RM3786 General Legal Advice Services
Supplier Prospectus
November 2020
<table>
<thead>
<tr>
<th>Contents Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mandatory Specialisms</strong></td>
</tr>
<tr>
<td><strong>Introduction</strong></td>
</tr>
<tr>
<td><strong>At a glance</strong></td>
</tr>
<tr>
<td><strong>Competition Law</strong></td>
</tr>
<tr>
<td><strong>Construction Law</strong></td>
</tr>
<tr>
<td><strong>Contracts Law</strong></td>
</tr>
<tr>
<td><strong>Corporate Law</strong></td>
</tr>
<tr>
<td><strong>Dispute Resolution Law</strong></td>
</tr>
<tr>
<td><strong>Employment Law</strong></td>
</tr>
<tr>
<td><strong>Environment Law</strong></td>
</tr>
<tr>
<td><strong>EU Law</strong></td>
</tr>
<tr>
<td><strong>Information Law (inc Data Protection)</strong></td>
</tr>
<tr>
<td><strong>IP Law</strong></td>
</tr>
<tr>
<td><strong>IT Law</strong></td>
</tr>
<tr>
<td><strong>Litigation Law</strong></td>
</tr>
<tr>
<td><strong>Non-Complex Finance Law</strong></td>
</tr>
<tr>
<td><strong>Outsourcing Law</strong></td>
</tr>
<tr>
<td><strong>Partnership Law</strong></td>
</tr>
<tr>
<td><strong>Pensions Law</strong></td>
</tr>
<tr>
<td><strong>Planning Law</strong></td>
</tr>
<tr>
<td><strong>Projects/PFI/PPP Law</strong></td>
</tr>
<tr>
<td><strong>Public Law</strong></td>
</tr>
<tr>
<td><strong>Public Procurement Law</strong></td>
</tr>
<tr>
<td><strong>Real Estate and Real Estate Finance Law</strong></td>
</tr>
<tr>
<td><strong>Restructuring / Insolvency Law</strong></td>
</tr>
<tr>
<td><strong>Tax Law</strong></td>
</tr>
<tr>
<td><strong>Optional Specialisms</strong></td>
</tr>
<tr>
<td><strong>Education Law</strong></td>
</tr>
<tr>
<td><strong>Energy and Natural Resources Law</strong></td>
</tr>
<tr>
<td><strong>Food, Rural and Environmental Affairs Law</strong></td>
</tr>
<tr>
<td><strong>Franchising Law</strong></td>
</tr>
<tr>
<td><strong>Health and Healthcare Law</strong></td>
</tr>
<tr>
<td><strong>Health and Safety Law</strong></td>
</tr>
<tr>
<td><strong>International Trade, Investment and Regulation</strong></td>
</tr>
<tr>
<td><strong>Life Sciences Law</strong></td>
</tr>
<tr>
<td><strong>Public Inquiries and Inquests Law</strong></td>
</tr>
<tr>
<td><strong>Public International Law</strong></td>
</tr>
<tr>
<td><strong>Telecommunications Law</strong></td>
</tr>
</tbody>
</table>
Welcome to our prospectus for buyers of legal services under the Crown Commercial Service (CCS) RM3786 Framework.

Womble Bond Dickinson is a transatlantic law firm formed in 2017 by a combination between UK-based Bond Dickinson LLP and US-based Womble Carlyle Sandridge & Rice, LLP. Our regional heritage and local knowledge — combined with a transatlantic outlook — generate the insights capable of unlocking more opportunities for our clients.

The summary information contained in this prospectus will give you an overview of our most relevant experience and individual points of contact for the various mandatory and optional specialisms (with the exception of child law) – we hope you find it a useful introduction to our firm and how we can help your organisation.

Being a Tier 1 supplier under this CCS and Government Legal Department Framework is key to Womble Bond Dickinson’s strategy and profile within the public arena.

We have many years’ experience advising Central and Local Government bodies and other public sector organisations, and have a deep understanding of the governance and scrutiny requirements that organisations must comply with and the challenges they face against ever increasing constraints on budget and resource. We have large teams advising clients across the sector and understand how Government works.

We look forward to assisting your organisation deliver its strategic objectives – please contact any member of our dedicated Crown Commercial Service team on 0345 415 5275 or CCSTeam@wbd-uk.com for an initial conversation.

Nick Barwood
Multi-jurisdictional offer
Services across all of our UK offices and access to the US and Europe
Ranked in the top 30 most innovative law firms in Europe by the FT Innovative Lawyers Report 2020

WBD Advance
Flexible solutions bringing together innovative technology and service delivery that complement our existing legal advice

A responsible business
Investors in People Silver Standard
Award winning Apprenticeship Scheme
Gold Status in the Law Society Diversity and Inclusion Charter
Awarded the Planet Mark certification for our commitment to continuous improvement in sustainability
Raised over £675,000 for good causes since May 2013

Representing more than 100 public sector bodies and in addition more than 85 publicly traded companies in the UK

WBD Accelerate
Supporting growth in the business community in partnership with Yena

More than 120 partners and 540 lawyers in the UK
Why us?

We advise clients on both contentious and non-contentious competition law issues across a range of sectors.

We cover all aspects of Competition Law, including:

- Abuse of dominance and mergers (including merger notifications in UK and EU)
- Anti-competitive agreements
- Behavioural issues
- EU law
- Public procurement
- State Aid

Evidence of experience

A Government Department on the public procurement and State Aid risks associated with potential options being considered as part of the Government’s Covid-19 response, including the risks of successful challenges being brought.

A Government Agency on the public procurement and State Aid aspects of a number of housing site disposals.

Acting for an interested party, alongside BEIS, in the successful defence of the State Aid challenge brought by Tempus Energy involving the UK’s Electricity Capacity Market Scheme.

A university on a State Aid and procurement law compliant solution for an application for European Regional Development Funding for a consultancy service for SMEs.

On merger control issues involving companies in the defence industry and dealing with issues of a countervailing monopoly buyer power, a failing firm and the public interest.

Obtaining Phase One clearance from the Competition & Markets Authority for Cineworld’s completed acquisition of five cinemas from Empire Cinemas.

Key contacts

Andrij Jurkiw
Partner
T: 0117 989 6547
E: andrij.jurkiw@wbd-uk.com

Specialisms include all aspects of UK & EU competition law. Andrij leads our Competition team. He regularly advises both buyers and sellers on merger control and has significant experience of applying for merger clearances in the UK, in other EU countries and under the EU Merger Regulation.

Richard Cockburn
Partner
T: 0345 415 6182
E: richard.cockburn@wbd-uk.com

Specialisms include experience of contentious and non-contentious competition matters.
Construction Law

Why us?

Our Construction team includes a judge, an adjudicator and a Royal Institute of British Architects Professional Conduct panel member which gives us genuine insight and understanding of the construction industry. We cover all aspects of Construction Law including:

- Alliance and Collaboration agreements
- Single and multi-supplier national frameworks

Public and private sector projects:
- Dispute resolution on planned and reactive maintenance
- Energy road, rail and infrastructure and district heating regeneration
- Estate master planning
- Large-scale residential, social housing, retail and mixed use initiatives
- Long term capital
- Regional PFI/PPP

Evidence of experience

- **A major central Government department** on an extensive multi-million pound claims relating to the refurbishment of a landmark building in Westminster based around a number of heavily amended NEC3 contracts.
- **Grainger Plc** on its acquisition and development of Private Rented Sector schemes across the UK, including assisting with development funding agreements and construction contracts.
- **Westminster City Council** on the high profile and logistically challenging £60m refurbishment of City Hall.
- **The Department for Education** on the procurement of a new £2bn framework to deliver school projects through offsite modern methods of construction. The framework is likely to be the largest so far to adopt the Government’s commitment to favour modern methods of construction for public infrastructure schemes from 2019. We are advising across all contractual and procurement issues.
- We advise on rail and road infrastructure projects and act for local authorities on the construction of bridges; we draft framework agreements for highway repairs and extensions.
- The owner of land at Hinkley Point on remediations prior to use for power generation.
- **A number of NHS Trusts** in the extension and remodelling of existing facilities procured under PFI arrangements.
  - On EPC Contracts and ancillary documents, from waste and biomass projects including several anaerobic digestion facilities such as **Cardiff Food and Green Waste Project**.

Key contacts

- **Simon Rowland**
  Partner
  T: 0191 279 9054
  E: simon.rowland@wbd-uk.com
  Specialisms include construction procurement, frameworks and development work.

- **Ian Atkinson**
  Partner
  T: 0191 279 9338
  E: ian.atkinson@wbd-uk.com
  Specialises in dispute resolution, including on adjudication, mediation and arbitration.

- **Vicky McCombe**
  Partner
  T: 0113 290 4403
  E: vicky.mccombe@wbd-uk.com
  Specialisms include advising on construction and EPC contracts (inc JCT, NEC, IChemE and LOGIC forms), collateral warranties, third party rights and bonds and guarantees.
Contracts Law

Why us?

Our Commercial team has significant expertise in acting for public sector organisations advising on negotiating and preparing a full range of commercial contracts. We cover all aspects of Contract Law, including:

- Alliance and Collaboration agreements
- Concession / Warehousing / Distribution agreements
- E-commerce
- Leasing and hire arrangements
- Outsourcing
- Procurement issues on commercial arrangements
- Procurement of goods and services
- Sponsorship transactions
- Strategic Supply Chain Management
- Supply agreements

Evidence of experience

Providing ongoing legal advice and support to a number of Government Departments in relation to both the response to the Covid-19 Emergency and preparations for the end of the UK/EU Transition period.

Ministry of Justice on the:
- procurement of Transcription and Court Reporting Services with multiple suppliers, and
- transfer of its Shared Services Centre and subsequently entering into a Call-Off Agreement in relation to shared services with a joint venture entity between Cabinet Office and a private sector organisation.

Government Actuary Department on the review of a Software licence, the provision of services agreement and on standard terms of engagement.

British Business Bank providing contract overflow support advice on a range of commercial and IT agreements, often based on public sector frameworks (e.g. G-Cloud). Also on the preparation of a suite of template documents.

Department for Education in relation to exit from contractual arrangements relating to back office functions and in relation to cloud migration project.

An infrastructure redevelopment project at a UK airport, including on the negotiation of funding and implementation arrangements.

Sterling Pharma Solutions in relation to a wide range of product development and customer supply agreements.

Key contacts

Gareth Jones
Senior Counsel
T: 0117 989 6560
E: gareth.jones@wbd-uk.com

Specialisms include general contract law, outsourcing and business process outsourcing. Gareth is client relationship lead for the Ministry of Justice.

Rachel Scott
Partner
T: 0207 788 2374
E: rachel.scott@wbd-uk.com

Specialisms include complex commercial contract negotiations and transactions, major procurements and outsourcing.
Corporate Law

Why us?

Our team is capable of handling very large and complex transactions, as well as corporate requirements generally.

We cover all aspects of Corporate Law, including:

- Company Secretarial
- Corporate Governance
- Corporate Tax
- Equity capital markets
- Investment funds
- Joint Ventures and collaborations
- Mergers and acquisitions
- Partnerships and LLPs
- Private Equity
- Reorganisations

Evidence of experience

A Local Government body on setting up a joint venture company responsible for the provision of leisure services. Advice involved the transfer of existing leisure assets into the ownership of a JV company and advice on the contract.

Public sector bodies, whose functions and powers/duties are prescribed by statute/legislation, including on the scope and exercise of those powers. Our advice covers all company law and corporate governance, and compliance matters including directors’ duties, disclosure and transparency obligations.

A Council on the restructuring of ownership (through a corporate vehicle) of studios. We advised on corporate governance issues, and the requirements for compliance with the law concerning local authority owned companies.

A Council on a multi-million pound deal with a University and an investment company on the funding of over 200,000ft of Grade A office space.

Key contacts

Ian Holden
Partner
T: 02380 20 8454
E: ian.holden@wbd-uk.com

Specialisms include corporate finance, M&A, joint venture agreements, corporate reorganisations.

Iain Pritty
Legal Director
T: 0191 279 9408
E: iain.pritty@wbd-uk.com

Specialisms include M&A, joint ventures and shareholders agreements. Iain is dual qualified in England & Wales and Scotland.

Sammy Hill
Managing Associate
T: 0117 989 6856
E: sammy.hill@wbd-uk.com

Specialisms include corporate finance, M&A, corporate acquisitions and disposal, buyouts and start-ups.
Dispute Resolution

Why us?

We have a track record of achieving results for public sector clients across a range of dispute resolution including Judicial Review. Results range from the avoidance of litigation, allowing clients to avoid the disruption and cost, to positive settlements, to winning in court where disputes are taken that far. We cover all aspects of Dispute Resolution including:

- ADR and mediation
- Class actions
- Contractual, procurement, insurance, probate and trust, corporate and shareholder disputes
- Cyber risks
- Debt and asset recovery
- Exiting unprofitable or unsuitable contracts
- Fraud
- Injunctive relief
- International arbitration
- Pre-action advice on strategy
- Public law responsibilities

Evidence of experience

**Government Legal Department** in its defence of a challenge to the procurement of Approved Enforcement Agency contracts brought by the incumbent, including managing a large-scale electronic disclosure exercise, preparing and producing factual witness statements, liaising with GLD and Counsel to set strategy, and supporting on the successful settlement negotiations at mediation.

**Government Legal Department** on a sensitive investigation of facts and matters relating to the award of certain Covid-19 contracts.

**The Department for Work & Pensions** on contentious financial services issues.

**The Department for Education** on several claims relating to the wrongful expenditure of public monies.

**Lee Valley Regional Park Authority** on its defence of a challenge to the procurement of its leisure services contract (including in respect of London 2012 sites), leading all aspects of the defence, culminating in withdrawal of the challenge by the claimant.

**Basingstoke and Deane Borough Council** on defending a challenge to its procurement of a development agreement for the redevelopment of the Basingstoke Leisure Park. The challenge is to the award of a £500m contract to a commercial developer, following a competitive negotiated procedure carried out by the Council under the Public Contracts Regulations 2006 (as amended).

Key contacts

Stephen Dilley
Partner
T: 0117 989 6600
E: stephen.dilley@wbd-uk.com

Specialisms include supply chain, distressed contract management and exit, breach of contract, asset recovery, guarantee claims, fraud, misrepresentation, directors’ duties claims, insolvency disputes and shareholder claims.

Richard Collins
Partner
T: 0191 279 9913
E: richard.collins@wbd-uk.com

Specialisms include all types of contractual and tortious disputes, including financial services and contentious procurement issues.

Joanna Bromhead
Managing Associate
T: 0191 279 9188
E: joanna.bromhead@wbd-uk.com

Specialisms include commercial and pensions’ disputes, including through alternative dispute resolution processes.
Why us?

Our team advise on a range of public sector projects, including working on PFI/PPP projects. We have experience of unionised workforce issues, including changing T&Cs across large workforces and collective bargaining and industrial disputes. We also advise on complex TUPE transfers, including on procurement projects. We advise on all aspects of Employment Law, including:

- Business Immigration
- Employment Tribunal litigation
- Equal pay and gender pay gap issues
- Discrimination and Diversity
- Outsourcing of functions
- Redundancy programmes
- Restructuring
- Right to work and Employee Benefits
- Senior recruitment and termination

Evidence of experience

Government Legal Department on their employment tribunal work. This appointment means handling some claims for a range of central government departments. This involves all stages of the claim from defence through to hearing and any settlement.

Ordnance Survey in relation to:

- the application of TUPE concerning a Framework Agreement for the outsourcing of certain services to suppliers. This include a review of the applicable terms and advice on the application of TUPE in respect of employees undertaking certain outsourced services
- the review of a draft Service Agreement for Executives, and
- an overseas remote working arrangement. Including advising on UK employment implications and engaging with an overseas law firm to advise on local issues.

On the termination of senior public sector executives including the drafting of settlement agreements incorporating complex arrangements and sensitive issues around confidentiality and protection against whistleblowing claims.

An infrastructure operator on employment tribunals claims, as well as supporting management teams on diversity training.

An Executive Non-Departmental Public Body in its successful defence of a constructive unfair dismissal claim.

Key contacts

Tim Woodward
Partner
T: 0117 989 6756
E: tim.woodward@wbd-uk.com

Significant experience of advising on union and collective consultation, major projects, employment tribunal litigation, board disputes, business protection actions and high value/sensitive discrimination matters.

Jo Martin
Partner
T: 0117 989 6896
E: jo.martin@wbd-uk.com

Specialises in discrimination, whistle-blowing, TUPE, redundancy, parental rights and employee terminations.

Lorraine Heard
Legal Director
T: 0191 279 9284
E: lorraine.heard@wbd-uk.com

Specialises in reorganisations, TUPE transfers, mergers and other transformation structures, changes to terms and conditions of employment, equal pay and high value complex Employment Tribunal claims.
Why us?
We provide advice on compliance, enforcement prosecutions, market development and business risk management (including in a transactional context). Our guidance covers key risk and reputation considerations and sustainability imperatives. We cover all aspects of Environmental Law, including:

- Carbon law
- Civil litigation (including nuisance)
- Critical incident response
- Enforcement and prosecutions
- Environmental compliance (including waste, water permitting and contaminated land)
- Environmental impact assessment and habitats regulations assessment
- Judicial Review
- Regulatory investigations
- Site closure and decommissioning
- Sustainability strategies
- Transactional services

Evidence of experience

South Tees Development Corporation on the complex acquisition from TATA Steel of over half of the developable land on the wider Redcar steelworks site, a land area close to the size of Gibraltar. This included a phased handover to ensure continuity of maintenance programmes, on and offsite infrastructure ownership and obligations and environmental and permitting issues of the current and future uses of the sites.

On the consenting of onshore and offshore wind schemes, including in respect of potential pollution incidents, marine mammals (particularly pursuant to the Marine Mammal Mitigation Programme), the Environmental Damage Regulations and the Offshore Safety Directive.

A consortium of local authorities on the reopening of a passenger railway to provide network enhancements, including on the environmental impact assessment and Habitats Regulations aspects.

Appeals against statutory abatement and community protection notices served by local authorities, eg in relation to environmental hazards generated by animal droppings.

Key contacts

Stuart Wardlaw
Partner
T: 0191 279 9136
E: stuart.wardlaw@wbd-uk.com

Specialisms include enforcement proceedings and crisis management support relating to EHS incidents, compliance advice and transaction support.

Stephen Panton
Partner
T: 01752 677 813
E: stephen.panton@wbd-uk.com

Specialisms include criminal investigations and prosecutions and confiscation proceedings.

Sarah Holmes
Legal Director
T: 01752 677 703
E: sarah.holmes@wbd-uk.com

Specialisms include environmental permitting, shipment of waste, definition of waste, contaminated land, species protection, sustainable development and governance, and risk minimisation and allocation.
EU Law

Why us?

We have a broad range of expertise advising on EU law, including:

- Anti-competitive agreements (Art. 101 Treaty on the Functioning of the EU)
- Abuse of dominance (Art. 102 Treaty on the Functioning of the EU)
- Defending and bringing challenges to regulated procurement in the rail, transport and infrastructure sector
- Merger advice and notifications (EU Merger Regulation No. 139/2004)
- State Aid (including for clients applying for European Regional Development Funding)

Evidence of experience

On the use of Smart Meters for Public Functions. We worked with a technology company on approval from the regulator on marketing a product and on authorisations from the UK National Measurement Office. We analysed the compatibility of the product with UK regulations, which had transposed an EU Directive into UK law. It involved statutory interpretation of UK and EU law plus liaison with the European Commission and those involved in the original drafting of the legislation. The challenge was the technological innovation that had overtaken the Directive and the ensuing UK Statutory Instrument and was potentially being restricted by it. We identified whether the legislation could be read to conform with the legislation but not restrict technological innovation.

On merger control issues involving companies in the defence industry and dealing with issues of a countervailing monopoly buyer power, a failing firm and the public interest.

On Oil and gas industry interests in respect of regulatory, competition law and State Aid aspects of certain North Sea infrastructure operations.

Leading research on the trade, customs and border control implications of a range of EU Exit scenarios, including "no deal", and on the application of World Trade Organisation and World Customs Organisation rules and frameworks. Projects often require us to produce guidance and practical advice within tight deadlines and in a form suitable for presentation to senior officials, Ministers and Secretaries of State. We have extensive experience of working with UK and overseas Governments on issues requiring research and workshops for policy and legislative development.

Key contacts

Richard Cockburn
Partner
T: 0345 415 6182
E: richard.cockburn@wbd-uk.com
Specialisms include competition law and working across a range of sectors advising on behavioural and structural competition law issues.

Andrij Jurkiw
Partner
T: 0345 415 6182
E: andrij.jurkiw@wbd-uk.com
Specialisms include merger control and has significant experience of applying for merger clearances in the UK, in other EU countries and under the EU Merger Regulation.
Information Law including Data Protection Law

Why us?

We advise on all public sector transparency requirements, including advising on complex information and re-use requests, drafting policies, procedures and guidance and delivering training. We cover all aspects of Information Law, including:

**Data Protection:**
- Information and compliance audits
- NHS Information Governance toolkit compliance
- Data Security breaches
- Complaints, ICO investigations and compensation claims
- FOIA/EIR compliance
- Complaints and appeals to the ICO and First-Tier Tribunal

**GDPR:**
- Large scale compliance projects
- Privacy policies
- Drafting policies and guidance
- Implementing GDPR contract remediation solutions
- Delivering GDPR training for the Government Legal Department, the Home Office, the Insolvency Service and the Ministry of Defence

Evidence of experience

**NHS Digital** on information governance issues including its legal functions to collect, analyse and share patient data. Advice has included analysis of the powers and duties of NHS Digital and other public bodies in relation to data sharing, the law of confidence, the Data Protection Act 1998, GDPR, the Data Protection Act 2018 and the Human Rights Act 1998. We have advised on changes to template Data Sharing Agreements, GDPR and aspects of the National Data Opt Out, and lawful processing and exemptions in relation to various data sharing arrangements.

Assisting **Department for Education** in data sharing arrangements for Covid-19 testing purposes.

A public sector client on the GDPR related contract risks in the event of a 'no-deal' Brexit including on compliance with data stored in the EU and on reviewing third party supplier contracts. We also reviewed the Binding Corporate Rules.

**The Ministry of Justice,** acting by Her Majesty's Courts and Tribunals Service, and the Crown Prosecution Service on a joint initiative for the development of the Criminal Justice System Common Platform Programme, which will allow HMCTS, the CPS, courts, the police, legal advisors and private individuals to access and use one single platform. We are providing advice on the data protection and GDPR and Law Enforcement Directive compliance issues.

Assisting **Department for Education** with its data sharing arrangements with various research agencies in both the public and private sector.

Key contacts

**Andrew Kimble**  
Partner  
T: 02380 208 422  
E: andrew.kimble@wbd-uk.com  
Specialisms include GDPR compliance projects, data security incidents, outsourcing, complex subject access requests and direct marketing.

**Caroline Churchill**  
Partner  
T: 0191 279 9069  
E: caroline.churchill@wbd-uk.com  
Specialisms include non-contentious data protection, commercial and technology work.
Why us?

We supply seamless registration, exploitation, protection and infringement advice across the entire spectrum of IP rights. Across our UK and USA offices, there are now in excess of 150 IP lawyers and patent attorneys. Our work includes:

- Asset management
- Assignments and other technology transfer and exploitation arrangements
- Collaboration
- Companies Names Tribunal complaints
- Confidentiality and non-disclosure Agreements
- Design and trade mark clearance
- Invalidity and entitlement and domain name disputes
- IP training and policies
- Patent, trade mark and design infringement
- Prosecution and registration
- Research and development agreements

Evidence of experience

Successfully advising on patent disputes before the UK Intellectual Property Office.

**Post Office Limited** in relation to trade mark infringement and passing off actions against third parties, working on brand reputation and franchisee relationships.

**A national healthcare organisation** advising and assisting on how to identify, acquire, and license database rights.

On criminal offences arising from copyright and trade mark infringement.

On digital terrestrial television licensing, as well as advising other collecting agencies such as Performing Rights Society and Phonographic Performance Limited.

Appearing before the Court of Justice of the European Union representing Hotel Cipriani in an appeal brought by Amigo Cipriani (Case T-343/14).

**An infrastructure operator** on securing copyright and database rights by prospective assignment and on the protection of confidential information and the enforcement of design rights.

On acquiring exclusive rights for the operation and administration of an educational programme, and establishing licensing arrangements for franchising.

Key contacts

**James Love**
Partner
T: 0113 290 4370
E: james.love@wbd-uk.com

Specialisms covering all aspects of contentious and non-contentious IP law.

**Rose Smalley**
Associate
T: 0113 290 4470
E: rose.smalley@wbd-uk.com

Specialisms include advising clients in relation to the full range of intellectual property rights, on contentious and non-contentious matters.

Our team also includes a chartered trade mark attorney.
Information Technology (IT) Law

Why us?

We have a team of highly proficient and experienced technology specialists and have industry specific experience in a number of areas, including in the public sector.

We cover all aspects of IT law, including:

- Business critical software licensing (and associated audits)
- E-business
- IT enterprise systems
- Nationally significant IT outsourcing project
- Online services and associated regulation
- Services and agile developments

Evidence of experience

The Ministry of Justice on outsourcing the provision of various back-office functions to a Government/private sector joint venture and transferred various elements of its existing shared service business. The agreement and the related framework represent a vast Government undertaking. We co-ordinated their entry with the Home Office and negotiated a number of framework-wide changes which impacted other Government Departments including reviewing from a procurement law perspective to ascertain whether the framework was a suitable vehicle. Our advice covered IT matters, commercial considerations and the Human Resources aspect of the transaction. We negotiated a robust deal for our client (both with the provider and Cabinet Office as the Framework Authority) whilst being mindful of the wider shared interests of Government and taxpayers as a whole.

A quasi-public body on a business critical procurement under the competitive dialogue procedure to appoint a Systems Integrator prime contractor with a financial services sub-contractor for multiple services in relation to public access to financial services products.

An infrastructure operator on a multi-million pound project associated with asset protection.

Post Office on its contractual arrangements with a systems integrator prime contractor and a banking subcontractor for multiple services in relation to Post Office Card Accounts for pensioners.

Key contacts

Gareth Jones
Senior Counsel
T: 0117 989 6560
E: gareth.jones@wbd-uk.com

Specialisms include general contract law, outsourcing and business process outsourcing. Gareth is client relationship lead for the Ministry of Justice.

Caroline Churchill
Partner
T: 0191 279 9069
E: caroline.churchill@wbd-uk.com

Specialisms include non-contentious data protection, commercial and technology work.
Why us?

We have a track record of achieving results for public sector clients across a range of litigation including Judicial Review. Results range from the avoidance of litigation, allowing clients to avoid the disruption and cost, to positive settlements, to winning in court where disputes are taken that far. We cover all aspects of Litigation Law, including:

- ADR and mediation
- Class actions
- Cyber risks
- Debt and asset recovery
- Exiting unprofitable or unsuitable contracts
- Fraud
- Injunctive relief
- International arbitration
- on contractual / procurement / insurance / probate and trust / corporate and shareholder disputes
- Pre-action advice on strategy
- Public law responsibilities

Evidence of experience

Government Legal Department on a sensitive investigation of facts and matters relating to the award of certain Covid-19 contracts.

Government Legal Department in its defence of a challenge to the procurement of Approved Enforcement Agency contracts brought by the incumbent, including managing a large-scale electronic disclosure exercise, preparing and producing factual witness statements, liaising with GLD and Counsel to set strategy, and supporting on the successful settlement negotiations at mediation.

A state owned company on a £1m claim regarding access fees to a fibre optic network.

Arriva plc in its successful challenge to the award of an exclusive coach concession by London Luton Airport to National Express [2014] EWHC 64 (Ch).

West Berkshire District Council in relation to a challenge for breach of EU Procurement Rules and s123 Local Government Act 1972 (obligation to achieve best value) (R (on the application of Faraday Limited) v West Berkshire District Council 2016). As part of our advice defending the challenge we obtained security for costs in respect of a significant proportion of the Council’s costs prior to the substantive hearing.

A London Borough Council appealing a decision of the Information Commissioner relating to a freedom of information request pertaining to the consideration obtained for the disposal of its land (and defending the other side’s appeal of different elements of the same decision).

Key contacts

Stephen Dilley
Partner
T: 0117 989 6600
E: stephen.dilley@wbd-uk.com

Specialisms include supply chain, distressed contract management, contractual turnaround and exit, breach of contract, asset recovery, guarantee claims, fraud, misrepresentation, advice on directors’ duties, insolvency disputes, FID litigation and shareholder claims.

Richard Collins
Partner
T: 0191 279 9913
E: richard.collins@wbd-uk.com

Specialisms include all types of contractual and tortious disputes, including financial services and contentious procurement issues.

Joanna Bromhead
Managing Associate
T: 0191 279 9188
E: joanna.bromhead@wbd-uk.com

Specialisms include commercial and pensions’ disputes, including through alternative dispute resolution processes.
Non Complex Finance Law

Why us?

Our advice ranges from LMA syndicates, club and bilateral corporate loan transactions, receivables, asset, acquisition, project and property finance to major restructurings and refinancing. In addition, our derivatives and debt capital markets expertise sets us apart. We cover all aspects of Finance Law, including:

- Asset finance funding
- Consumer finance regulation
- Corporate and personal guarantees
- Facility documentation for committed term and revolving credit facilities
- Security priority, enforcement
- Intercreditor documentation
- Payment services regulations
- Treasury products and regulation
- Payment services regulations
- Working capital facilities

Evidence of experience

**British Business Financial Services Limited** in relation to the preparation and execution of CBILS Amendment and Restatement Agreements for 100 delivery partners in relation to the Coronavirus Business Interruption Loan Scheme.

**British Business Investments Limited** on the provision of £15m block discounting funding to specialist asset based lender, Compass Business Finance.

**The Department for Work and Pensions** on the provision of a £1.2bn financing facility to NEST Corporation. NEST Corporation is the trustee of the Government-backed National Employment Savings Trust (NEST) workplace pensions scheme which was set up to ensure that every employer has access to a workplace pension scheme that meets the requirements of the auto enrolment regime introduced by the Pensions Act 2008. Over 600,000 UK employers have already enrolled their employees into a NEST pension and it has approximately 6.4m members.

**The Department for Education** on finance documentation to support the £700m restructuring of the Further Education College sector in England. This included advice on FE governance issues and merger transactions, intercreditor documentation negotiation with banks and other third party funders and the drafting of all relevant loan facility, grant funding and security documentation to facilitate the advancement of monies by Department for Education.

**A Bank funder** on refinancing transactions for a major infrastructure project – i.e. an £80m loan facility to refinance subordinated debt to the Department for Transport.

**A City Council** on funding of a regeneration project, including on intercreditor issues.

**A University** on finance and security documentation for funding of student accommodation.

Key contacts

**John Connor**  
Partner  
T: 0113 290 4478  
E: john.connor@wbd-uk.com  
Specialises in property finance and corporate debt structures.

**Philip Withey**  
Partner  
T: 0117 989 6919  
E: philip.withey@wbd-uk.com  
Specialisms include complex financing transactions.

**Emma Radmore**  
Legal Director  
T: 0207 788 2372  
E: emma.radmore@wbd-uk.com  
Specialises in compliance with financial services regulation and prevention of financial crime.
Outsourcing Law

Why us?

We undertake large-scale outsourcing, nationally and internationally, for those involved in all sides of the process. Our team can advise on discrete elements of a project or the whole project lifecycle. We advise on a range of Outsourcing Law including:

- Business process, facilities management, HR, and logistics outsourcing
- Charging mechanisms
- Consortium and teaming arrangements
- Drafting of service level agreements
- Gain sharing strategies
- Service credit regimes
- Outsourcing of IT systems and services
- Outsourcing of general services
- Procurement supply and distribution of IT products and services

Evidence of experience

Department of Health and Social Care – supporting in respect of the Covid-19 test, track and trace programme.

Department for Transport and the Department for Education advising in relation to outsourcing agreements.

A quasi-public body on a business critical procurement under the competitive dialogue procedure to appoint a Systems Integrator prime contractor with a financial services sub-contractor for multiple services in relation to public access to financial services products.

An NHS Foundation Trust on the procurement and implementation of an electronic patient administration system, including on all associated regulatory issues.

A City Council on the procurement of a joint venture partner and outsourcing of facilities management and operation of leisure facilities.

A number of Universities on contracting out and on bringing services back in house.

A facilities maintenance provider on a contract with a City Council in relation to the outsourcing of facilities management of their housing stock.

A Council on the outsourcing of park and ride services.

Key contacts

Nick Barwood
Partner
T: 02380 208 420
E: nick.barwood@wbd-uk.com

Specialisms include logistics and general outsourcing projects.

Paula Bartlett
Partner
T: 02380 208 457
E: paula.bartlett@wbd-uk.com

Specialisms include commercial bids and agreements including bids for Government contracts and on outsourcing arrangements and software/intellectual property licence.

Stephen Anderson
Legal Director
T: 02380 208 218
E: stephen.anderson@wbd-uk.com

Specialisms include commercial bids and agreements including bids for Government contracts and on outsourcing arrangements and software/intellectual property licence.
Partnership Law

Why us?

We have extensive experience of advising Partnerships and LLPs as well as individual partners and members on the non-contentious and contentious aspects of their operations. Our work includes:

- Alliance and Collaboration agreements
- Debt and other investment schemes
- Establishing partnership entities for property development and joint ventures
- Exit arrangements
- Incentive arrangements
- Limited Partnership investment entities
- Rights and duties of partners and members and on tax matters
- Setting up Limited Partnerships for Government backed SMEs

Evidence of experience

A central Government department on the structuring and establishment of the Coal Fields Regeneration Fund. This fund was a limited partnership structure created to invest in the equity of SMEs in areas which had been adversely impacted by the closure of coal mines. Important issues included:

- ensuring regulatory compliance with the Financial Services and Markets Act 2000 ensuring that the Government obtained tax transparency on any eventual returns it made
- structuring the arrangements to reflect those required returns, and
- ensuring that the arrangements comply with State Aid rules.

On the restructuring of a **not-for-profit Government backed entity** in a "for profit entity" with full employee engagement via ownership.

A **property fund management house** on the launch of nine real estate funds and a number of joint venture projects.

On the establishment of a Sustainable Technology Limited Partnership Fund, backed by the UK Government.

Key contacts

**Barry Stimpson**
Partner
T: 0207 788 2505
E: barry.stimpson@wbd-uk.com

Specialisms include Partnerships, Limited Partnerships, Investment Funds, Joint Ventures and Limited Liability Partnerships (LLPs); converting companies and partnerships to LLPs, LLP agreements, team hires, mergers, and club deals.

**Emma Radmore**
Legal Director
T: 0207 788 2372
E: emma.radmore@wbd-uk.com

Specialisms include financial services’ regulation, prevention of financial crime, cross-border services both in and out of the UK, preparation of compliance policies and liaising with regulatory bodies.
Pensions Law

Why us?

Our reputation is based on many years’ experience of helping clients to grapple with a much-evolved pensions regime, and in particular the public sector pensions environment.

We also have a strong reputation as experts in relation to Old and New Fair Deal, and the new “admission” regime and how this interacts with the old broadly comparable regime.

We advise on all aspects of Pensions Law, including:

- The Civil Service Pension Scheme
- Early retirement rights
- Judicial Pension Schemes
- Local Government Pension Schemes
- NHS Pensions Schemes
- Old and New Fair Deal

Evidence of experience

Royal Botanic Gardens, Kew on a transfer of staff under the old Fair Deal guidance. The transferred staff had participated in the Principal Civil Service Pension Scheme (PCSPS) while employed by RBG Kew. A second-generation contract was awarded under the New Fair Deal (prior to our instruction). Accordingly, the client required advice regarding the successful contractor’s admission to the PCSPS in relation to eligible staff members. Work involved securing the retrospective admission to the PCSPS by the contractor, so that RBG Kew can comply with its obligations under New Fair Deal. We advised on the charity law implications of the requirements of PCSPS and helped find solutions that met PCSPS requirements and charity law requirements and supported amendments to the relevant contracts with both the contractor including reviewing guarantee arrangements.

A Council on the insourcing of Children’s Services from an NHS Trust. We advised on how the Council could comply with New Fair Deal, including the process for the Council to become a direction body under the NHS Pension Scheme.

The Teesside Local Authority shareholders in Durham Tees Valley Airport Limited in relation to DTVA’s proposal to withdraw from the Local Government Pension Scheme and transfer.

Key contacts

Tracy Walsh
Partner
T: 0191 279 9946
E: tracy.walsh@wbd-uk.com
Specialises in the delivery of strategic advice on a wide range of pension issues to clients with complex pension scheme arrangements. Tracy has previously delivered training on New Fair Deal to the Government Legal Department.

Alex Rodger
Partner
T: 0113 290 4490
E: alex.roddger@wbd-uk.com
Specialises in scheme closures, mergers, member complaints, administration errors, drafting scheme documentation and buy-outs and buy-ins.
Why us?

We have been involved in over 24 Development Consent Orders to deliver major infrastructure projects. We have a strong reputation in Compulsory Purchase compensation claims. We cover all areas of Planning Law, including:

- Application of Cribel Down Rules
- Compensation claims
- Compulsory Purchase promotion
- Crown land permitted development
- Environmental Impact Assessment and Habitat Regulation Assessments
- Highways
- High Court challenges and Judicial Review
- Infrastructure agreements and Community Infrastructure Levy issues
- Nationally Significant Infrastructure Projects
- Neighbourhood planning
- Planning obligations and infrastructure agreements
- Regeneration
- Residential development
- Special Development and Local Development Orders
- Town and village greens
- Transport schemes
- Waste schemes

Evidence of experience

Bristol Airport on strategic development issues for implementation of a 10m passenger per annum expansion programme, preparation of the airport’s draft Master Plan and assistance with an ongoing application to expand the airport to accommodate 12m passengers per annum.

A leading UK independent strategic land promoter and planning promoter in successfully resisting a High Court challenge to a medium scale housing development. This judgment was widely regarded as one of the Top 10 most important decisions of that year, and represents the leading case on the interpretation of ‘sustainability’ for the purposes of the National Planning Policy Framework.

A wide range of objectors including Post Office, River Island, and Bombardier as Parliamentary Agent Roll B on HS2 including appearance in Select Committee.

On the legislative and policy regime for DCOs, including statutory drafting, advising promoters, interested parties and local planning authorities and as advocates in hearings.

Local planning authorities on major redevelopment schemes, including negotiating section 106 Agreements.

A Government department on application of emergency permitted development rights on crown land and enforcement provisions.

Sedgemoor and West Somerset Councils on monitoring and control of the Hinkley Point C DCO construction project including statutory duties and amendments to the DCO.

Key contacts

Jonathan Bower
Partner
T: 0117 989 6863
E: jonathan.bower@wbd-uk.com

Specialises in the delivery of infrastructure projects specifically DCOs, planning applications, appeals, section 106 planning and highway agreements and enforcement including advocacy.

Jocelyn Denton
Legal Director
T: 0113 290 4419
E: jocelyn.denton@wbd-uk.com

Specialises in the planning, CPO and highways aspects of development / joint venture agreements, large scale development schemes, land assembly through the use of CPO powers and compensation issues.

Stephen Dagg
Managing Associate
T: 0191 230 8977
E: stephen.dagg@wbd-uk.com

Specialises in highways, planning and compulsory purchase issues and complex section 106, 38 and 278 agreements.
Projects/PFI/PPP Law

Why us?

Our clients include central Government, local authorities, NHS trusts, fire authorities, local education partnerships, academy sponsors, private sector companies and funders. We also work in the secondary market, acting for buyers and sellers of infrastructure assets and on transactions to restructure and/or refinance projects.

Our work includes:

- Defence and Transport
- Healthcare
- PFI/PF2 projects (including education
- Public/private outsourcing arrangements
- Large scale, long term, public sector capital investment programmes
- Low carbon energy projects, including district energy (heat, cooling and power)

Evidence of experience


Ministry of Justice in relation to the provision of back office services on a standard operating platform as part of the Government's Next Generation Shared Services Strategic Plan.

A Council on all aspects of its competitive dialogue procurement of a long-term private sector partner to develop district heating projects.

A Council in relation to the delivery of a Priority Schools PF2 Project. We advised on the forms of Landowner Agreement, and the Governing Body Agreement to be entered into by the schools in their own capacity. One of the schools was relocating to a greenfield site as part of the PF2 arrangements, and this involved the authority acquiring the site. We advised on how the acquisition could be aligned to the Landowner Agreement, and the relevant provisions in the PF2 Project Agreement itself.

Post Office on the development and roll out of its Network Transformation Programme, the £1.98b modernisation programme of the network of over 11,000 independent Post Offices.

Key contacts

Charles Robson
Partner
T: 0117 989 6740
E: charles.robson@wbd-uk.com

Specialises in the development and financing of infrastructure projects, including energy transmission and distribution infrastructure social infrastructure and power generation.

Andrew Hirst
Managing Associate
T: 0113 290 4338
E: andrew.hirst@wbd-uk.com

Specialises in public procurement and PPP/PFIs and outsourcing arrangements.

Neil Walker
Legal Director
T: 0191 279 9364
E: neil.walker@wbd-uk.com

Specialisms include EU procurement, PPP/PFI projects, education and commercial contracts and the application and implementation of European legislation.
Evidence of experience

Providing ongoing legal advice and support to a number of Government Departments in relation to both the response to the Covid-19 Emergency and preparations for the end of the UK/EU Transition period.

NHS Digital on a wide range of public law issues including its statutory functions, its legal powers to collect and share data and on directions from the Secretary of State and NHS England. Legislation advised on includes analysis of the powers and duties of other public bodies, the law of confidence, on the Data Protection Act 1998, GDPR and Data Protection Act 2018. and the Human Rights Act 1998.

A Central Government Department on successfully resisting a threatened procurement challenge from a disgruntled developer.

A group of West Yorkshire Foundation Trusts on their ability to act as a joint venture in the context of an outsourcing of facilities management services to an operating company wholly owned by the Trusts.

A local authority in relation to a potential Judicial Review of the Department for Education’s decision to recommend an Academy sponsor to take over the running of a failing school in Special Measures.


Key contacts

Iain Greenshields
Partner
T: 0191 279 9837
E: iain.greenshields@wbd-uk.com

Specialisms include procurement law, vire issues and advising on corporate and commercial structures in that context.

Andrij Jurkiw
Partner
T: 0117 989 6547
E: andrij.jurkiw@wbd-uk.com

Specialisms include complex procurements, risk management, State Aid and procurement challenges.
Public Procurement Law

Why us?

We have experience of the full range of procurement issues and substantial expertise in the creation and administration of frameworks. We also defend and bring procurement challenges on behalf of both contracting authorities and bidder clients.

In addition, we cover all Public Procurement Law, including:

- The application of public procurement law to complex public projects
- ‘Building in' flexibility to tender processes and contracts
- Contract changes
- Devising structures/agreements which fall outside the procurement rules
- End-to-end support on tender processes
- Procurement risk management strategies

Evidence of experience

The Department for Transport on the impact of Brexit on rail, aviation, maritime and road procurement.

A number of Government departments and agencies in respect of the response to the Covid-19 emergency.

A quasi-public body on a business critical procurement under the competitive dialogue procedure to appoint a Systems Integrator prime contractor with a financial services sub-contractor for multiple services in relation to public access to financial services products.

Appointed as one of only two legal services providers on the Transport Systems Catapult first legal panel, advising on public procurement issues for this technology and innovation centre.

An Executive Agency of the Government on the creation of a £4bn Framework for the delivery of infrastructure, and on the re-procurement of its successor framework.

A Council on the tender process for the construction of a new city centre HQ.

A range of Authorities on:
- major variations to their waste PFI contracts including to deliver an energy from waste, and
- regeneration and mixed use/retail led development projects, including structures which are not caught by the procurement rules.

Key contacts

Deborah Ramshaw
Partner
T: 0191 279 9112
E: deborah.ramshaw@wbd-uk.com

Specialises in advising on procurement law in both the public and private sector and on procuring innovation and complex projects.

Neil Walker
Legal Director
T: 0191 279 9364
E: neil.walker@wbd-uk.com

Specialises in delivering procurement advice on PPP/PFI projects and complex projects.

Emma Luscombe
Associate
T: 0191 230 8309
E: emma.luscombe@wbd-uk.com

Specialises in delivering procurement advice on frameworks and ‘light touch regime' projects.
Real Estate (including Finance and Litigation) Law

Why us?
For over 40 years, our Real Estate group has provided advice to a range of local Government, central Government, NHS Trusts and blue light services, residential investors, registered providers, house builders, investment funds and commercial property investors and developers.

We advise on all aspects of Real Estate Law, including:

• Acquisitions and disposals
• CPOs
• Housing
• Mediation / arbitration / proceedings
• Notices
• Portfolio management
• Regeneration
• Secured lending and finance
• Tenancy disputes
• Title and boundary issues

Evidence of experience

The Ministry of Defence on land transfers, portfolio disposals and a number of management matters including occupational leases and licences and on the issue of consents relating to overage restrictions.

The Ministry of Justice on freehold sales and acquisitions, all leasehold transactions, dilapidations, exercise of break options and boundary disputes.

Department for Education in respect of the acquisition, disposal and development of schools, either individually or forming part of mixed use development schemes, as part of the free school programme.

South Tees Development Corporation on the complex acquisition from TATA Steel of over half of the developable land on the wider Redcar steelworks site and advising on future regeneration projects and disposals, including in respect of Net Zero Teesside, the UK’s first decarbonised industrial cluster which aims to decarbonise a cluster of carbon-intensive businesses by 2030 and deliver the UK’s first zero-carbon industrial cluster. The South Tees site will continue to be the subject of development and regeneration over the course of many years to come and we continue to be instructed on individual projects, phased handovers to ensure continuity of maintenance programmes, on and offsite infrastructure ownership and obligations, and environmental and permitting issues in respect of the current and future uses of the sites.

An infrastructure operator on all aspects of its property portfolio, including operational issues, commercial lettings, sale of land, major redevelopment projects and a range of possession and title issues.

Key contacts

Katherine Douglas
Partner
T: 0117 989 6853
E: katherine.douglas@wbd-uk.com

Specialises in acquisitions, disposals, regeneration and development work and asset management.

Craig Moore
Partner
T: 01752 677 639
E: craig.moore@wbd-uk.com

Sasha Hinton
Partner
T: 0117 989 6797
E: sasha.hinton@wbd-uk.com

Specialises in Property Litigation involving all aspects of property management and general commercial property disputes.
Restructuring and Insolvency Law

Why us?

Our team is involved in major restructuring and insolvency work, both contentious and non-contentious, across the UK and cross-border. Our work includes:

- Directors’ duties in a financially distressed context
- Disqualification of directors
- Education Administrations—working alongside the Department for Education
- Investment Bank Special Administrations—working alongside the Financial Conduct Authority and HM Treasury
- Multi-jurisdictional and cross-border issues including Brexit
- Recovery of the assets of insolvent businesses and challenging antecedent transactions
- Restructuring, rescue and turnaround planning
- Sale and purchase of businesses and assets via insolvency procedures
- Supply chain management
- Validity and enforceability of security
- Winding up companies in the public interest

Evidence of experience

The Secretary of State for Business, Energy and Industrial Strategy on the:

- investigation and disqualification of the former director of a company which contrived and facilitated a multi-million pound pension scheme abandonment, involving close liaison with The Pensions Regulator, and
- public interest winding up of five companies engaged in unscrupulous business practices, including investment scams involving the sale of carbon credits, fine wines, land plots and diamonds, involving urgent applications for the appointment of the Official Receiver as provisional liquidator and other injunctive relief against directors and third parties.

Department for Education on the first ever appointments of education administrators under a new special administration regime for the further education sector.

A Government Department in relation to the use of insolvency tools both for tax recovery and the disruption of tax avoidance and fraudulent activity.

Key contacts

Sally Dallow
Partner
T: 0191 279 9264
E: sally.dallow@wbd-uk.com

Specialisms include investigative work, public interest litigation including director’s disqualification, civil fraud and recovery strategy.

Sam Dixon
Partner
T: 0113 290 4424
E: sam.dixon@wbd-uk.com

Specialises in advising stakeholders in relation to distressed businesses, charities and providers of public services with particular experience in the education and healthcare sectors.

Ruth Thompson
Managing Associate
T: 0191 279 9922
E: ruth.thompson@wbd-uk.com

Specialises in investigating complex failures often involving fraud and compliance issues within the financial services industry.
Tax Law

Why us?

Having tax specialists who are lawyers helps ensure that transactions are structured and documents drafted with sensitivity to the tax concerns.

Our team covers all business Tax Law, including in more specialist areas such as:

• Asset finance
• Corporate and group reorganisations (including demergers)
• Corporate and property acquisitions and disposal
• Property developments
• Share and other executive incentive arrangement

Evidence of experience

An Executive Agency of the Government on the tax issues relating to the funding of the construction of statutory infrastructure.

On tax issues surrounding a joint venture to create an education hub. This included the construction of a new academy, youth centre, office space and residential accommodation.

A Borough Council on tax issues arising in relation to the major development and extension of a shopping centre and in particular structuring arrangements to minimise SDLT that would otherwise be due on VAT required to be paid under the arrangements.

A leading renewables group on a restructuring involving the creation of three separate trading groups.

On the acquisition and disposal of wind and solar farms in the UK and Republic of Ireland, including pre-sale group and interest re-organisations.

Key contacts

Jeremy Smith
Partner
T: 0191 279 9803
E: jeremy.smith@wbd-uk.com

Specialisms include investment and development projects including for developers and investors.

Ronan Lowney
Managing Associate
T: 0117 989 6949
E: ronan.lowney@wbd-uk.com

Specialisms include corporation tax, capital gains tax, employment related securities, VAT and SDLT.
Education Law

Why us?

We have experience of working with education stakeholders, providers and suppliers, ranging from Central Government, Universities, FE colleges, independent schools, academy trusts and free schools, through to local authorities, governing bodies, diocesan trustees and boards of education as well as suppliers to the sector. Our work includes:

- Academy conversions
- Compliance
- Data Protection/FoI
- Dispute resolution
- Establishing trading companies
- Estate and student accommodation re-development projects
- FE sector restructuring
- Governance and funding
- HE sector JVs
- IPR in the education context
- Pension issues including LGPS and TPS
- Planning issues
- Procurement matters
- SEN issues including SENDIST
- Shared occupancy schemes
- Student contracts

Evidence of experience

The Education & Skills Funding Agency (now the Department for Education on the delivery of the Free Schools Programme, multiple construction frameworks and the Priority Schools Building Programme. Work has included advice relating to site acquisition, planning, tax, procurement, site due diligence and construction.

The Department for Education on finance documentation to support the £700m restructuring of the Further Education College sector in England. This included advice on FE governance issues and merger transactions, intercreditor documentation negotiation with banks and other third party funders and the drafting of all relevant loan facility, grant funding and security documentation to facilitate the advancement of monies by Department for Education.

On over 400 school conversions to single and multi-academy trusts.

A Government Department in the education space on the application of the HM Treasury Government Guarantee to the Erasmus+ programme in the event of a no deal scenario. This work is ongoing and has included the preparation of new suites of contractual documentation to allow continued funds flow to grant recipient individuals and organisations in the event of the severance of funds flowing from the European Commission.

A University on changes to its materials and other pre-contract information, offer letters, student contract and complaints process in light of the Competition and Markets Authority’s advice on consumer protection legislation.

Key contacts

Kevin Robertson
Partner
T: 0191 279 9747
E: kevin.robertson@wbd-uk.com

Specialisms include schools, governance, FE, funding and security.

Emma Moody
Partner
T: 0191 230 8823
E: emma.moody@wbd-uk.com

Specialisms include constitutional / compliance issues and advising charities (including on Charity Commission requirements).

Christina Tolvas-Vincent
Partner
T: 02380 208 210
E: christina.tolvas-vincent@wbd-uk.com

Specialisms include full range of discrimination and Trade Union issues, reorganisations and change management, dismissals and termination packages.
Energy and Natural Resources Law

Why us?
With a strong and trusted track record in power projects, our expertise has evolved with the industry to include renewables, energy from waste and oil & gas, as well as increasingly international projects and transactions. We cover all Energy and Natural Resources Law, including:

- Carbon trading
- Corporate finance
- Electricity generation projects
- Energy disputes
- Energy efficiency
- Energy related agreements
- Energy trading
- LNG/FLNG projects
- Pipeline schemes
- Renewables Obligation Certificates
- RHI and Feed-in Tariffs
- Support mechanisms inc Contracts for Difference
- Transmission and grid connections

Evidence of experience
We have advised on a number of aspects of the Offshore Transmission Owner build model. This includes on regulatory matters, including the regime for the introduction of competition into the construction of onshore electricity transmission networks.

A number of local authorities (in partnership with both local Government bodies and private sector partners) providing a range of advice in relation to district heating schemes across the UK and on electricity and gas purchasing under their PFI arrangements.

East Anglia ONE and East Anglia THREE, the first offshore wind farms being developed by East Anglia Offshore Wind within the North Sea zone to which Crown Estate granted exclusive development rights.

Iberdrola and its subsidiary Scottish Power Renewables in relation to the sale of a 40% share in the East Anglia One offshore wind farm project.


Key contacts

Richard Cockburn
Partner
T: 0345 415 6182
E: richard.cockburn@wbd-uk.com
Specialises in the upstream oil & gas sector in the UK and internationally dealing with a project’s lifecycle from exploration, through development, to the production and post-production phases.

Christopher Towner
Partner
T: 0117 989 6928
E: christopher.towner@wbd-uk.com
Specialises in the commercial aspects of energy projects including issues connected with the UK electricity and gas markets and on renewable energy.

Jennifer Collings
Managing Associate
T: 0117 989 6929
E: jennifer.collings@wbd-uk.com
Specialises in compliance (licences and documents), grid connection issues, operations and maintenance, trading arrangements and financial support mechanisms.
Food, Rural and Environmental Affairs Law

**Why us?**

With membership of various industry bodies and trade associations, our team helps to formulate policy and future legislation. We make it our business to proactively engage in the consultation process on proposed new and forthcoming legislation. We cover a range of Food, Rural and Environmental Affairs Law, including:

- Act for landowners regarding surface and mineral interests
- Environmental compliance advice
- Environmental impact and habitats regulations assessment
- Rural estate and food compliance matters including hygiene and safety issues
- Sustainability strategies and the circular economy
- Wildlife welfare and marine protection and enforcement

**Evidence of experience**

An NHS Hospital Trust on all post-completion legal work relating to the implementation of the facilities development contract including disputes with contractors. We advised in relation to water management compliance obligations, rectification measures and failure of the contractor to provide a responsible person as required by legislative guidance. We also advised on engagement with the HSE. In addition, we advised the Trust on regulatory issues arising from the failure of its facilities contractor to provide an adequate level of water quality in the development of new patient facilities at two of its hospitals.

A mining company in relation to a police investigation into alleged bat habitat disturbance.

On the implications of the Food Information to Consumers Regulation, with particular focus on its impact on the labelling of food allergens.

On environmental issues relating to the consenting of numerous onshore and offshore wind schemes, including in respect of potential pollution incidents, marine mammals (particularly pursuant to the Marine Mammal Mitigation Programme), the Environmental Damage Regulations and the Offshore Safety Directive.

On the application of the Environmental Information Regulations 2004 following the European Court and Upper Tribunal rulings, which found certain public utilities to be public authorities and subject to the EIR regime.

**Key contacts**

**Stuart Wardlaw**
Partner  
T: 0191 279 9136  
E: stuart.wardlaw@wbd-uk.com

Specialisms include enforcement proceedings and crisis management support relating to EHS incidents, compliance advice and transaction support.

**Sarah Holmes**
Legal Director  
T: 01752 67 7703  
E: sarah.holmes@wbd-uk.com

Specialist in environmental law in consenting, regulatory, transactional and investment contexts.

**Andrew Farquharson**
Partner  
T: 0191 279 9801  
E: andrew.farquharson@wbd-uk.com

Specialisms include all aspects of rural property ownership and use as well as grant of options and leases to wind farm operators, whether for turbine development or access and infrastructure.
Franchising Law

Why us?

We have advised on a wide variety of franchising and concession agreements for many years.

From the development and roll out of franchise models, through to other core issues.

We cover a range of Franchising Law, including:

• Concessions in the rail and postal industries
• IP licencing
• Supply chain and logistics fulfilment
• Real estate related issues, including public and private sector related franchises (including retail)

Evidence of experience

Post Office Limited on its £1.98b Network Transformation Programme, which was funded by a complex Funding Agreement from Government requiring State Aid clearance. The core planks were a voluntary scheme offering agents compensation and investment in return for signing new contracts without fixed pay; restructuring Post Office-owned Crown Offices to break even; and Post Office to become a "Front Office" for Government services. We advised Post Office on achieving the Funding Agreement aims, developing strategic goals and implementation plans, mapping key priorities, resourcing needs and legal/political risks. We advised on the planning for each revision to strategy, including briefing the Post Office Board.

On a direct award franchise agreement which involved addressing some of the issues arising from the early HS2 enablings works.

On various transport sector operational, commercial and franchise agreement related arrangements.

We have advised clients in relation to international franchises and distribution agreements.

An infrastructure operator on various concession agreements in relation to HS1.

Govia on the cancelled South Eastern franchise bid and provided advice on rebids, franchise agreements and matters involving rolling stock.

Key contacts

Rachel Scott
Partner
T: 0207 788 2374
E: rachel.scott@wbd-uk.com

Specialisms include complex commercial transactions, major procurements and outsourcing, with a particular focus on the transport and infrastructure sectors.

Nick Barwood
Partner
T: 02380 20 8420
E: nick.barwood@wbd-uk.com

Specialisms include advising on franchising, outsourcing and business change programmes, particularly around business critical operations.

Kevin Bell
Partner
T: 0191 279 9023
E: kevin.bell@wbd-uk.com

Specialisms include heavy and light rail franchise and concessions bids, franchise mobilisations and related statutory transfer schemes, rolling stock leasing and a variety of commercial and regulatory matters.
Health and Healthcare Law

Why us?

We have a detailed understanding of NHS structure, public law and governance, particularly the powers and functions of various NHS bodies and regulatory frameworks. We cover a range of Healthcare Law, including:

• Complex information governance advice
• Contentious healthcare work (regulatory issues, commercial and construction disputes, judicial review claims, employment tribunal appeals and information rights tribunal appeals).
• The commissioning of healthcare and non-clinical services
• Large scale complex hospital redevelopment projects
• PFI and LIFT schemes
• Routine employment, pensions, commercial contracts and property work
• Renewable energy and district energy projects

Evidence of experience

NHS Digital on:
• Information governance and public law issues: including advising on its statutory functions, directions, GDPR issues and complex data sharing arrangements. We also provide routine employment and property advice
• Litigation support: recently advising in connection with a Judicial Review claim made by the Migrant Rights Network against the Home Office and Department of Health and Social Care in connection with data sharing, and
• IT and IP issues: including advising on a hosting agreement relating to Applications and an Asset Purchase Agreement and associated IT contracts.

A NHS Health Foundation Trust on the outsourcing of non-clinical services to a wholly owned subsidiary company. We advised on corporate governance and contractual issues and commercial arrangements including a bespoke services contract. We also advised on the vires position, issues relating to TUPE and pensions, on the transfer of property, contracts, rights and liabilities, including advising on an asset transfer agreement and on the long term lease arrangements.

On a Concession Agreement with an NHS Foundation Trust for the provision of private patient proton beam therapy treatment services under the Concession Contracts Regulations 2016.

Key contacts

Andy Stirk
Partner
T: 0113 290 4427
E: andy.stirk@wbd-uk.com

Andy is the UK Sector Head for Healthcare and has been involved in the restructure of a number of high profile nursing home groups and advises a variety of stakeholders in this sector.

Stephen Covell
Associate
T: 01752 677 856
E: stephen.covell@wbd-uk.com

Specialisms include the provision of mental health services, including Court of Protection and Judicial Review, regulatory law including health and safety prosecutions and inquest law and practice.
Health and Safety Law

Why us?

Our practice encompasses work for public bodies such as the Health and Safety Executive (HSE), local authorities and Public Health England. We cover all Health and Safety (H&S) Law, including:

- Appeals in the Employment Tribunal and on appeal to the High Court
- Corporate and governance structures and supply chain management
- Investigations into alleged breaches of Corporate Manslaughter Act, H&S and Fire Safety legislation, and dealing with prosecutions in the Magistrates’, Crown, and Appellate Courts
- Investigations and prosecutions relating to personal liability for H&S under Sections 7 and 37 HSWA 1974 and in relation to gross negligence manslaughter
- Investigations into H&S, fire and food safety failings and reputational advice
- Inquest procedures including pre-inquest reviews, appearing as advocates in inquests, advising on Regulation 28 reports and challenges to inquest procedures by way of Judicial Review
- Prosecutions for the HSE and local authorities, and also dealing with Crown Censure proceedings against Government Departments with Crown Immunity

Evidence of experience

- Ministry of Justice on potential liabilities arising from its property portfolio, in particular its obligations under LOLER.
- The Health and Safety Executive on challenge to legality of recovery of charges under the COMAH regime.
- On the death and multiple injuries arising from an ammonia leak at a manufacturing site.
- A Government Agency in relation to the management of asbestos during construction work at its premises.
- On an investigation and prosecution by the Office for Nuclear Regulation relating to a nuclear licensed site.
- A Government Agency on an investigation by HSE, including advising as to Crown Notices and dealing with Crown Censure proceedings.
- A number of local authorities in relation to investigations and prosecutions for breaches of health and safety law.
- Squibb Group on an HSE prosecution concerning the alleged exposure of employees and others to asbestos during a school refurbishment in London.

Key contacts

Jon Cooper
Partner
T: 0117 989 6596
E: jon.cooper@wbd-uk.com

Specialisms include all aspects of contentious and non-contentious health and safety, in particular defending prosecutions and dealing with appeals against Improvement and Prohibition Notices.

Stephen Panton
Partner
T: 01752 677 813
E: stephen.panton@wbd-uk.com

Specialisms include regulatory compliance and enforcement of H&S, environment, and food safety.

Francesca Hodgson
Managing Associate
T: 0191 279 9253
E: francesca.hodgson@wbd-uk.com

Specialisms include H&S prosecutions and compliance issues, also representation at Coroners’ inquests.
Why us?

As founding partner of the UK Trade and Investment’s Exporting is GREAT campaign, we are committed to helping businesses of with their exporting journey. From identifying market and compliance requirements, to protecting your intellectual property and resolving disputes, we have the knowledge to underpin your exporting goals. Our work includes:

- Agency and distribution arrangements
- Anti-corruption procedures and modern slavery compliance
- Competition law requirements
- Controls and sanctions
- Employment and recruitment
- Export licensing
- Franchising
- Insurance of goods
- International tax sales
- International trade agreements
- Investments
- IP protection
- Joint ventures with international parties
- Mediation and arbitration
- Online trading implications
- Regulations and restrictions
- Safety requirements
- Terms of carriage and incoterms
- Trade and export finance transactions
- Transport and logistics

Evidence of experience

Manufacturers and energy service suppliers on trade restrictions and sanctions, most notably in relation to Russia and Iran, at both a product/service specific level as well as providing strategic advice on the internal policies and procedures and providing guidance on exploring new jurisdictions to export to.

Produced a "Regulatory Bible" for a manufacturing client to bring together labelling and product specific regulatory advice for the client’s product portfolio. The bible was to act as a central quick reference guide, covering regulation in place in over 25 territories / jurisdictions on their application.

Reorganisations involving 10 overseas jurisdictions and a number of retailers and FMCG manufacturers providing cross-jurisdiction regulatory advice.

A US internet marketing company in a dispute over revenue sharing arrangements with a UK subsidiary of a US group in Chapter 11 bankruptcy. We recovered historic unpaid fees and reached a settlement protecting future revenue sharing sums.

Working with clients in the ports, logistics, manufacturing and chemicals sectors to analyse implications of EU Exit for trade policy and procedures, including working with local authorities and sectoral bodies, such as NEPIC. We have researched and advised on issues such as the potential designation of physical and "virtual" free ports and zones under the Taxation (Cross-Border Trade) Act 2018. We have worked with a non-ministerial department on the potential application of technologies (blockchain, distributed ledger and smart contracts) to customs and other border control and clearance procedures.

Key contacts

Peter Snaith
Partner
T: 0191 279 9457
E: peter.snaith@wbd-uk.com

Specialisms include international supply agreements and advising inward investors.

Nicky Strong
Consultant
T: 02380 208 253
E: nicky.strong@wbd-uk.com

Specialisms include international trade requirements, trade restrictions and sanctions.

Paul Stewart
Partner
T: 0191 279 9292
E: paul.stewart@wbd-uk.com

Specialisms include litigation advice on international supply, share and asset purchase agreements.
Evidence of experience

Due diligence relating to the sale of a pharmaceutical company which manufactures drugs, and conducts laboratory and animal testing. We advised on the legal requirements and timescales of the transfer of licences and permits held, including Medicines and Healthcare products Regulatory Agency’s Authorisations, Human Tissue Authority Licences, Controlled Drugs Licences and Good Laboratory Practice Statements of Compliance. Advice included preparing a transitional services agreement to allow the business to continue to operate during an interim period while permits material to the operation of the business were transferred and drafting warranties and indemnities relating to regulatory compliance for the business sale agreement.

A Healthcare Trust on issues arising from an alleged defective new hip replacement module designed by one of its surgeons, including advice on the clinical investigations and post-market clinical studies as well as the manufacturer’s supply obligations.

On the licencing and permitting requirements applicable to clinical laboratories (including Human Tissue Act 2004 and Medicines for Human Use (Clinical Trials) Regulations 2004).

On a checklist of applicable laws and regulations affecting the UK operations of a global pharmaceutical company.

A major UK retailer on the regulatory requirements for Class I and II medical devices.

On the application of the EU Medical Devices Directive to bespoke information management and lab management systems, which are supplied to global healthcare providers.

Key contacts

Tracy Walsh
Partner
T: 0191 279 9946
E: tracy.walsh@wbd-uk.com

Tracy leads our Life Sciences sector group and specialises in pensions issues across pharmaceutical, animal health, biotechnology, medical device, biodefense and other life sciences industries.

Stuart Wardlaw
Partner
T: 0191 279 9136
E: stuart.wardlaw@wbd-uk.com

Specialisms include all aspects of environment, health and safety, and regulatory law, related to life sciences.

Francesca Hodgson
Managing Associate
T: 0191 279 9253
E: francesca.hodgson@wbd-uk.com

Specialisms include regulatory and compliance issues, investigations and prosecutions.
Public Inquiries and Inquests Law

Why us?

We have vast experience in helping clients through inquests and inquiries. Our support means they can more easily navigate through these often overwhelming events. We cover the range of Public Inquiries and Inquests Law, including:

- Appearing as advocates in jury and non-jury inquests
- Inquest procedures including pre-inquest reviews
- Post inquest procedures
- Regulation 28 reports and challenges to inquest procedures by way of Judicial Review
- Representing (and/or instructing counsel to represent) the interests of individual witnesses where required
- Warning letters
- Witness statements

Evidence of experience

Advising a number of parties in the Grenfell Tower Inquiry.

Representing various clients from the private and public sector in Inquests throughout England and Wales and at Fatal Accident Inquiries in Scotland, including dealing with jury Inquests.

A Roman Catholic Diocese on the Independent Inquiry into Child Sexual Abuse (IICSA).

On the public inquiry of a compulsory purchase process to acquire outstanding interests in a regeneration scheme.

The Health and Safety Executive on numerous high profile inquests and prosecutions, including, for example, one arising from the fatal electrocution of a young employee, including representation at the inquest.

A mental health NHS trust on many inquests, including representation, evidential issues, inquest training, and drafting submissions in relation to the engagement of Article 2 ECHR.

Stephen Covell is an Assistant Coroner in Cornwall, the Isles of Scilly and in Plymouth and in that role he carries out the full functions of a Coroner.

Key contacts

Jon Cooper
Partner
T: 0117 989 6596
E: jon.cooper@wbd-uk.com

Specialisms include acting in Public Inquiries (including Grenfell and Goddard) participation in/appearance before Inquests and Judicial Review proceedings relating to Inquests.

Stephen Covell
Associate
T: 01752 677 856
E: stephen.covell@wbd-uk.com

Specialisms include dispute resolution (including adjudication, mediation and arbitration).
Public International Law

Why us?

Our experience focuses on inter-jurisdiction trading issues and litigation/dispute resolution matters. To meet the challenge of globalisation we have developed and continue to foster strong reciprocal working relationships with leading law firms and outstanding individuals in different jurisdictions and/or in different areas of the law, who share our commitment to excellent client service.

Our work includes:

- Anti-corruption procedures and modern slavery compliance
- Checking trade restrictions
- Competition law requirements
- Export sanctions and licencing
- International trade agreements
- Mediation and Arbitration
- Safety requirements from a European perspective
- Trade and export finance transactions

Evidence of experience

The Ministry of Justice Committee on the technical legal aspects of the Common European Sales Law proposals.

A major US-owned defence and aerospace contractor on an arbitration against a supplier of training services.

In connection with the project financing and construction of an oil pipeline project which involved host Government agreements between the sponsors and each of the host nations along the pipeline route and an inter-Governmental agreement between each of these transit countries.

On the application of the OSPAR Convention regime to the decommissioning of offshore oil and gas facilities on the UK Continental Shelf.

A gas exploration and production company operating in the North Sea in an arbitration under the UNCITRAL rules concerning the proper apportionment of revenue between lender and borrower under a funding agreement.

A multi-national energy commodity trading company on its acquisition of a majority shareholding in an energy company based in the Ivory Coast, the provision of a US$50m loan facility and related shareholders agreement, including advising on a new production sharing contract with the Ivory Coast Government.

Key contacts

Peter Snaith
Partner
T: 0191 279 9457
E: peter.snaith@wbd-uk.com

Specialisms include international trading agreements and host Government agreements with particular reference to the oil and gas industry.

Tom Beezer
Partner
T: 02380 20 8154
E: tom.beezer@wbd-uk.com

Specialisms include international litigation and arbitration together with expert determination.

Dave Panaech
Associate
T: 02380 208 254
E: dave.panaech@wbd-uk.com

Specialisms include contractual claims, energy related disputes, professional negligence claims, disputes between shareholders and joint venture participants, fraud claims and defamation actions. Dave is dual-qualified, being an advocate and solicitor in Singapore and in England/Wales.
Telecommunication Law

Why us?

Clients tell us that we add real value to large project technology infrastructure rollouts or transformations and also those transactions where a Government interface or a parallel regulatory strategy is required. Our work includes:

• Consumer regulations
• Internet of things and smart cities
• Marketing and advertising documentation
• Payment services
• Procurement of telecoms or technology services
• Smart / mobile money
• Submarine cables
• Technology solutions
• Telecoms regulation and spectrum management (UK and overseas)
• Telecoms property (base stations, rooftops, linear obstacles etc)
• UK General Conditions of Entitlement
• Onshoring litigation

Evidence of experience

We provide advice on all aspects of telecoms law for a major quasi-public body which offers telecoms services to the public. This includes providing regulatory advice, advising on advertising and marketing materials across its entire product portfolio (including mobile, broadband and telecoms services).

On the commercial and telecom regulatory arrangements for the provision and use by HS1 of the GSM-R safety railway communications spectrum in the UK.

On a data centre and fibre network providing guidance on the regime and application process for Code powers under sections 106-7 Communications Act 2003.

On regulatory aspects of the acquisition of fibre optic cables in the North Sea, including advising on the procedure for transferring interests in the foreshore and on all leasing work for subsea cables in territorial waters.

Airwave Solutions Limited in connection with their Scottish telecommunication sites. Including the drafting and negotiating of leases, minutes of variations and assignations of existing leases, site share and asset transfer agreements, notices to quit and all other lease management matters.

Key contacts

Alastair Mitton
Partner
T: 0117 989 6837
E: alastair.mitton@wbd-uk.com

Specialisms include large-scale technology implementations, licensing, the use of cloud based solutions, outsourcing and development projects.

Katherine Douglas
Partner
T: 0117 989 6853
E: katherine.douglas@wbd-uk.com

Specialisms include transactional property matters including managing property portfolios for clients. This involves advising on access and land issues.

Malcolm Dowden
Legal Director
T: 02380 208 428
E: malcolm.dowden@wbd-uk.com

Specialisms include contractual regulatory and legislative drafting in the UK and other common law jurisdictions.