pension schemes. We devised an innovative structure enabling the Group to be sold free of all pension liabilities, maximising value for the Council.

Paul Carberry, Partner



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Paul specialises in public sector pensions and is head of the Public Sector Pension Team. He advises central government bodies, local authorities, NHS Trusts and private sector contractors, on the "Fair Deal" requirements and the wider pension implications of engaging in outsourcing and PFI exercises. He also advises Local Government Pension Scheme employers on their obligations under the LGPS.

Jennifer Lewis, Director



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Jenny has 13 years of experience advising on range of pension issues and has a particular specialism in advising public sector bodies or private sector clients that operate in the public sector. Jenny advises on issues across central and local government, education, health and the voluntary sector. Jenny is a member of the Association of Pension Lawyers' Public Sector Sub-Committee.

PUBLIC PROCUREMENT

Considerable experience of mobilising large, high-profile public sector procurements across central government

We advise from the initial stages of market engagement and consideration of procurement options, through to the running and management of complex procurement projects, assisting with the evaluation of bids and, where necessary, advising in connection with any procurement law challenges (including through use of judicial review proceedings).

Support public sector bodies to plan procurements effectively; set the right evaluation criteria; run hassle-free, compliant procurements from end to end; mitigate procurement risks; be alert to issues that may create the risk of state aid; and defend themselves against challenges by unsuccessful bidders. We are also advising authorities on post-Brexit procurement issues.

Fully familiar with Public Contracts Regulations 2015, Utilities Contracts Regulations 2016, Concession Contracts Regulations 2016 and Defence and Security Public Contracts Regulations 2011.

WORK HIGHLIGHTS

Home Office – ESMCP Air to Ground Devices Project: providing end-to-end procurement support to the ESMCP Commercial Team, working on a co-location basis in their Whitehall offices, in delivering the procurement phase of the project from issue of the OJEU Notice through to contract award under a procurement exercise conducted utilising the Competitive Procedure with Negotiation ("CPN") process. We are advising on the commercial approach and our work includes drafting and reviewing all relevant procurement and contract documentation.

Transport for London – London Cycle Hire Scheme: providing a range of procurement law support, we advised on the original procurement of the Scheme via Restricted Procedure and subsequent re-tender let under Competitive Dialogue. On both projects, we have advised on all aspects of the procurement from initial procurement and advice on best-fit contract structure through to contract drafting, negotiation and contract award.

Sarah Sasse, Partner



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With over 25 years' experience, Sarah helps clients develop procurement frameworks, formulate negotiation strategies and devise incentivisation methodologies. Her understanding of the public sector context, as well as the latest government thinking and policy, helps her to rapidly identify and address commercial challenges and risks. Sarah appreciates the issues faced by contracting authorities in designing and running a compliant procurement process.

Robert Breedon, Partner



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Robert provides extensive procurement law advice as part of large public-private projects as well as stand-alone procurement law advice under both the Public Contracts Regulations and the Utilities Contracts Regulations. He works with clients in the public and private sectors to design, structure and manage large procurement exercises from pre-market engagement, right the way through to award of contracts.

PROPERTY, REAL ESTATE & CONSTRUCTION

Home to one of the UK's largest real estate practices with a team of more than 275 commercially-minded, innovative and pragmatic lawyers, we have extensive knowledge and experience of a wide range of transactions and property types Real Estate Team of the Year 2015 and 2017 at the Legal Business Awards.

Our leading, 50-strong national contentious and non-contentious construction team advises on major construction and infrastructure projects as well as some of the largest and most high-profile UK and international construction disputes.

Specialists in investment, development, regeneration, residential, property litigation, planning, environmental, construction, tax, banking, finance and restructuring as well as public procurement, state aid, CPO, governance and vires.

WORK HIGHLIGHTS

The London Borough of Barnet: advising on the regeneration of Brent Cross, a 373-acre regeneration to create 500,000sqm of commercial space, 7,500 homes, a new rail freight facility and new rail station, including the OJEU procurement of a JV development partner and all property, planning, construction and infrastructure advice.

TfL– Morden Redevelopment: advising on redevelopment of Morden Town Centre (a development scheme with an estimated GDV of £800m) to deliver new homes, retail and transport improvements through an OJEU procurement of a public/private partnership.

TfL, Crossrail Limited and London Underground on numerous over station developments and infrastructure protection agreements including the Crossrail sites at Liverpool and Paddington and developments at West Ham and South Kensington

The Royal Borough of Windsor and Maidenhead: advising on the structuring and OJEU procurement of a developer partner for the residential development of four town centre schemes as well as Maidenhead Golf Course (c.3,000 homes in all).

The London Borough of Ealing: advising on the formation of a wholly owned development subsidiary, Broadway Living, addressing matters such as vires, financial assistance, local authority funding, governance, conflicts of interest, tax, procurement and state aid.

Richard Beckingsale, Partner



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Richard Beckingsale, partner and head of our regeneration team, specialises in structuring and delivering large-scale high profile regeneration projects for the public sector. He has experience of advising on structuring delivery partnerships, scheme procurement and major regeneration.

Richard Green, Partner



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Richard Green, partner and head of our construction team, has over 20 years' experience. Richard's experience includes advising on the new rail station at Brent Cross and acting for TfL/LUL on a number of developments. He has a thorough understanding of the construction market, and the concerns of all involved, allowing decisions to be made quickly and effectively, whilst protecting clients' interests.

TAX

Combining the skills of lawyers and chartered tax advisers, the eight-strong team advises on the full range of tax issues including corporate, real estate, dispute resolution, funds, individuals and trustees, private capital and employment.

Our tax team has extensive experience advising on tax matters relating to development, construction and regeneration projects. Our team is known for its technically adept and commercially astute approach, and our tax specialists have a real depth of experience in relation to VAT, the Construction Industry Scheme, tax deductions and capital allowances.

WORK HIGHLIGHTS

The London Borough of Barnet (LBB) on its £4 billion Brent Cross Cricklewood regeneration scheme, transforming 373 acres of brownfield land into a vibrant new London destination. LBB is developing the site in partnership with Hammerson and Standard Life (Brent Cross North) and Argent and Related (Brent Cross South). We advised LBB on all tax aspects of this large and complex joint venture (including TIF aspects and a new railway hub), including SDLT efficiencies and VAT liabilities and obligations.

Birmingham City Council on the acquisition of the Pallasades Shopping Centre (enabling the £600m re-modelling and re-development of New Street Station into the Grand Central complex).. The first stage of our instruction was an assessment of the risk involved in purchasing that corporate vehicle. Because the vehicle was not "clean" and had substantial contingent liabilities we advised against this. We continued our detailed due diligence and worked with the City and its appointed agents to negotiate a substantial price reduction for the benefit of the City which reflected the additional stamp duty which the City would have to pay and to take account of the various issues and problems our due diligence had uncovered

Lee Nuttall, Partner



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As head of tax, Lee ensures his team operates in an open, integrated way that gathers and shares knowledge to deliver the best outcomes for clients. Lee has over 25 years' experience of rigorously applying tax law and practice to commercial scenarios.

Chris Nyland, Director



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Chris has extensive experience of working as an embedded tax specialist with property practitioners. He builds structures and systems to manage tax, and has particular interest and expertise in the application of (and development of) cutting-edge data analytics software to give property tax audits.

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OPTIONAL SPECIALISMS

EU

Our unrivalled profile and expertise in cartels, merger control and competition litigation is well recognised and the team is widely published including

The team's ability to adopt an extremely thorough approach to litigation has also earned them a reputation for implementing litigation strategies which allow clients to realise their commercial goals in relation to high-value, high-profile competition cases before the European Court of Justice, Competition Appeal Tribunal, the High Court and the Court of Appeal, including two of the largest damages claims currently before any of the EU Member States' domestic courts.

We are fully familiar with the various EU Public Procurement Directives (and the UK's Public Contracts Regulations 2015 and Utilities Contracts Regulations 2016).

Offering commercial, coherent and clear advice, the team prides itself on delivering critical commercial outcomes in relation to all aspects of UK and EU competition law.

WORK HIGHLIGHTS

A government body: with respect to the application of the State Aid rules in accessing and distributing government funding and on a number of successful leniency applications to the Office of Fair Trading (OFT).

The Northern Ireland Authority for Utility Regulation (NIAUR): on a spectrum of competition issues, including its powers under EU and UK competition rules to intervene/investigate with respect to certain matters and advice in relation to the application of the EU State Aid rules to particular funding or statutory schemes.

Ricoh Arena: acting for the proprietors of Ricoh Arena in the case of R (on the application of Sky Blue Sports and Leisure Ltd and another) v Coventry City Council and others concerning the judicial review under the EU State Aid rules of the financial arrangements put into place by Coventry City Council to support Ricoh Arena. The judicial review was dismissed at first instance, and this was confirmed by the Court of Appeal.

Bernardine Adkins, Partner



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Bernardine has over 30 years' EU, trade competition law experience, providing clients with strategic advice before the European Commission and the Competition and Markets Authority. Since the Brexit referendum, Bernardine has briefed clients and the media on the application of Article 50 and the possible outcome of negotiations. She also has a strong reputation as an innovative competition litigator.

Samuel Beighton, Director



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Samuel leads on complex and "business critical" matters, particularly in relation to merger control. The breadth of his experience in advising upon multi-jurisdictional merger control issues enables him to provide clients with clear, prompt, pragmatic advice. In addition, Samuel has significant expertise regarding the interplay between competition law and IP law.

ENERGY & NATURAL RESOURCES

Our clients receive advice from lawyers who combine first-class legal knowledge with a deep understanding of the complexities of the energy and natural resources sector.

Our multi-disciplinary team advises across the sector with extensive experience of advising on cutting-edge matters relating to power generation (all technologies including renewables, conventional and nuclear), energy and water infrastructure development, emerging technologies (including storage and energy efficiency), oil and gas, mining and water. Our advisory activities include M&A and project development, operational issues, infrastructure financing, the deployment of new technology, regulatory reform and environmental matters.

Our Energy and Natural Resources team was named as Energy & Infrastructure Team of the Year at the 2017 British Legal Awards for its work on the UK Government's smart metering programme.

We were successfully appointed onto the Nuclear Decommissioning Authority's legal services panel in 2018.

WORK HIGHLIGHTS

The Department of Business, Energy & Industrial Strategy on all regulatory aspects of its Smart Metering Implementation Programme. Since our appointment in 2010, our advice has covered an extensive and diverse range of issues on the design, implementation and delivery of the programme, including policy development, EU law issues, statutory and public law issues, drafting of industry codes, agreements and licences, and the technical specifications underpinning delivery of the programme.

The Northern Ireland Authority for Utility Regulation (NIAUR) on two price-control disputes before the Competition and Markets Authority (CMA) under the process for determination of disputes to licence modifications. The first, a dispute by Firmus Distribution (Energy) Limited in respect of the regulator's determination of its gas distribution price control and the second, a dispute by SONI in respect of the proposed price control condition under its system operator licence.

Derek Goodban, Partner



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Derek heads the firm's multi-disciplinary energy team and has an extensive and broad ranging client base including Government, regulatory bodies, asset owners and operators, developers, code governance bodies, technology developers and energy suppliers and traders. He has advised Government, regulators and industry participants on a wide range of market transformation projects including Electricity Market Reform, Smart Metering and the introduction of the Single Electricity Market on the island of Ireland.

John Cooper, Partner



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John heads our public law and regulation practice, with a particular focus on the energy sector. John's area of practice incorporates judicial review, advising statutory bodies on their duties, powers and functions, human rights law, and the development of new legislation. He represents industry regulators, central government, public bodies, FTSE 100 companies and consumer bodies and has worked closely with Government Bill teams on the development of several pieces of primary legislation.

FOOD, RURAL & ENVIRONMENTAL AFFAIRS

From the growing of crops to the processing, transportation, distribution and sale of food, beverages and other natural health products and supplements, our international, cross-disciplinary team provides clear, commercial guidance on the interpretation and application of regulations.

No matter how complex the question, you can expect clear risk-managed answers from us that help you to protect your assets. We are proud to have advised the Department for Environment, Food and Rural Affairs (DEFRA), the Defence Infrastructure Organisation (DIO), the Defence Science and Technology Laboratory (DSTL), the Environment Agency, the Maritime and Coastguard Agency, the Ministry of Defence (MoD), Ofwat, Ordnance Survey and the Rural Payments Agency (RPA).

Our expertise covers the full spectrum of issues including food, farming, manufacture, supply and regulation, water, air and land use, emissions and pollution, water services and quality, flooding, fisheries and marine, animal and plant health and animal welfare and wildlife.

WORK HIGHLIGHTS

Department for Environment Food and Rural Affairs: we advised on its strategic 15-year Sustainable Built Environmental & Workplace Support services outsourcing contract (with a core-services value of approximately £500 million and a potential value for non-core services of £400 million). We worked with DEFRA to identify the structure for the outsourcing vehicle and supported them through a complicated Competitive Dialogue process over a compact procurement timetable.

Ministry of Defence: we advised on environmental contamination at ports and issues relating to nuclear regulation and contamination liabilities in relation to submarines, carriage of explosives and munitions.

South London Waste Partnership: on the procurement of a complex, innovative, long-term contract for waste and recycling collection, street cleaning, winter maintenance, vehicle maintenance and parks and grounds maintenance services across four London Boroughs.

Local Government Association (in its capacity as an interested party): assisting in the successful defence of a judicial review challenging the implementation of the Waste Framework Directive (R (UK Recyclate Limited and others) v Secretary of State for Environment, Food and Rural Affairs and another).

David Lowe, Partner



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David leads our commercial contracts team and has extensive experience in all aspects of commercial contracts work, ranging from the complex such as those found in outsourcing and joint ventures, to more routine trading contracts. David is both creative and pragmatic in his understanding and application of the law.

John Cooper, Partner



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John is the lead partner of our public law and regulation team and specialises in providing advice on public administrative and regulatory law, particularly within highly regulated areas such as energy, utilities, waste, food and drink, transport and health. His experience of working both for regulators and regulated companies provides clients with the full benefit of an insider's knowledge of the politics and law of highly regulated markets.

FRANCHISE

We advise on all aspects of franchising law for franchisees and franchisors including commercial, intellectual property, employment and real estate issues that arise on franchising as well as the financing structures. We also advise in relation to naming rights.

Our team help franchisors at all stages of their franchising journey – from the initial stages of franchising their business, through day-to-day management of their franchise network, and onwards to the sale of a network to a new owner.

Franchising arrangements require strong control; our team advises clients on maintaining high standards and brand consistency whilst allowing the licensee the room to make a return on its investment and to cover the franchise fees for the owner.

We are members of the British Franchising Association.

WORK HIGHLIGHTS

London Legacy Development Corporation – Olympic Stadium: We have been advising the LLDC, in connection with all matters concerning the grant of naming rights over the London Stadium, the former Olympic Stadium and new home of West Ham United FC. This has included supporting LLDC on the development of the naming rights package, drafting the contracts, negotiating with potential sponsors and liaising with West Ham's legal team.

Transport for London – London Cycle Hire Scheme: we advised on the naming and sponsorship of the Scheme, including advice in connection with the packaging of rights and the process for sourcing sponsors and the drafting and negotiation of the relevant naming rights agreement with, first, Barclays and, more recently, Santander. The sponsored asset is quite different from a 'standard' stadium deal (and e.g. handling the rebranding of thousands of bicycles presents particular challenges) but it's probably London's most visible naming rights deal and a genuinely innovative example of the public sector developing new revenue streams.

Michael Luckman, Practice Leader



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Michael has worked for clients in a wide range of sectors from defence, aerospace and automotive to financial, sport and retail. Often, this broad experience enables him to utilise lessons learnt in one area to different businesses and sectors. He specialises in all commercial work involving an IP element, including strategic brand advice, brand licences and merchandising agreements, non-disclosure and product development agreements and sponsorship agreements.

Caroline McNally, Principal Associate



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Caroline advises both private and public sector clients on a wide range of commercial contracts. Her experience in these sectors includes advising on numerous domestic and international goods and services agreements and the drafting and negotiation of logistics, warehousing, distribution, agency and franchise agreements.

HEALTH & HEALTHCARE

Our health & healthcare team understands the structure and functions of the NHS and local authorities and how to navigate and work successfully with the UK's health and care system.

We've earned our reputation by advising on complex, high-value projects as well as managing day-to-day contracting requirements. We provide advice on the implementation of integrated health and care services, and collaboration/alliance arrangements among providers. Our advice includes advising on public procurement law as it applies to health and care services.

We are advising on some of the leading projects around new models of care and sustainability and transformation plans (STPs).

WORK HIGHLIGHTS

NHS Mansfield and Ashfield CCG, and NHS Newark and Sherwood CCG on the ongoing development of their system-wide health and care alliance involving the two CCGs, Nottinghamshire County Council and ten provider organisations. The 'Better Together' project is one of the leading NHS Vanguard projects and is the designated lead project for new payment mechanisms utilising capitated budgets and outcomes-based rewards. We advised on and negotiated the completion of the 5-year alliance agreement.

Birmingham and Solihull Mental Health NHS Foundation Trust in the transfer of the ownership and facilities management of two separate medium secure units from the Trust to a wholly-owned provider of FM management services in order to improve focus and quality, to drive efficiencies and reduce costs. These transactions use a model that we established with the Trust in connection with the earlier transfer of a similar, newly-built medium secure facility.

Guy's and St Thomas' NHS Foundation Trust in relation to its strategic procurement of a private sector partner to support in its development of an international Orthopaedic Centre of Excellence (CoE)

Robert Breedon, Partner



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Robert is a partner in our commercial team and leads our Health and Care Sector Team. Having worked for over five years in the UK's Department of Health (Commercial Directorate), Robert has a unique insight into the workings of the NHS. He is experienced in advising on collaborative arrangements for health and social care commissioners (CCGs and local authorities) and in developing innovative delivery models for healthcare providers.

Andrew Litchfield, Team Leader



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Andrew leads on our regulatory work in the health and social care sector and is a specialist in helping clients manage risk and avoid regulatory criminal offences, minimise their exposure in criminal investigations and keep on top of cases as they go through the courts. Andrew uses his expertise to advise clients on pragmatic, sensible and effective ways to prevent issues arising.

HEALTH & SAFETY

Managing health and safety risk and preventing accidents has never been more important. Our team of 5 experts in Health & Safety law work alongside our clients to understand and help improve their risk management systems and procedures, advise on statutory interpretation, and advise on compliance, so that risk is managed effectively.

We advise on the full range of issues including criminal investigations, prosecutions and inquests, and also provide bespoke training to improve safety culture and be a sounding board for difficult judgments.

We have a wide experience of regulatory investigations, including by the police, Health and Safety Executive, Environment Agency, local authority environmental health and trading standards officers and Coroner. This means our team can advise you on pragmatic, sensible and effective ways to prevent issues arising and take the best course of action when they do.

WORK HIGHLIGHTS

A Local Authority under investigation for Corporate Manslaughter following a road traffic accident. The accident was caused, in part, by a defective road surface laid at the Council's instigation by contractors acting on its behalf. It was necessary to engage with the police in order to explain how road resurfacing works were procured in the county so that they understood the role that the Council had played. We retained expert evidence at the outset in order to understand at an early stage the role played by the road surface. The case also involved managing the continuing relationship between the Council and other partners involved in the investigation and helping to minimise publicity. We also represented the authority through the inquest process. No charges were brought.

Andrew Litchfield, Team Leader



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Before an accident, he advises on policy, risk assessment and statutory interpretation, so that clients have practical, proportionate, effective and sensible systems and procedures in place. If an accident does occur, he advises clients throughout the criminal and civil cases which follow. His experience ranges from representing clients, both organisations and individuals, through all the stages of a criminal prosecution, to acting in inquests, to dealing with a full range of personal injury claims. He is a CEDR accredited mediator.

Michael Hafen, Principal Associate



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Michael understands the culture, systems and procedures necessary for effective risk management and works alongside clients in many sectors to use his knowledge of health and safety law along with his practical expertise to reduce risk and deal with the aftermath if things go wrong. Michael specialises in the defence of civil/criminal litigation arising from H&S, trading standards and environmental regulatory breaches. He has completed his Higher Rights examinations and regularly represents clients at hearings and inquiries.

LIFE SCIENCES

From biotech start-ups and research organisations to large pharmaceutical companies, we act for a wide range of entities in life sciences across the world so that we know both sides of the issues and can help our clients to find a solution. Our advice covers the full range of issues including: transactional, litigious and regulatory issues relating to pharmaceuticals and medical devices including licensing and acquisition of new products. We have one of the top ranked life sciences transactional teams in Europe with a wealth of experience and "bench strength" that allows us to work efficiently and effectively with clients of all sizes.

Many members of our team hold advanced scientific academic degrees so that they not only know the sector, but can interpret the complex scientific information and understand our clients' objectives.

Our team members are actively involved in bodies such as the Association of the British Pharmaceutical Industry and the UK BioIndustry Association.

WORK HIGHLIGHTS

Public Health England (PHE) on an innovative licensing agreement with a global pharmaceutical company relating to new polio vaccines. Under the agreement, the pharmaceutical company will obtain a licence to the next generation of polio vaccine technology that will primarily be developed for the developing countries of the world. The negotiation of this agreement involved many stakeholders including PHE with a governmental agenda, charities, non-governmental agencies and commercial organisations in order to find a solution that would address their competing interests.

The Kennedy Trust for Rheumatology Research on the first "biosimilar" antibody drug case to get to court in the UK. Our team defended three patents belonging to the Kennedy Trust for the treatment of rheumatoid arthritis using the monoclonal antibody infliximab against revocation proceedings brought by a generics company.

Luke Kempton, Partner



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Luke leads our IP Transactional team. With a PhD in Biochemistry, it's no surprise that Luke's main focus is the life sciences, a sector he's been active in for over 20 years, advising on transactions for Big Pharma, small biotech companies and research institutions in the UK and continental Europe. As being an "extremely talented lawyer" (Chambers).

Patrick Duxbury, Partner



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Patrick specialises in all aspects of transactional intellectual property law, with a particular focus in the life sciences sector. He was originally a microbiologist and geneticist before re-qualifying as a lawyer. Patrick helps clients to research, develop, manufacture and sell pharmaceutical, biotech and medical device products, using his extensive experience of structuring and executing transactions in the life sciences sector.

PLANNING

Our planning team represents landowners, developers and public authorities in relation to all aspects of planning law, policy and procedures across the UK and advises on some of the UK's highest profile commercial, residential and infrastructure projects.

We have an in-depth understanding of the pressures that the public sector faces on a daily basis for example changing demands and priorities and a reduction in budgets. As a result we are used to, and very comfortable with, being "on call", with the skill and resource to flex capacity in order to meet urgent deadlines, meet key milestones or deliver key outcomes.

We have extensive experience in dealing with planning applications, planning obligations and infrastructure agreements in relation to major development sites. We bring a practical, commercially-focused and cost-effective approach to every kind of planning issue.

WORK HIGHLIGHTS

Ebbsfleet Development Corporation on all planning related matters in respect of the delivery of up to 15,000 homes and the creation of a new Garden City including negotiating several Section 106 Agreements including Eastern Quarry, Northfleet West, Northfleet East and Ebbsfleet Green.

Dartford Borough Council on the role of other authorities including; advised the Corporation on judicial review risks arising in a number of contexts; and advised on planning application procedures.

GLA on the making of the first CPO by the Mayor of London: in order to facilitate the regeneration of the 80-acre Southall Gasworks site for a residential-led, mixed-use development. We advised on the strategy to achieve the authority's objections and the making, confirmation and implementation of the CPO. This was the first use of the Mayor's CPO powers to acquire land to facilitate the regeneration of Southall Gasworks, which resulted in a successful outcome.

Bracknell City Council on all aspects of the comprehensive redevelopment of Bracknell Town Centre including drafting and negotiating the section 106 agreement and highways agreements for the scheme.

Vicky Fowler, Partner/Team Leader



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Vicky leads our planning team, and specialises in all forms of planning and development work. She advises on plan making, master planning, legal review of planning applications and local authority decision making; drafting and negotiating section 106 and highways agreements, planning conditions and Community Infrastructure Levy; promotion and defending of Compulsory Purchase Orders, Transport and Works Act Orders, Stopping-Up and Side Roads Orders and DCOs.

Andrew Thomas, Partner



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Andrew is a partner in our planning team, specialising in planning, highways and environmental law including compulsory purchase and compensation. Andrew advises on all aspects of the planning process, including tactical and strategic advice, the negotiation of agreements, the application of Community Infrastructure Levy, appeals and judicial review. He also advises extensively on wider environmental issues, including in relation to contaminated land liabilities.

PROJECTS

Extensive experience of delivering complex PPP projects and government programmes, particularly where there are nationally significant infrastructure/assets involved.

Commercial Team of the Year 2017 at the British Legal Awards, and Infrastructure Projects Team of the Year 2017 at The Lawyer Awards, for our work with South London Waste Partnership.

Ranked as a first tier firm for Project Finance and PFI by the Legal 500 2017.

Advise on the full range of structures including innovative alliancing and partnering projects, private finance initiatives, public private partnerships and other complex commercial outsourcing contracts.

Established advisers to government bodies, contractors, sponsors and funders in the UK, Europe, Canada, the Middle East and Africa giving a well-rounded market perspective and solutions from jurisdictions around the world.

WORK HIGHLIGHTS

South London Waste Partnership (comprising four London Boroughs) - supporting on an ambitious programme of infrastructure works: this project is the largest waste service programme in Europe, delivering new recycling centres and investment in waste collection and energy recovery infrastructure in a sensitive political environment. We have advised on the project from its inception, providing guidance on the structuring of the procurement and full suite of documents, and advising throughout the Competitive Dialogue and bid evaluation. Our role was to ensure that, from a procurement and commercial perspective, the project runs successfully from beginning to end in order to provide seamless continuity of service.

PUBLIC INTERNATIONAL LAW

We regularly assist clients in the analysis of the intrinsic risks involved in contracting with overseas counterparties and the level of reliance that they can place on the operation of the various treaties and conventions governing the enforcement and effectiveness of judgements and arbitral awards, and providing for investment protection from state interference.

We operate a successful international arbitration practice, whose clients include major construction contractors, insurers, clients in the technology and aerospace industries, and national governments.

Our global network of Gowling WLG and best-friends offices gives access to local legal expertise around the world.

WORK HIGHLIGHTS

An Eastern European State in an ICSID arbitration and in a related ICC arbitration for breaches of a concession agreement and the Energy Charter Treaty relating to the construction and operation of a hydroelectric plant and a waste processing plant. The matters have progressed to final hearings, and an award in favour of our client was issued in the ICC arbitration, dismissing comprehensively the claim against it and awarding its counter-claim for termination and substantial damages.

An Eastern European State in an ICSID arbitration arising under a Bilateral Investment Treaty concerning the alleged cancellation of telecommunication licences. The case involved allegations that the State had harassed the investor through arbitrary tax and criminal investigations, causing him to shut down its television station.

An oil & gas exploration and production company in claims against an African State in relation to the rights to develop and sell natural gas under a production sharing agreement.

Stephen Kenny, Partner



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Extensive experience of delivering complex PPP projects and government programmes, particularly Stephen has over 25 years' experience advising on government and infrastructure projects in the UK and globally, covering projects in the defence, transport (including airports, air traffic control, rail), energy/environment and social infrastructure sectors. He has a detailed knowledge of bankable risk positions, government guidance, public procurement and State Aid issues. He is named as a Leading Individual in the Legal 500 2017.

Andrew Newbery, Partner



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Andrew advises on significant infrastructure, energy and project finance transactions. His diverse experience (including running his own business and initiating the development of a nationally significant infrastructure project) uniquely position Andrew as an innovative lawyer with broad skills. Andrew's experience includes previous commercial roles for Local Partnerships (HM Treasury JV) and Head of Commercial for Thames Water on the £4.2 billion Thames Tideway Tunnel.

Gordon Bell, Partner



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Gordon is an international arbitration specialist and an experienced advocate, having appeared in a number of arbitration hearings and before the English courts. He focuses on the construction, energy, oil & gas, shipbuilding and defence sectors working closely with clients developing projects throughout the world.

Michael Darowski, Partner



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Michael has extensive experience handling a broad range of complex, high-value international commercial and investment treaty disputes resolved by way of arbitration. He has handled disputes involving English and many other governing laws, and has acted in arbitrations under the rules of all of the main arbitral institutions and in ad hoc disputes (including pursuant to treaties).

RESTRUCTURING & INSOLVENCY

Specialists who work in the UK, Canada, Europe, Asia and the Middle East and have a broad practice which includes a high level of expertise in multi-jurisdictional, cross-border insolvencies and restructurings.

A team immersed in its industry and both the technical and policy aspects of restructuring and insolvency.

Members of the team have spent time in government departments helping shape policy.

Significant experience of restructuring debt finance transactions, ranging from covenant resets through to complex balance sheet/cashflow restructurings involving negotiations with a wide range of stakeholders.

WORK HIGHLIGHTS

Advising on a state aid loan facility to be made available to Hatfield Colliery Partnership Limited, the owner of Hatfield Colliery The facility constituted 'closure aid' to fund the managed wind-down of the colliery, including redundancies and remediation work. The team also had to negotiate with creditors to put in place complex inter-creditor arrangements.

The directors of a **Project SPV** in relation to the corporate and financial issues arising out of a dispute with a major local authority in connection with a 25-year PFI outsourcing contract relating to the rehabilitation, maintenance, management and operation of a road and street lighting network. Our work entails advising the clients in relation to corporate and financial issues, together with directors' duties arising out of a significant dispute concerning a very major contract and, in particular, in ensuring the client continues to enjoy the support of its lending syndicate while the dispute is resolved. The matter involves working alongside the firm's specialists in contentious construction project finance to develop and implement a strategy for dealing with the dispute with the support of the lending syndicate.

Julian Pallett, Partner



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Julian has more than 30 years' experience in dealing with all types of lender, corporate restructuring and recovery work. Julian's experience extends to all types of secured and unsecured financing, intercreditor arrangements and supply chain issues, with particular emphasis on restructuring and turnaround of distressed situations. Julian has worked on significant public-sector assignments, including risk-mitigation structures in major defence outsourcing arrangements.

Jasvir Jootla, Partner



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Jasvir is a restructuring expert and has specialised in consensual restructuring, advisory and enforcement work since 1997, advising on the myriad issues, risks and disruption which can arise from financial distress of any party (direct /indirect), including within supply chains. Jasvir regularly advises corporate clients and boards of directors on their rights under contracts, breaches/ defaults, consents and other requirements in financing arrangements/documents.

TELECOMMUNICATIONS

Our well-established telecoms practice has a proven track-record in delivering complex projects in the telecommunications sector, from advising on mobile infrastructure and transmission projects through to major multi-jurisdictional telecommunications patent litigation.

We have worked on some significant IT services agreements, which involved both the acquisition and implementation of key software elements for networks and on-going support and maintenance. Our work has also included complex managed services agreements for the management of backhaul and transmission in networks.

We have been involved in Cloud and Cloud-based solutions (including SaaS) from the outset and can see how these solutions are becoming a key part of Telecommunications services.

WORK HIGHLIGHTS

Sandwell MBC – Strategic Services Partnership with BT: we advised the Council on its £300 million 15-year services partnership with BT which involved transferring its entire IT systems and other key back-office functions (including HR, payroll, finance, accountancy and contact centre services) to BT. We advised on the structuring of the project, EU procurement issues, appropriate contractual mechanisms and bidder meeting strategies.

Croydon Council on its £100m PFI contract with Capgemini for ICT/telephony services, which expired in 2014 with no scope for further extension. Having advised the Council on the contract since 2001, our team was appointed to implement a disaggregated procurement/contract strategy to move it away from a single, prime contractor, to a multi-vendor service 'tower' arrangement.

A Police and Crime Commissioner: on an application to Ofcom for rights under the Electronic Communications Code in relation to a telecommunications mast used for police communications.

Birmingham City Council on the renegotiation of its £1 billion joint venture with Capita, Service Birmingham, which runs all of the Council's information, communications and technology (ICT) services.

Sally Mewies, Partner



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Sally is Head of our Telecommunications practice. She is an expert in advising on complex telecommunications projects, particularly those concerning mobile infrastructure builds. Sally knows the vendors and the sector well, enabling her to take a commercial approach based on detailed technical understanding. Sally gets a real buzz from the work she does in the telecommunications sector and advises both customers and vendors on cutting-edge developments.

Alexandra Brodie, Partner



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Alex chairs the firm's tech sector and ensures that our firm-wide team is immersed in the sector such that it can provide not just sector-focused advice and strategy but also connections and introductions for our clients. She is intrigued by the ever-increasing reach of tech into all industries and her team has recently provided networking events for clients in fields as diverse as autonomous cars, e-retail, additive manufacturing, connected health and fintech.

THE LAW OF INTERNATIONAL TRADE, INVESTMENT & REGULATION

Our unrivalled expertise in International Trade, trade defence investigations, sanctions law and export controls is well recognised and the team is widely published, some of which include: "Merger Control Guide 2017"; "Cartels"; "Cartels & Leniency 2017"; "Merger Control – Jurisdictional Comparisons"; "Private Antitrust Litigation"; and a Chambers publication on BREXIT.

Lead Partner, Bernardine Adkins, is regularly quoted by the national and international press and was recently invited to give evidence before the House of Commons' International Trade Select Committee. She separately chaired a distinguished Ambassadorial panel at the 2017 Post-Brexit Trade Policy Summit. Bernardine frequently presents on international trade law issues, including the impact of the 23 June 2016 referendum result and EU-Third Country trade deals, such as CETA and is regularly interviewed by the BBC.

WORK HIGHLIGHTS

Advising a global engineering group on the application of the EU and UK sanctions and export controls to a proposed offshore drilling project, and the procedure for obtaining export control licences in the UK.

Acting for global mining group in relation to the potential application of the US, EU and UK sanctions regimes in respect of Zimbabwe to the proposed sale of Zimbabwean assets to UK and US buyers.

Advising a producer of dual-use items on the application of EU, UK and US export controls to the proposed sale of a subsidiary.

Advising a UK-based manufacturer of military list items in relation to a suspected breach of its export licences and the preparation and submission of a voluntary disclosure letter sent to HMRC. This resulted in a 'comfort letter' from HMRC.

Acting for a global telecoms company in relation to the application of EU and UK sanctions law in relation to its operations in Russia.

Bernardine Adkins, Partner



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Bernardine heads our Competition & EU team and has more than 25 years' experience of advising upon competition and EU law, with considerable expertise in relation to anti-competitive arrangements and conduct, merger control, litigation, and state aid. She has a strong reputation as an innovative competition litigator advising on some of the most high-profile and complex cases in the European Court of Justice, the Competition Appeal Tribunal, the High Court and the Court of Appeal.

Ursula Johnston, Director of Customs and Expert Controls



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With more than ten years of customs and global trade advisory experience in Europe and Asia, Ursula assists clients in navigating the complex and ever changing trade environment with practical advice and proven solutions. Ursula assists clients with compliance challenges in the fields of customs, excise duties and cross-border regulatory matters including export controls and sanctions while maintaining a focus on broader commercial objectives and sensitivities.

TRANSPORT LAW (EXCLUDING RAIL)

At the centre of all cities and economies transport and the other infrastructure supported by transport are high on the agenda. Integral to the success of any transport project is lawyers who understand the unique issues affecting different transport concessions such as airports, roads and road maintenance, tunnels, rail and ports.

Gowling WLG's transport team brings together lawyers with UK and international experience across the rail, aviation, roads, ports, shipping, logistics and automotive industries. We have considerable experience advising clients on all aspects of transport law and in relation to the ongoing issues impacting the sector such as regulatory change, cyber security, autonomous vehicles and innovation. Additional insight gained through joint sponsorship/participation with Thales in The London Transport Museum's Interchange thought leadership programme attended by leading figures from across the transport industry and looking in depth at topics such as Rethinking Urban Mobility and Smart Cities.

WORK HIGHLIGHTS

Transport for London on numerous transport projects including in relation to: all aspects of the London Cycle Hire Scheme; its current outsourcing their taxi/private hire licensing function operations; and numerous highway schemes, including issues relating to major bridges across the River Thames, compulsory purchase issues and large highway schemes e.g. Marble Arch, Tottenham Hale Gyratory, A406 improvements.

London Borough of Barnet in connection with the Brent Cross Regeneration Scheme including the construction of new bridges over the North Circular Road and the construction of a new road bridge over the railway line.

Highways England in connection with nationally significant road projects in the North West of England, including advice on highway powers, the construction of bridges, compulsory purchase and stopping up orders and also in relation to the A303 Project, a £1.5 billion privately financed DBFM scheme for the construction of a new link road (including a 3km twin bore road tunnel) through the UNESCO World Heritage site at Stonehenge.

Giles Clifford, Partner



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Giles is a highly experienced partner with more than twenty years' experience in helping clients to understand and manage risks, protect their interests and achieve their goals in the delivery of complex infrastructure and real estate projects. He acts for government and other significant public sector clients including the Defence Infrastructure Organisation and Ministry Of Defence, Cabinet Office, Environment Agency, Greater London Authority and Transport for London.

Stephen Kenny, Partner



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Stephen has over 25 years' experience advising on government and infrastructure projects in the UK and globally, covering projects in the defence, transport (including airports, air traffic control, rail), energy/environment and social infrastructure sectors. He has a detailed knowledge of bankable risk positions, government guidance, public procurement and State Aid issues. He is named as a Leading Individual in the Legal 500 2017.

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Gowling WLG (UK) LLP is a member of Gowling WLG, an international law firm which consists of independent and autonomous entities providing services around the world. Our structure is explained in more detail at www.gowlingwlg.com/legal