



RM6240 wider public sector legal services panel

General legal advice and services
Gowling WLG (UK) LLP

Version 3 - November 2023

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Lot 1

Introduction



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'.



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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) |

Team structure



Relationship team

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Robert Breedon, Deputy Relationship Manager
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Bid and tender opportunities
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Mandatory specialisms legal delivery key contacts

| | | |
|--|--|--|
| Mandatory Specialisms | Non-Complex Finance and Investment 20+ legal professionals Julian Pallet / Jasvir Jootla | Health, Healthcare and Social Care 57 legal professionals Robert Breedon / Andrew Litchfield |
| Contracts 40+ legal professionals Robert Breedon / Alexi Markham | Competition Law 6 legal professionals Bernardine Adkins / Samuel Beighton | Life Sciences 56 legal professionals Luke Kempton / Patrick Duxbury |
| Corporate Law 50+ legal professionals David Vaughan / Amar Adatia | Data Protection and Information Law 30+ legal professionals Helen Davenport / Jocelyn Paulley | Telecommunications 27 legal professionals Alex Brodie |
| Employment 20+ legal professionals Anna Fletcher / Rebecca Jones | Information Technology 30+ legal professionals Jocelyn Paulley / Alison Richards | International Trade, Investment and Regulation 10 legal professionals Bernardine Adkins |
| Infrastructure 19 legal professionals Stephen Kenney / Andrew Newbury | Intellectual Property 35 legal professionals Kate Swaine / Luke Kempton | Public International Law 10 legal professionals Gordon Bell / Tom Price |
| Litigation and Dispute Resolution 170+ legal professionals Davinia Gransbury / Patrick Arben / Andrea McMahon | Optional Specialisms | Health and Safety 16 legal professionals Andrew Litchfield / Michael Hafen |
| Pensions 40+ legal professionals Paul Carberry / Hannah Beacham | Retained EU Law and EU Law 6 legal professionals Bernardine Adkins / Samuel Beighton | Licensing Law 5 legal professionals Keiran Laird / Ravi Randhawa |
| Property, Real Estate and Construction 340+ legal professionals Giles Clifford / Felicity Lindsay / Richard Beckingsale | Planning 8 legal professionals Vicky Fowler | Transport Law (excluding Rail) 29 legal professionals Giles Clifford / Dominic Richardson |
| Partnerships 50+ legal professionals Sharon Ayres / Amar Adatia | Projects 40+ legal professionals Stephen Kenney / Andrew Newbury | Tax 8 legal professionals Lee Nuttall |
| Public Procurement 40+ legal professionals Christopher Brennan / Robert Breedon | Restructuring and Insolvency 20+ legal professionals Julian Pallett / Jasvir Jootla | Outsourcing / Insourcing 40+ legal professionals Robert Breedon / Alexi Markham |
| Energy, Natural Resources and Climate Change 101 legal professionals John Cooper / Gus Wood | Food, Rural and Environmental Affairs 35+ legal professionals David Lowe / John Cooper | Public Inquests and Enquiries 5+ legal professionals Andrea McMahon / Andrew Litchfield / Patrick Arben |
| Administrative and Public Law 8 legal professionals Kieran Laird/Ravi Randhawa/Andrea Mahon | Franchise Law 40 legal professionals Sarah Riding | |

Additional capacity – With 1400 legal professionals worldwide, of which over 700 are based in the UK, we have the strength and depth to draw on further resources as needed to support our Government clients.

Social value



We take our responsibility to our people, our environment and our communities seriously. Trust and transparency are embedded in everything we do and impact every business decision we make. For us, social value is all about making connections and making a difference - to charities, individuals and suppliers we work with, for the wellbeing and personal and professional development of our people and to strengthen relationships with our communities, clients and suppliers.

Below we have highlighted just a few of the things we are doing to support the Government's drive to deliver social value through its supply chain and The Social Value Model.



Tackling economic inequality

- Member of Social Enterprise UK and signatory to UN Global Compact
- Mentoring 10 black social entrepreneurs in partnership with the School for Social Entrepreneurs, Black Talent Bursary at Birmingham University and offering work experience under the PRIME commitment for low-income students (Yr 12)
- Working with recruitment organisations to reach Under-Represented Groups (Groups). Over half our applications are from such Groups
- Providing work experience to people who have experienced homelessness or other barriers to employment



Fighting climate change

- PLANET+ environmental stewardship programme
- Signed onto UN Global Compact (UNGC) principles drawing on Sustainable Development Goals, created a supplier code of conduct to comply
- Carbon compensation programme via UN Carbon Offsetting platform, sequestration via tree planting partnership with the Woodland Trust and phased out diesel car fleet



Equal opportunity

- Launch of Inclusion for All, a firmwide 5-year strategy to embed accountability for achieving our Diversity and Inclusion ambitions at group, team and individual levels across the firm
- Founding and co-steering Midlands Ability, employer network sharing best practice on disabilities
- Developed our Black Lives Matter Action Plan to increase black and ethnic minority representation at all levels
- Evaluations against written job descriptions using blind CVs & bias free screening tools
- Regular equal pay audits, independently benchmarked to market. Proposals reviewed by diversity characteristics (gender, ethnicity) as part of governance sign-off to ensure fairness
- Publishing gender, ethnicity & sexual orientation pay gaps annually on our website
- Use of Mansfield Rule to broaden our diversity of our people and leadership



Wellbeing

- Appointed a Board sponsor who champions disability, health and wellbeing and influences strategy and Board decisions
- Appointment of Mental Health Champions and Domestic Violence Champions to offer listening and signposting service to our people
- Development of Wellbeing Hub to offer education, resilience and support to all our people

Mandatory specialisms

Administrative & public law

Our public law expertise is concentrated in a dedicated specialist team with relevant knowledge and skills to advise on all public law matters. We have 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. We are experts in the development and application of robust constitutional and governance arrangements, including rules of procedure and schemes of delegation to assist the executive and non-executive decision-making processes. 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 and draft a regulatory framework governing this ground-breaking regulatory change programme.
- 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, 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.
- Surrey County Council:** Advising on public law aspects of a potential decision by the Department for Environment, Food and Rural Affairs to revise existing arrangements in relation to a waste infrastructure grant.
- Consumer Council for Water:** Advising on its powers and duties as the consumer representative body for the water industry in England and Wales and the public law principles to which it is subject as a non-departmental public body, including in particular its consumer advocacy and complaint handling remit.

Non-complex finance and investment

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

- We acted for a corporate borrower co-operative group in connection with the restructure of its £120m banking facilities with a syndicate of clearing bank lenders. We advised on an override and stand facility agreement and negotiated a comprehensive new supporting security package, comprising of debenture, legal charge and guarantee security taken by all the lenders. Our work spanned a review of the historic security in place and due diligence in relation to a real estate package of over 500 properties.
- Furthermore, acted for a major corporate PLC and its subsidiaries on the amendment and restatement of a senior multi-currency revolving facility of up to £120m providing lending to the group of companies. The amendment and restatement deed, amongst other things, amended certain financial covenants and undertakings in the context of a concurrent equity raise that was being undertaken by the PLC. Over 15 additional group companies acceded as debtors and intra-group lenders to the Intercreditor agreement and facility agreement and granted associated security.




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Contracts

A 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, from the routine OJEU complaint procurement of goods and services of 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, joint ventures (JVs) and restructuring.

Work highlights

- Office for National Statistics (ONS) – Census Transformation Project:** we advised ONS on the Census Transformation Programme that delivered the national Census in 2021. We supported ONS to put in place a suite of contracts to support a large-scale 'rehearsal' in 2019 and the main census in 2021 including advising on IPR/branding and HR issues.
- 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). We 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.

Competition law

Our team uses its expert knowledge of competition law to deliver timely, client-focused results. 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.

The team advises on a broad range of competition law matters, including subsidy control and state aid; competition law compliance; competition litigation; competition investigations; the interface between competition law and IP; agency, distribution and licensing arrangements; and merger control.

The team regularly acts for public sector clients, who value the relationships that we build. Clients work with a dedicated team, allowing us to gain an in-depth understanding of the issues and risks they face, and enabling us to deliver targeted, practical advice in review of their appetite to risk.

Work highlights


- 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.
- A **non-departmental public body** upon a range of subsidy control, state aid, and competition law issues and risks, including undertaking a compliance audit addressing existing processes and procedures, and considering and recommending revisions to seek to minimise risk in the context of planned commercial arrangements with international partners.
- Various local government bodies upon a range of subsidy control, state aid, and competition law issues and risks, including recommending alternative approaches to planned activities, so as to enable the effective and informed allocation and management of compliance and reputational risks.



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Corporate Law

With 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.

Nuclear Decommissioning Authority (NDA) – transactions, restructuring and governance: advising on the termination of the parent body agreements for Magnox and Low Level Waste Repository Limited, the transfer of shares in those entities, the restructuring of the transport and waste divisions of NDA and all related governance issues.

Data protection and information law

Data protection compliance, together with cyber security, is ever more complex, both as guidance becomes more prolific, due to divergence from Europe and opportunities and risks caused by technology. We are experts in taking pragmatic, proportionate steps to achieve a sensible level of compliance.

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

Our team of litigators react quickly where there has been a breach, to guide organisations through emergency responses. They also work with organisations to prepare for breaches and mitigate impacts.

We can provide additional man-power or a second pair of eyes for freedom of information requests, or appeals following complaints relating to FOI responses.

Work highlights


Advising Donna Ockenden, the Chair of the independent review of maternity services at Shrewsbury and Telford Hospital NHS Trust following the deaths of a number of babies. Our data protection specialists were part of a multi-disciplinary team advising the inquiry.

Being the sole legal provide to the Organising Committee of the 2022 Birmingham Commonwealth Games. We have advised extensively on a very broad range of GDPR issues, including complex data sharing, including with the police involving criminal records, doing legitimate interest assessments, data protection impact assessments and many privacy notices.


We work closely with the NI UR's DPO and legal counsel to assist with regular data protection matters. Over the last 12 months we have provided advice in relation to data sharing arrangements with other stakeholders in the utilities sector as well as supporting the client with a number of responses to requests under the Freedom of Information Act. While also advising on other regular ad hoc queries.



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Employment

From the everyday to the strategic, our 26-strong team (based in London and Birmingham) advises on the full range of employment issues including handling disciplinaries 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.

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 non-departmental public body with a number of operating group companies: working with colleagues across the firm we advised on several strategic reorganisations within the group, including implementation of related workforce proposals and bespoke terms of engagement for executive and non-executive appointments. We have also advised the organisation on a broad range of sensitive HR issues, including pay transparency, IR35 compliance, use of social media vetting and a number of speaking up and grievance investigations.

Information technology

Our specialist IT law team comprising of IT contracts and litigation lawyers, has 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, licensing and cloud computing through to systems implementation, IT services and business process outsourcing, as well as open source software, artificial intelligence, block chain, and cyber security.

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

Work highlights

Foreign, Commonwealth and Development Office - ECHO2 Programme: procurement of a framework agreement for global Network Integration Services, two call off contracts and a separate Dynamic Purchasing System for internet connectivity services around the globe. We assisted with developing all contract and procurement documents as well as advising on all aspects of the process including strategy, governance, training on and the evaluation of tenders and project planning.

Ministry of Defence – Future Service Delivery Contract: procurement of a contract for the military pay and pension service. We supported the development of IT and service requirements as well as the draft contract and negotiation guidance for bidders. We also advised in relation to extending the then current contract to enforce incumbent obligations as to the provision of exit information to support re-procurement and the transfer of assets (e.g. hardware, IT contracts, and complex licensing arrangements with software vendors, equipment and staff). We advised throughout the procurement providing training to evaluators and led legal negotiations.




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Infrastructure

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

We can also 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: advised 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.

National Highways: since our appointment, several years ago we continue to advise National Highways on its portfolio of expiring PFI projects, including advising on the M25 PPP scheme. Separately, we have been advising National Highways on the procurement of its A303 Stonehenge tunnel scheme; this work has involved us advising on various PPP-type delivery models – having moved the model from the SOPC4 privately financed scheme which had been originally envisaged through to the recent announcement of the MORE JV (Webuild/ FCC Construcción/ BeMo Tunnelling) as the preferred bidder for the £1.25bn NEC based tunnelling contract.



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Intellectual property

Our market leading Intellectual Property (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 you 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.



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Litigation and dispute resolution

With a team of over 170 lawyers we have the resources to handle any dispute.

Extensive experience in exploring early resolution, and the use of ADR processes including arbitration and mediation.

In-depth expertise in all aspects of the litigation life-cycle including; formulating litigation/settlement strategies, analysing complex information, conducting large-scale electronic disclosure exercises, witness statements and presenting evidence (including expert evidence) at trial.

A proven track record of securing successful results,

Work highlights

The Royal Parks (TRP): Procurement/Judicial review - procurement dispute regarding TRP’s procurement for a concessionaire to deliver the Hyde Park music festivals. Following the contract award to AEG, a procurement/judicial review challenge was brought by Live Nation We represented TRP in its application to lift the automatic suspension. This settled on terms enabling TRP to grant an interim 2 year contract to AEG preserving the event and ensuring this key revenue stream was maintained until the litigation concluded. Successfully settled shortly before trial.

Sanctuary Housing Association (SHA): Breach of Contract - £30 million dispute arising from SHA’s termination of its contract with Ciber for the design/build of a replacement ERP system for its housing business. The largest ever SAP implementation in the social housing sector, this was a high profile and complex dispute. We devised a strategy enabling SHA to secure an alternative provider to complete the implementation ensuring their commercial and operational objectives were achieved. Successfully concluded by confidential settlement following mediation.

London Legacy Development Corporation (LLDC): Professional Negligence - £7m professional negligence claim against, Allen & Overy, arising from legal advice/drafting of a Concession Agreement between LLDC and West Ham United (WHU) for WHU’s use of the London Stadium. LLDC alleged Allen & Overy failed to draft the agreement in accordance with LLDC’s instruction to limit the number of seats available to WHU to 54,000 in return for the usage fee. WHU maintained they could use all seating (66,000) at no additional cost. The dispute with WHU was settled on the first day of trial. LLDC brought proceedings to recover the costs of the litigation with WHU. We devised a robust litigation strategy culminating in a successful mediation shortly before trial.

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 tate aid issues.

Croydon Council: 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.

Advising BEIS on the establishment of, and its initial £20m investment into, the Clean Growth Fund. The Clean Growth Fund will invest in early-stage “clean growth” companies pioneering carbon emission reductions in the areas of power and energy, buildings, transport and waste that are scalable and involved in sustainable technology businesses. It is hoped that the Fund will grow to £100m.

DEFRA on the procurement and establishment of the Big Nature Impact Fund – this will use a partnership structure to draw together contributions from DEFRA and other investors and is being established to help the Government support commercial investment in projects that create and use ‘natural capital’ to deliver environmentally desirable outcomes. Woodland carbon sequestration and flood prevention through bankside tree planting and upland bog protection and enhancement will be early targets for investment, and the Government will take a significant initial stake alongside the investors.



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Pensions

We have one of the UK's largest pensions teams, with 45 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, CSPA and TPS) and on the requirements of the PSPA 2013. Our breadth of experience (from individual benefit queries through to establishing new public service pension schemes) means that there is rarely an issue that we have not advised on before, often from multiple perspectives.

Experienced in advising on the requirements of New Fair Deal, enabling those involved with commissioning or bidding for services to understand their obligations and the associated costs and risks, as well as advising on the complex area of second generation transfers.

Work highlights

Government Legal Department, panel for pensions legal work: one of only three firms on the GLD's panel. Organisations we have advised include the Ministry of Justice, the Home Office and the Department of Health and Social Care.

The Remuneration Board of the Welsh Assembly: advised the Board on the design of the new pension scheme to be offered to Welsh Assembly members. We then worked closely with the Board to draft the Rules of the new scheme which were adopted as legislation.

Department for Communities Media and Sport: advised DCMS on the management of its pension liabilities under the Crown Guarantee afforded to the BT Pension Scheme as part of the separation of Openreach division from BT.

MyCSP, transfer of staff back to the CSPA: advising MyCSP (the administrators of the CSPA) when they transferred their staff from a broadly comparable pension scheme back into the CSPA.

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.

Nuclear Decommissioning Authority (NDA) – transactions, restructuring and governance: advising on the termination of the parent body agreements for Magnox and Low Level Waste Repository Limited, the transfer of shares in those entities, the restructuring of the transport and waste divisions of NDA and all related governance issues.

Public procurement

We advise from the initial stages of market engagement and consideration of procurement options, through to the running and management of complex public 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).

We 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.

Fully familiar with Public Contracts Regulations 2015, Utilities Contracts Regulations 2016, Concession Contracts Regulations 2016 and Defence and Security Public Contracts Regulations 2011 as well as impending changes through the Government's procurement reforms.


Work highlights

Ofqual – National Reference Tests (NRT): on all stages of the procurement of a supplier to design/develop and operate the NRT. This included: preparation of an 'exposure draft' contract to gauge the market's appetite to risk and position on issues such as IPR; reviewing the OJEU notice, PQQ and ITT documentation and commenting on the selection/award criteria, advice on bid compliance and clarifications, and preparation/issue of a VTN.


Office for National Statistics (ONS) – National Census in 2021: we assisted ONS with a group of parallel procurements (more than 15) including reviewing the procurement packs and putting in place a suite of contracts to support a large-scale 'rehearsal' in 2019 and the main census in 2021. Our support included defending a threatened challenge against ONS – by early disclosure of evaluation and moderation notes we were able to avoid a formal challenge through the courts.



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Property, real estate and 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.

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, public subsidy, CPO, governance and vires. The team provides specialist advice on building safety, modern methods of construction (MMC), BIM and sustainability in construction.

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, procurement of a JV development partner and all property, planning and construction advice.

TfL – Edgware Redevelopment: advising on redevelopment of the Broadwalk Shopping Centre and land surrounding Edgware Station in partnership with Ballymore to deliver new homes, retail and transport improvements through a public/private partnership.

London Borough of Sutton: advising on the delivery of a world class life sciences Cancer Hub alongside the Royal Marsden NHS Foundation Trust and Institute for Cancer Research.

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.

Solihull Metropolitan Borough Council: advising on the structuring and procurement of a developer partner for the mixed use town centre redevelopment of Mell Square.

Energy, natural resources and climate change

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

Our multi-disciplinary team advises across the sector 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 efficiencies), oil and gas, mining and water.

Advisory activities include: M&A and project development, operational issues, infrastructure financing, the deployment of new technology, regulatory reform and environmental matters.

We have a deep understanding of policy and regulatory drivers. Whether we are advising start-ups on the regulatory and contractual issues underpinning its business model, an oil and gas exploration company on its listing, a project developer on asset development, funders on innovative finance structures for investment, a regulatory body on its regulatory activities, Government on developing a robust regulatory framework for the implementation of a market transformation programme or market participants on complex contractual matters or the implications of policy change our deep sector knowledge underpins our advice.

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.



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Optional specialisms

Retained EU law and EU law

Many areas of the firm's practice require a detailed knowledge of EU law and, since the UK's exit from the EU, retained EU law. We have been at the forefront of developing understanding of retained EU law throughout the legal industry.

Our various teams across the firm have developed a detailed knowledge of how retained EU law works in practice through assisting our private sector clients to navigate the new requirements across a range of different sectors and areas of practice, including the requirements of the Northern Ireland Protocol to the Withdrawal Agreement and its implementation in UK domestic law.

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.

Advising **Ofqual** on the impact of Brexit on the recognition of awarding organisations incorporated in the EU and Crown dependencies, changes to its regulatory framework following Brexit and various aspects of retained EU law that affect its operations.



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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 extensive experience on regeneration projects including compulsory purchase, advising on 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

Ebbfleet 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 Ebbfleet Green.

London Borough of Barnet on the Brent Cross Cricklewood scheme incorporating a new town centre, incorporating 7,500 homes, 27,000 jobs, three re-built schools, redevelopment of Brent Cross shopping centre, new parks and community facilities, as well as major road and public transport improvements (public sector, non-contentious). Advising the Council on all planning matters: the s106 Agreement, reserved matters applications and strategy for scheme changes and keeping the planning permission extant. TfL has also been a key stakeholder.

Wokingham Borough Council in connection with a CPO for a town centre regeneration scheme. We advised on the promotion and implementation of a CPO (including compensation payments) to acquire land and new rights at Peach Place to enable the regeneration of Wokingham town centre and securing the successful making of a stopping up of highway at Elms Field, Wokingham, to enable creation of new leisure space including a new park and cinema, as well as other enabling commercial development.

Westminster City Council on its Ebury Bridge Estate Regeneration proposals. Advising on all planning and land assembly matters including the settling of section 106 undertaking, advising on optioneering and consultation with residents, advice on the planning strategy for the delivery of the scheme changes. Advice on compulsory purchase including the decanting strategy and negotiations with owner-occupiers advice on equity loan products.



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Projects

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

Advised 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.

We are advising **Driver and Vehicle Licensing Agency (DVLA)** in relation to the expiry and handback of its accommodation PFI contract with Telereal Trillium. The Role includes advice on operational management, enforcement of existing contractual entitlements, strategic approach to expiry obligations, arrangements for early termination of soft services as part of the approach to management of the expiry process.

Restructuring and 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 UK, multi-jurisdictional, cross-border insolvencies and restructurings.

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

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 **Pension Trustees** and the **PPF (Pension Protection Fund)** in relation to \$USD50m bespoke distressed financing for an international group dealing with Covid related restrictions taking security across seven jurisdictions. Our work included advising the clients on mitigation, monitoring and other financial issues, working closely with the financial advisors to the clients, **EY**.

Recommending to our clients the **Pension Trustees** on the scheme rescue of the pension scheme and plan of McColls convenience store on its insolvency and pre-packaged sale to **Morrisons**.

We advised our client, **a seller of wholesale gas and electricity** on its full recovery of its £30m debt in the administration of **Green Network Energy Limited** who had a customer base of 350,000. We counselled and formulated the security enforcement strategy working with **Taneo UK**, and advised on all aspects of security realisations.



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Food, rural and 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: 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:** advised on its strategic 15-year Sustainable Built Environmental and Workplace Support services outsourcing contract (with a core-services value of approx. £500 million and a potential value for non-core services of £400 million). 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.
- 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).
- Rural Payments Agency:** advised on reviewing a range of contracts for the storage of regulated and controlled waste under the Animal By-Products regulation and the process of settling 3 contractual disputes between the RPA and site owners.
- Advising **Ofqual** on the impact of Brexit on the recognition of awarding organisations incorporated in the EU and Crown dependencies, changes to its regulatory framework following Brexit and various aspects of retained EU law that affect its operations.

Franchise Law


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.

Members of the British Franchising Association.

- Work highlights**
- Transport for London** – London Cycle Hire Scheme: 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 (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.
- Department of Health (DH)** – brand usage: advised the DH on its branding and the implications of advertising and marketing activity, including sponsorship by NHS organisations. Advice included drafting a self-regulatory marketing code and preparation of a comprehensive brand protection manual for the NHS.
- Ofqual:** advised Ofqual on its procurement of a supplier to design/develop and operate the new National Reference Tests – a cutting-edge project with potentially significant reputational risk for Ofqual given that the Tests will be undertaken on its behalf with a licence to use its name.
- NHS East of England:** advised on the procurement to find an organisation to operate Hinchingsbrooke Health Care NHS Trust under a statutory franchise. A ground-breaking transaction and a unique franchise agreement. Our work included drafting the first-ever intervention order passed by the Secretary of State.



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Health, healthcare and social care

Our Health and Care 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 advise on the partnerships arrangements the heart of integrated care systems.

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.

- Work highlights**
- Various commissioners and providers** on strategic alliances and partnerships to facilitate integrated working across health and care systems including risk/gain share arrangements and governance/decision making.
- Birmingham and Solihull Mental Health NHS Foundation Trust** in relation to its partnership arrangements with other key providers to form the Reach Out provider collaborative – an alliance of providers responsible for the delivery of adult secure care as well as adult learning difficulties and autism.
- Advising various **care home providers** on commissioning contracts, agreements with residents (LA funded, top-up and private pay) and regulatory compliance including representation in dealing with the CQC or the Health and Safety Executive.

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.
- AstraZeneca** on the landmark collaboration agreement for the development and distribution of the University of Oxford's recombinant adenovirus COVID-19 vaccine.
- BioNTech** on IP matters relating to the Pfizer/BioNTech COVID-19 vaccine, which was the first to be approved.

Telecommunications

Our well-established telecoms practice can assist you with issues that could arise in the context of telecommunications and connectivity. We have a firm track-record in delivering complex licensing, corporate investments/deals, outsourcing, commercial and real estate projects (which includes establishing data centres, advising on mobile infrastructure and transmission projects), and resolving major multi-jurisdictional telco patent litigation. We have particular expertise in advising on policy issues arising in this area especially in the context of competition and regulatory law.

In relation to the establishment of new networks and the expansion of existing networks we have helped deliver significant IT services agreements to include the acquisition and implementation of key software elements and also for on-going support and maintenance together with complex managed services agreements for the management of backhaul and transmission in networks.

We are very familiar with the Electronic Communications Code and have assisted new entrants to the UK market seeking to develop new superfast broadband fibre networks, and also with the compliance of customer contracts with Ofcom's Conditions of Entitlement and EU telecoms law.

Work highlights

Cellnex UK; we advised in connection with its 25-year contract to provide uninterrupted cellular internet, mobile reception and fibre services along the length of the Brighton Mainline route.

Telecoms infrastructure provider; we advised on various ground-breaking references to the Tribunal concerning the interpretation of the Electronic Communications Code (some of which are subject to an appeal to the Supreme Court).

Mobile Broadband Network Limited; we've advised for the last 10 years on the procurement of business-critical services and provided an overflow service for project procurement or particularly busy periods.

International trade, investment and regulation

Our expertise in International Trade covers a broad number of topics including trade defence investigations, free Trade Agreements and preferential market access, customs and excise law (EU and UK), import licensing for sensitive product categories, indirect taxes in the supply chain, and sanctions and export control regulations under international instruments. Gowling WLG's experienced trade and customs specialists are based in our Brussels and London offices The team works closely with our specialist colleagues located in Gowling WLG's offices sin Canada, China, Russia, Germany, Dubai and France.

Since the publication of the EU-UK Trade & Cooperation Agreement ("TCA") on 24 December 2020, the team has advised clients across a number of sectors on how to comply with the TCA – in particular with regard to preferential rules of origin. The team provides strategic advice on compliance with the UK's new 'roll over' free trade agreements (i.e. those agreed between the UK and third countries).

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 **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. FTA Utilisation (including Rules of Origin & Commodity Code Verification) Advising a leading automotive manufacturer on the development of a global customs and trade compliance programme, which resulted in the successful recovery of overpaid customs duties.

Trade & Customs Compliance (including Responding to Investigations by Investigating Authorities) : Advising a billion-dollar turnover wellness brand in relation to a variety of customs compliance matters, including product classification managing preferential tariff treatment and supply chain management.


Advising an **international aeronautical manufacturer** on the customs and trade processes and controls required for a successful application for EU Authorised Economic Operator status.



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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 judgments 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.

Health and safety



Managing health and safety risk and preventing accidents has never been more important. Our team of 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 help with 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 understanding of safety law and 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.



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Licensing law

Much of our licensing work is conducted by our Public Law & Regulation team. We have extensive experience of acting for a number of local councils and private companies on a range of matters relating to licensing, registration and authorisations. Our advice has encompassed licensing and permitting regimes in a number of areas including transport, taxis, food and drink, use of animal products, alcohol and entertainment, beauty treatments, casinos (large and small) and renting. We have advised on the granting of licences, as well as the conditions to be attached to them and other ancillary documents. We have also assisted in defending licensing decisions when challenged through judicial review

Work highlights

- Croydon Metropolitan Borough Council:** the team represented the Council in its successful defence of a judicial review challenge brought against its selective licensing scheme for landlords.
- Southampton City Council:** acting as the legal member of an advisory panel to the licensing committee in respect of the competitive application for a new large casino licence (a decision successfully defended on a judicial review), and negotiating the terms of statutory agreements with the competing bidders.
- Luton Borough Council:** advising on the competition for a small casino licence, on the evaluation of the bids, negotiating and drafting the terms of a statutory agreement between the council and the winning operator, and on the related licence conditions.
- Several large investors:** advising on the licensing and authorisation aspects of due diligence in relation to a number of large hotel acquisitions including premises licensing and registration as a food business.
- A new entrant to the London transport market:** advising on PSV operator licences and London Service Permits to operate a local bus service which is not part of the London bus network.



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Transport law (excluding rail)

Our cross-disciplinary transport team gives you access to lawyers with UK and international experience to deliver the modern transport agenda. Our experience includes roads, buses, cycles and other active travel modes, aviation, ports, shipping, logistics and rail (covered separately in the prospectus).

We handle project delivery, compliance and regulatory, disputes and litigation, in transport law and on wider issues such as regulatory change, cyber security, data protection, safety law, public procurement, CPO, energy and sponsorship.

We are at the forefront of industry thought leadership, sponsors since 2017 of the London Transport Museum's Interchange programme which has covered topics such as transport decarbonisation, the future of the bus and Smart Cities.

Work highlights

- National Highways M25** widening; A303 Stonehenge tunnel, new road DCOs. London Borough of Barnet: Brent Cross Regeneration - including new bridges over the rail main line and North Circular Road. Transport for London: numerous highway schemes including Marble Arch, Tottenham Hale Gyratory and A406 improvements, and works to River Thames bridges.
- Active travel:** Transport for London on establishing and operating the London Cycle Hire Scheme, e-bikes scheme and e-scooters pilot. London Bus Services Ltd: planning and delivery of bus station and driver facilities.
- Low carbon travel:** bus opportunity charging; EV charging facilities; investment in prototype hydrogen aircraft and hydrogen refuelling technologies for transport uses.
- Technology, Digitalisation:** members of the UK Autodrive consortium that delivered autonomous vehicles for real life trial in Milton Keynes and Coventry, we delivered legal analysis and thought leadership on issues such as liability and moral responsibility.
- Street and traffic regulation:** advising TfL on Olympic traffic lanes, roll-out of its cycle superhighway cycle path network and its 'Roadlab' innovation framework procurement for streetworks management.
- Aviation and airports:** provision of military air traffic control systems; advising investors on the potential reopening of a UK regional airport, investment in an autonomous vehicle airport baggage handling system.



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Tax

When it comes to tax law you want to be sure that you're getting it right first time and maintaining a robust compliance reputation. Our team is on hand to help with comprehensive and clear advice on what is often a challenging and complex area of the law.

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 sand 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.
- The North West Evergreen Fund** from its start-up and for more than four years on funding and investment projects (including associated aspects in areas such as construction and commercial property). The Evergreen project is a pooled investment fund that was established by local authorities in and around Manchester in order to provide loans to selected re-generation projects.

Outsourcing/insourcing

A dedicated commercial, IT and outsourcing teams of more than 30 lawyers advising private and public sector clients, both as customers and suppliers.

Advising on the full range of outsourcing needs including procurement issues, contract drafting, reviewing specifications, Statement of Requirements, attending dialogue/negotiation sessions, contract finalisation 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, training services, healthcare and defence, both on first and subsequent generation outsourcings and also when public bodies decide to insource services.

Work highlights

- Advising the **Ministry of Defence** in relation to the Future Service Delivery Contract, a new transformed pensions and payroll service for the armed forces - we advised on developing tiered transition and transformation arrangements, and on drafting the business continuity and financial distress provisions to conform to the Outsourcing Playbook.
- Advising the **Royal Navy** in connection with the £2bn outsourcing of training for the Royal Navy, a significant contract for training services and equipment and a key part of the Royal Navy's strategic plans for modernisation over the next decade. The project involved consolidating services provided by over 30 different incumbent providers into a single contract and involved complex payment, KPI and service specifications Our team helped to devise an innovative TCIF payment structure, which incentivises modernisation and greater use of technology in providing training services.



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Public inquiries and inquests

We understand how challenging participating in inquiries can be. Our dedicated team can provide you with support at all stages of inquiries, reviews, investigations and inquests. We have breadth and depth of experience rooted in many years of supporting local and central government, often in high profile matters. An agile and responsive team with access to a wide range of expertise and resource across our offices we can mobilise quickly when required, delivering full project management cost effectively and efficiently.

Members of our team have unique experience at the very centre of government in high profile inquiries, investigations and policy including IICSA, the Chilcot Inquiry and Leveson. We are able to provide wider perspectives and handle multiple interests in complex, political and challenging contexts. Recognising not every inquiry or review requires the same approach, we adapt our services to your requirements and are used to dealing with unpredictable challenges. We have expertise in public law issues (judicial review) arising in inquisitorial processes.

Work highlights

Undertaking large scale document review projects handling sensitive information and utilising the most up to date technology, including our in-house e-disclosure solution e.g. **Under Cover Policing Inquiry**: supporting a core participant in a substantial evidence gathering/review exercise. Analysing and synthesizing complex microfiche data in readiness for Tranche 1 hearings. We have security cleared staff for immediate deployment where required.

Supporting core participants/witnesses e.g. **Grenfell Tower Inquiry**: Five year major project providing advice/support throughout to a core participant/numerous witnesses during the preparation of their evidence to the Inquiry, detailed analysis of complex issues, managing a significant disclosure exercise, careful handling of commercially sensitive material and liaising with the Inquiry team throughout.


Advising/supporting Chairs/Inquiry teams' e.g **Reviews/non-statutory Inquiries: Tawel Fan/Shrewsbury and Nottingham NHS Trusts**: legal advice and support to the Chair, preparing evidence/documents/drafting reports and recommendations and setting up data sharing protocols to enable the Chair to consider sensitive evidence.

Supporting government departments generally e.g **Covid-19** Inquiry: we have recently been retained by the Department for International Trade (DIT) to provide support during the Covid Inquiry.


Providing support and representation in inquests e.g. **Hillsborough Stadium disaster**: provided support to Sheffield Council in these high profile inquests, reviewing vast quantities of documentation, drafting witness statements and providing additional support to the Council's in-house resource. Acting in a range of inquests for housing providers, and others, assisting the client/inquiry to assess evidence, drafting witness statements and legal submissions on Article 2 of the Human Rights Act.



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Lot 2

Team structure



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- Robert Breedon, Deputy Relationship Manager**
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- Sophie Carvalho, Contract Manager**
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- Bid and tender opportunities**
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Elective specialisms legal delivery key contacts

| | |
|---|---|
| Property and Construction 340+ legal professionals Richard Beckingsale / Richard Green | Litigation / Dispute Resolution 170+ legal professionals Davinia Gransbury / Patrick Arben / Helen Davenport |
| Social Housing 101 legal professionals Jacqueline Knox / Sally Farrall | Intellectual Property 35 legal professionals Kate Swaine / Luke Kempton |
| Planning and Environment 18 legal professionals Vicky Fowler / Ben Stansfield | Employment 20+ legal professionals Anna Fletcher / Rebecca Jones |
| Licensing 5 legal professionals Keiran Laird / Ravi Randhawa | Healthcare 57 legal professionals Robert Breedon / Andrew Litchfield |
| Pensions 40+ legal professionals Paul Carberry / Hannah Beacham | Primary Care 5 legal professionals Robert Breedon / Andrew Litchfield |

Additional capacity – With 1400 legal professionals worldwide, of which over 700 are based in the UK, we have the strength and depth to draw on further resources as needed to support our Government clients.

Property and 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, public subsidy, CPO, governance and vires. The team provides specialist advice on building safety, modern methods of construction (MMC), BIM and sustainability in construction.

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, procurement of a JV development partner and all property, planning and construction advice.

TfL– Edgware Redevelopment: advising on redevelopment of the Broadwalk Shopping Centre and land surrounding Edgware Station in partnership with Ballymore to deliver new homes, retail and transport improvements through a public/private partnership.

London Borough of Sutton: advising on the delivery of a world class life sciences Cancer Hub alongside the Royal Marsden NHS Foundation Trust and Institute for Cancer Research.

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.

Solihull Metropolitan Borough Council: advising on the structuring and procurement of a developer partner for the mixed use town centre redevelopment of Mell Square.



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Social housing

We are a go-to firm for those involved in the social housing sector within the UK, including local authorities and developers as well as some of the largest not for profit registered providers of social housing in the country, newer 'for profit RPs, pension funds, REITs and others investing in the sector as well as lenders.

Offering you the full range of legal solutions including: real estate development and investment, social housing finance corporate and governance, employment and pensions, housing management, tax, construction, dispute resolution, planning, commercial contracts and outsourcing.

The scale of our practice means that we bring a 360-degree perspective to everything we do. Our sector focused, multi-disciplinary approach means that we can truly deliver a full service, which enables us to provide you with proactive pragmatic advice..

Work highlights


We advised **Legal and General Affordable Homes** on its acquisition of 174 residential leasehold units from St James Group Limited. We advised on all property and planning matters (including a deed of variation to the planning agreement). We also acted for them on the site set and shared ownership plots.

Acting for **Sanctuary Affordable Housing Limited** in relation to its acquisition of the freehold interest in 77 of 154 units at a site in Penzance from Vistry Partnership Limited and a development agreement for the construction of those units for open market and affordable housing. We advised on all aspects of the acquisition and development agreement, and on the approach to planning.

Advising the strategic land team of **Legal and General** on planning permission for Vale of Glamorgan Council or a 45-acre industrial estate near Cardiff Airport.

Represented **Sanctuary Housing Association** in defence of long running proceedings brought by EBL alleging it had wrongfully terminated a development contractor social housing in Warrington. The case was challenging for Sanctuary because it concerned allegations about events regarding an organisation it had acquired years earlier over which it had no direct knowledge. The litigation was hard fought an involved a successful security for costs application made by Sanctuary.


Reflecting our market leading expertise in the social housing investment market, the team has handled the vast majority of the **Triple Point Social Housing** REIT’s real estate and debt- raise legal work since its launch in 2017.



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Planning and environment

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 extensive experience on regeneration projects including compulsory purchase, advising on 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.

We have deep experience across our environmental law team which allows us to provide advice that is timely, on point and strategic in the context of transactions, development and infrastructure projects, compliance/ regulatory matters, health and safety and environmental insurance.

Work highlights

Ebbfleet 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 Ebbfleet Green.

London Borough of Barnet on the Brent Cross Cricklewood scheme incorporating a new town centre, incorporating 7,500 homes, 27,000 jobs, three re-built schools, redevelopment of Brent Cross shopping centre, new parks and community facilities, as well as major road and public transport improvements (public sector, non-contentious). Advising the Council on all planning matters: the s106 Agreement, reserved matters applications and strategy for scheme changes and keeping the planning permission extant. TfL has also been a key stakeholder.

We have been advising our client in two workstreams in connection with the loss of a substantial amount of diesel into the ground at one of its sites following work undertaken to replace a valve in the tank storage farm. The first of these workstreams deals with the Environment Agency investigation. The site is bordered by a river into which the ground water drains. Extensive efforts have been made to locate and track the diesel and prevent it entering the river. The EA is conducting a criminal investigation and we have worked closely with our client in relation to the provision of evidence and with regard to an Enforcement Undertaking. The second workstream involves pursuing a claim for damages against the contractor who carried out the work to the valves.

We advise a number of clients on environmental disclosure and reporting matters – whether undertaken voluntarily or due to legal requirements. We advise on the gathering of necessary data, ensure that all legal requirements are met, and work with client teams to draft the necessary elements.

Licensing

Much of our licensing work is conducted by our Public Law & Regulation team. We have extensive experience of acting for a number of local councils and private companies on a range of matters relating to licensing, registration and authorisations. Our advice has encompassed licensing and permitting regimes in a number of areas including transport, taxis, food and drink, use of animal products, alcohol and entertainment, beauty treatments, casinos (large and small) and renting. We have advised on the granting of licences, as well as the conditions to be attached to them and other ancillary documents. We have also assisted in defending licensing decisions when challenged through judicial review.

Work highlights

Croydon Council: the team represented the Council in its successful defence of a judicial review challenge brought against its selective licensing scheme for landlords. Southampton City Council: Acting as the legal member of an advisory panel to the licensing committee in respect of the competitive application for a new large casino licence (a decision successfully defended on a judicial review), and negotiating the terms of statutory agreements with the competing bidders.

Luton Borough Council: advising on the competition for a small casino licence, on the evaluation of the bids, negotiating and drafting the terms of a statutory agreement between the council and the winning operator, and on the related licence conditions.

Several large investors: advising on the licensing and authorisation aspects of due diligence in relation to a number of large hotel acquisitions including premises licensing and registration as a food business.

A new entrant to the London transport market: advising on PSV operator licences and London Service Permits to operate a local bus service which is not part of the London bus network.



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Pensions

We have one of the UK's largest pensions teams, with 45 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, CSPS and TPS) and on the requirements of the PSPA 2013. Our breadth of experience (from individual benefit queries through to establishing new public service pension schemes) means that there is rarely an issue that we have not advised on before, often from multiple perspectives.

Experienced in advising on the requirements of New Fair Deal, enabling those involved with commissioning or bidding for services to understand their obligations and the associated costs and risks, as well as advising on the complex area of second generation transfers.

Work highlights

Government Legal Department, panel for pensions legal work: one of only three firms son the GLD's panel. Organisations we have advised include the Ministry of Justice, the Home Office and the Department of Health and Social Care.

The Remuneration Board of the Welsh Assembly: advised the Board on the design of the new pension scheme to be offered to Welsh Assembly members. We then worked closely with the Board to draft the Rules of the new scheme which were adopted as legislation.

Department for Communities Media and Sport: advised DCMS on the management of its pension liabilities under the Crown Guarantee afforded to the BT Pension Scheme as part of the separation of Openreach division from BT.

MyCSP, transfer of staff back to the CSPS: advising MyCSP (the administrators of the CSPS) when they transferred their staff from a broadly comparable pension scheme back into the CSPS.

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.

Litigation / dispute resolution

With a team of over 170 lawyers we have the resources to handle any dispute.

Extensive experience in exploring early resolution, and the use of ADR processes including arbitration and mediation.

In-depth expertise in all aspects of the litigation life-cycle including: formulating litigation/settlement strategies, analysing complex information, conducting large-scale electronic disclosure exercises, witness statements and presenting evidence (including expert evidence) at trial.

A proven track record of securing successful results, whether in the Court, arbitration or adjudications.

Work highlights


The Royal Parks (TRP) – Procurement/Judicial review): procurement dispute regarding TRP's procurement for a concessionaire to deliver the Hyde Park music festivals. Following the contract award to AEG, a procurement/judicial review challenge was brought by Live Nation We represented TRP in its application to lift the automatic suspension. This settled on terms enabling TRP to grant an interim 2 year contract to AEG preserving the event and ensuring this key revenue stream was maintained until the litigation concluded. Successfully settled shortly before trial.

Sanctuary Housing Association (SHA) - Breach of Contract): £30 million dispute arising from SHA's termination of its contract with Ciber for the design/build of a replacement ERP system for its housing business. The largest ever SAP implementation in the social housing sector, this was a high profile eand complex dispute. We devised a strategy enabling SHA to secure an alternative provider to complete the implementation ensuring their commercial and operational objectives were achieved. Successfully concluded by confidential settlement following mediation.


London Legacy Development Corporation (LLDC): Professional Negligence - £7m professional negligence claim against, Allen & Overy, arising from legal advice/drafting of a Concession Agreement between LLDC and West Ham United (WHU) for WHU's use of the London Stadium. LLDC alleged Allen & Overy failed to draft the agreement in accordance with LLDC's instruction to limit the number of seats available to WHU to 54,000 in return for the usage fee. WHU maintained they could use all seating (66,000) at no additional cost. The dispute with WHU was settled on the first day of trial. LLDC brought proceedings to recover the costs of the litigation with WHU. We devised a robust litigation strategy culminating in a successful mediation shortly before trial.




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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 you face.

We've successfully represented clients in all levels of court and administrative tribunals on cases involving trade mark, 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 sand 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.

Employment

From the everyday to the strategic, our 26-strong team (based in London and Birmingham) advises on the full range of employment issues including handling disciplinaries 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.

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 **non-departmental public body** with a number of operating group companies: working with colleagues across the firm we advised on several strategic reorganisations within the group, including implementation of related workforce proposals and bespoke terms of engagement for executive and non-executive appointments. We have also advised the organisation on a broad range of sensitive HR issues, including pay transparency, IR35 compliance, use of social media vetting and a number of speaking up and grievance investigations.



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Healthcare

Our Health and Care 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 advise on the partnerships arrangements the heart of integrated care systems.

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.

Work highlights

Various commissioners and providers on strategic alliances and partnerships to facilitate integrated working across health and care systems including risk/gain share arrangements and governance/decision making.

Birmingham and Solihull Mental Health NHS Foundation Trust in relation to its partnership arrangements with other key providers to form the Reach Out provider collaborative – an alliance of providers responsible for the delivery of adult secure care as well as adult learning difficulties sand autism.

Advising various **care home providers** on commissioning contracts, agreements with residents (LA funded, top-up and private pay) and regulatory compliance including representation in dealing with the CQC or the Health and Safety Executive.



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Primary Care

Our Health and Care team understands the structure and functions of the health and care system including the delivery of primary care services covering general practice, dentistry and pharmacy services.

We regularly advise the owners and operators of care home services on contractual arrangements with commissioners and in relation to regulatory requirements such as compliance with standards under the Care Standards Act 2000.


Our advice includes advising on public procurement law as it applies to health and care services.

Work highlights

A number of **GP Super-partnerships** (including Lakeside Healthcare and Suffolk Primary Care) in relation to the partnership arrangements, practice mergers and their GMS/PMS arrangements with NHS England.

Counselling on a range of integrated care arrangements between commissioners and providers (inc primary care providers) for the delivery of various health and care services including End of Life Care and MSK services for the **Better Together Alliance** in Nottinghamshire.

Advising various **care home providers** on regulatory compliance including representation in dealing with the CQC or the Health and Safety Executive.



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Lot 3

Introduction



At Gowling WLG, our work covers all aspects of railway and transport law. Our lawyers have a deep knowledge of and exceptional experience in both the public and private sectors and a detailed understanding of the relationship between them. We bring a 360-degree perspective that enables them to provide legal, regulatory and public policy advice on virtually any matter.

Excellence in transport

With 1500 legal professionals across 19 cities Gowling WLG is a leading global business focused on collective success. We aren't constrained by the way things have been done before, always searching out the most effective solutions. This allows us to take a more flexible and innovative approach to the practice, business and process of law.

Gowling WLG's Rail and Transport team is delivering for a range of clients across the rail industry. Acting for UK and international clients, including governments, private sector operators, developers, joint ventures and financiers our team has advised on all aspects of rail and transport law, including concessions, passenger franchises, IT solutions for passenger transport, new stations, park and ride stations, new freight routes and rail freight terminals, upgrading infrastructure, metro concessions and new trains (and whole life service), primary and secondary legislation, safety and economic regulation, competition law and dispute resolution, as well as mergers, acquisitions and joint ventures.

A law firm you can trust

Our clients include all levels of Government and its agencies, trade and professional associations, non-governmental agencies, Crown corporations, utilities, developers and educational institutions, such as schools and universities. We work with Think Tanks and are active Members of The Whitehall and Industry Group. We host events with politicians, civil servants and academics on policy issues and processes. We understand the importance of being connected and engaged and we respect and value the relationships we have built across Whitehall and Westminster.

Rising to your challenge

We understand that complex legal issues often need a cross-sector and cross-service approach and we pride ourselves on our collaborative style and our ability to combine these specialisms to deliver the advice that Government needs. Through our knowledge and understanding of policy, regulation, financial socio-economic and reputational risk we provide client-specific strategic input to our Government clients. Delivering savings and efficiencies is a key concern for government bodies. We have acted on significant programmes that have secured savings and efficiencies by restructuring the delivery of public services and renegotiating existing contractual arrangements. From reputation management to overhauling service delivery, setting negotiation strategies to project managing deal delivery, defending complex litigation to transferring risk to third parties: we will find the best solution.



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- giles.clifford@gowlingwlg.com



Team structure



Relationship team

Giles Clifford, Relationship Manager

giles.clifford@gowlingwlg.com

Sophie Carvalho, Contract Manager

sophie.carvalho@gowlingwlg.com

Richard Beckingsale, Deputy Relationship Manager

richard.beckingsale@gowlingwlg.com

Bid and tender opportunities

tenders@gowlingwlg.com

Mandatory specialisms legal delivery key contacts

Transport Rail Legal Services
29 legal professionals
Giles Clifford / Dominic Richardson

Additional capacity – With 1400 legal professionals worldwide, of which over 700 are based in the UK, we have the strength and depth to draw on further resources as needed to support our Government clients.

Social value



We take our responsibility to our people, our environment and our communities seriously. Trust and transparency are embedded in everything we do and impact every business decision we make. For us, social value is all about making connections and making a difference - to charities, individuals and suppliers we work with, for the wellbeing and personal and professional development of our people and to strengthen relationships with our communities, clients and suppliers.

Below we have highlighted just a few of the things we are doing to support the Government's drive to deliver social value through its supply chain and The Social Value Model.



Tackling economic inequality

- Member of Social Enterprise UK and signatory to UN Global Compact
- Mentoring 10 black social entrepreneurs in partnership with the School for Social Entrepreneurs, Black Talent Bursary at Birmingham University and offering work experience under the PRIME commitment for low-income students (Yr 12)
- Working with recruitment organisations to reach Under-Represented Groups (Groups). Over half our applications are from such Groups
- Providing work experience to people who have experienced homelessness or other barriers to employment



Fighting climate change

- PLANET+ environmental stewardship programme
- Signed onto UN Global Compact (UNGC) principles drawing on Sustainable Development Goals, created a supplier code of conduct to comply
- Carbon compensation programme via UN Carbon Offsetting platform, sequestration via tree planting partnership with the Woodland Trust and phased out diesel car fleet



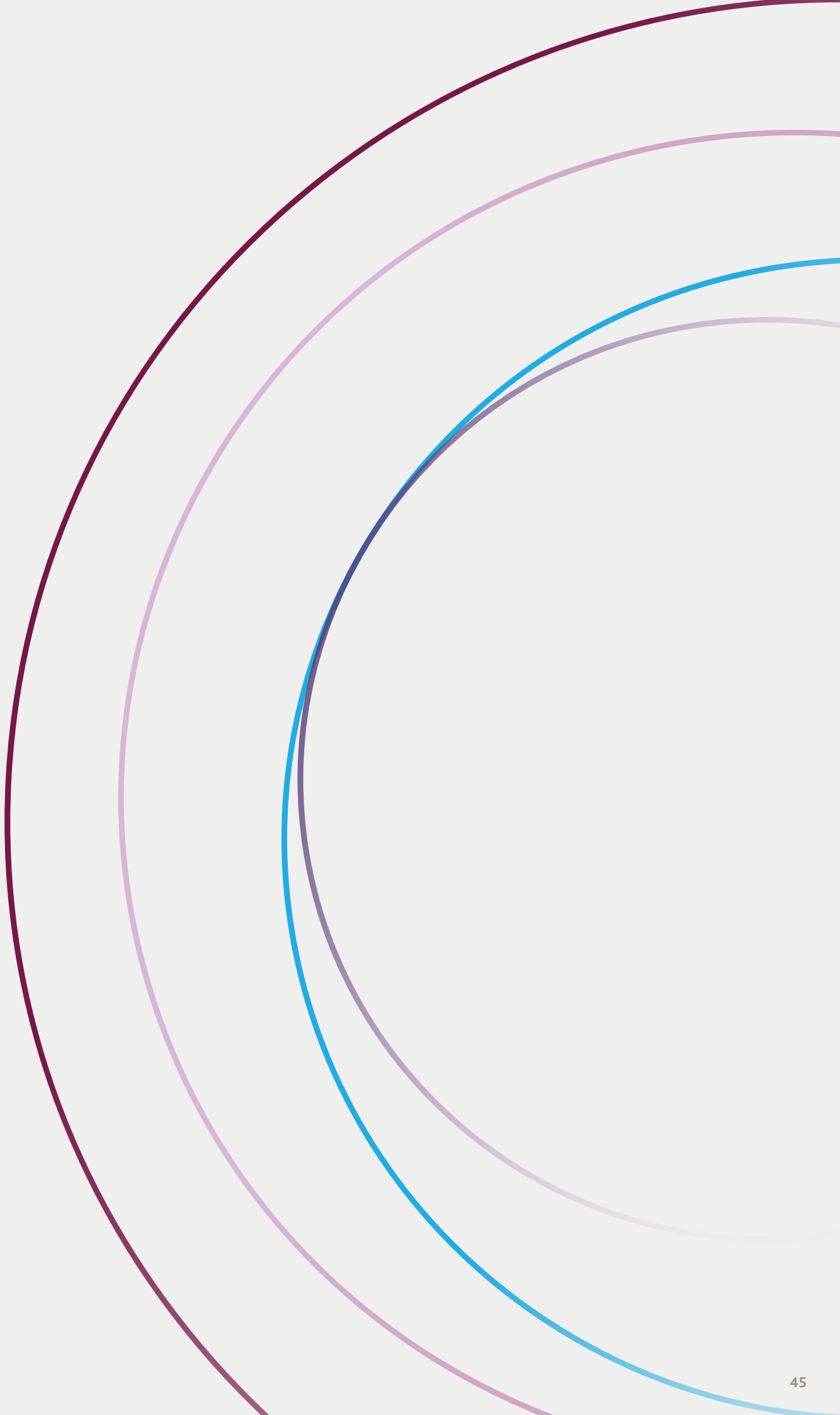
Equal opportunity

- Launch of Inclusion for All, a firmwide 5-year strategy to embed accountability for achieving our Diversity and Inclusion ambitions at group, team and individual levels across the firm
- Founding and co-steering Midlands Ability, employer network sharing best practice on disabilities
- Developed our Black Lives Matter Action Plan to increase black and ethnic minority representation at all levels
- Evaluations against written job descriptions using blind CVs & bias free screening tools
- Regular equal pay audits, independently benchmarked to market. Proposals reviewed by diversity characteristics (gender, ethnicity) as part of governance sign-off to ensure fairness
- Publishing gender, ethnicity & sexual orientation pay gaps annually on our website
- Use of Mansfield Rule to broaden our diversity of our people and leadership



Wellbeing

- Appointed a Board sponsor who champions disability, health and wellbeing and influences strategy and Board decisions
- Appointment of Mental Health Champions and Domestic Violence Champions to offer listening and signposting service to our people
- Development of Wellbeing Hub to offer education, resilience and support to all our people



Mandatory specialisms



Transport rail legal services

Our work covers all aspects of railway and transport law. We have a deep knowledge of and exceptional experience in both the public and private sectors and a detailed understanding of the relationship between them. Our lawyers bring a 360-degree perspective that enables them to provide legal, regulatory and public policy advice.

Rail sits in a 'sweet spot' for us, involving a combination of many of our legal strengths: pure transport, infrastructure, technology, energy, planning, governance, construction and engineering and real estate.

We have strong specialisms in: rail station development and station upgrades, over station and over track development, rail freight, logistics, commercial contracts including rolling stock supply contracts and rail services contracts and employment and pensions.

We provide relevant commercial advice in a timely and easy to understand way, providing strategic advice, risk analysis, and procuring and designing appropriate contractual delivery models to make the documentation fit the transaction.

We are active in thought leadership in the transport sector with a particular focus on the interaction between public transport, new technologies and the built environment. We are involved (as sponsor and co-creator) in the London Transport Museum's Interchange Thought Leadership programme, which addresses a range of issues around future mobility, including digital innovation and carbon reduction.

Work highlights
Major rail-related projects including:

Acting for London Borough of Barnet on all rail aspects of the Brent Cross Cricklewood regeneration, including construction of the new Brent Cross West Thameslink station, the first major new mainline station in London in over a decade.

Working with **Transport for London (TfL)** for almost 20 years on a wide variety of matters for its rail entities London Underground, Docklands Light Railway, Crossrail and Rail for London including numerous station development and reconfiguration schemes for stations, and land acquisition for Crossrail. A number of these schemes also involved multi-modal interfaces with bus, taxi, cycle as well as with the national rail network.

Acting for **local authorities, investors, landowners and other parties** on the development of new stations on the national rail network, including Cardiff Parkway, Aylesbury Vale Parkway, Coleshill Parkway, Reading Green Park, Stratford upon Avon Parkway, Coventry Arena, Bedworth, Kenilworth and Northampton.

Acting for **logistics providers** such as Goodman, Roxhill and SEGRO on the development of rail-connected warehouse facilities, including at Hams Hall, DIRFT Daventry, Slough, Castle Donnington and Sheffield.

Advising on a variety of regulatory and authorisation procedures in respect of the national rail network including: Station Change and Network Change procedures, strategic rail freight site closure and relocation, franchise change, asset protection agreements and other Interface agreements with Network Rail, advising a rail freight operator on its main track access agreement with Network Rail, acting for the Access Disputes Committee on disputes in respect of track access rights, and advising developers and landowners on rights under railway enabling acts.

Advising on rolling stock supply: Acting on behalf of Bombardier on various aspects of its rolling stock contracts, including defending a complex claim for liquidated damages of in excess of £116 million by Abellio East Anglia. The dispute concerned Bombardier's liability for the delay in the delivery of new rolling stock under a manufacturing and supply agreement for the East Anglia Rail Network during the COVID-19 pandemic.





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