

The logo for Ashfords, consisting of the word "ashfords" in a white, lowercase, sans-serif font, positioned in the upper right corner of the slide. The background of the slide is a complex geometric pattern of overlapping triangles and polygons in various shades of teal, blue, and green, creating a dynamic, abstract design.

ashfords

London Borough  
Legal Alliance  
24 November 2022

Ashfords LLP  
[ashfords.co.uk](http://ashfords.co.uk)

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## Introduction

“We are delighted to be appointed to the London Borough Legal Alliance Framework. Our appointment to Lot 1 and Lot 2 further emphasises the strength and depth of expertise we have to offer to the public sector.

We look forward to the opportunities that our appointment to the London Borough Legal Alliance Framework will bring and to working closely with the London Borough Legal Alliance members to help them deliver their goals over the coming months and years.”

Lucy Woods

Lead Partner and Head of Public Sector  
London Borough Legal Alliance  
Relationship Manager



# Our expertise

## Bringing everything together

We have been a supplier to the public sector for more than 25 years, and every year we handle hundreds of instructions for our public sector clients. Our understanding of the demands on you, means that we can bring together our experience, skills, knowledge, and people to understand your problems and deliver solutions quickly – and so save you money.

Ashfords meets challenges head-on, and has an excellent track record of developing solutions for our clients in these demanding times. We are well aware of the political dimension of satisfying functions and the delivery of services and are experienced in operating in a public sector context.

## Meeting your needs

I am the lead relationship partner for the framework and have overall responsibility for the delivery of our services to you. However each instruction will be led by a specialist partner and a skilled project team. I am directly supported by Ruth Yates, who as the London Borough Legal Alliance account manager is responsible for managing all instructions made through the framework.

We have a strong team of 92 public sector specialist lawyers with access to our wider firm for additional capacity. In this prospectus you will find further details of the services we can deliver Under Lot 1 and Lot 2, along with examples of our experience and key contacts.



**Lucy Woods**

Lead Partner

Relationship Manager

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A low-angle photograph of a modern glass skyscraper, viewed from below, looking up. The building's facade is composed of a grid of dark glass panels and metallic frames. The image is overlaid with a teal and blue color scheme, creating a sense of depth and architectural scale. The sky is a clear, light blue. The overall composition is clean and modern, emphasizing the building's height and geometric structure.

# Lot 1 - Regeneration

# Lot 1 - Regeneration

We provide legal advisory services in relation to regeneration related work for which local authorities require legal input including but not limited to:

- Development agreements.
- Joint ventures.
- Large scale portfolio work.
- Mixed use development.
- Construction & regeneration.
- Public procurement advice & tendering (including competitive dialogue).
- Planning inquiries.
- Complex planning agreements.
- Site assembly.
- Review of construction contract terms and conditions.
- Review of warranties to sub-contractors and sub-consultants.
- Agreement of contract terms and conditions for construction contracts with any successful contractor.
- Environmental matters.
- Related state aid.
- Any dispute or litigation closely connected with a regeneration project.
- Procurement in relation to regeneration.
- Compulsory purchase in regard to development.
- Tax in relation to regeneration.

## Key people

**Lucy Woods** - Partner who supports clients in procuring and negotiating contracts.

**Ruth Yates** - Senior Associate advising on all aspects of public sector contracts, from the outset of a procurement process, through to completion and dealing with post close contractual issues.

**Katie Gwyther** - Katie assists the Public Sector team on a range of contract matters for public bodies and local authorities. Katie assists with all aspects of public sector contracts.

**Paul Butterworth** - Partner in our Real Estate team. Paul advises housing clients on major regeneration and development projects, as well as on private and public finance in the sector. He advises on regulatory frameworks for Registered Providers and also local authorities on their powers related to such projects.

**Jessica Taylor** - Partner with over 25 years' experience in advising on construction and engineering law.

**Robin de Wreede** - Partner advises public and private sector clients in connection with a wide range of real estate matters, including regeneration and development projects, acquisition and disposal and landlord and tenant matters.

## Spotlight experience

- Advising on the marine planning and licensing issues for a [£500m](#) coastal regeneration project.
- Prosecutions on behalf of harbour authorities for environmental breaches.
- Successfully prosecuting an individual on behalf of a [Consortium of Somerset Drainage Boards](#) for tampering with sluice gates on the Somerset levels, and nearly flooding a village.
- Prosecutions on behalf of local authorities against businesses for dumping regulated waste.

Advising a major London Borough on its regeneration project to deliver over [45% affordable housing](#) as part of a wider regeneration programme for the borough including advising on:

- major new build bespoke development agreements.
- complex phasing, termination.
- insolvency provisions.
- Financial modelling.
- Construction and operational contracts.
- Performance bonds and guarantees.

We are advising the [RBKC](#) in relation to its Edenham Way regeneration project alongside [CBRE](#) and [Grant Thornton](#).

The regeneration will deliver market housing, social housing and intermediate housing as well as a commercial block. We have assisted RBKC to ensure this is delivered, using the procurement process as a tool to drive the correct behaviour from the selected development partner.

Advising a JV formed by a London Borough and an RP on a [six year £130m regeneration scheme](#) that developed [700 affordable homes](#), other mixed tenure houses and flats, and private sale homes.

Lot 2 -  
Full range of  
legal services





## Litigation

We advise on all aspects of litigation and dispute resolution including but not limited to:

- civil litigation against and on behalf of Buyers; and
- alternative dispute resolution, arbitration, mediation, contractual resolution procedures, advocacy and early advice on disputes.

### Spotlight experience

We advised [Devon County Council](#) in respect of an £11.5m claim against design consultants and the contractor arising from the new build construction of a school. The School turned out to have major defect and had to be demolished and rebuilt.

Our role involved advising the Council on strategy, pursuing the claim, including obtaining expert evidence, instructing Counsel, issuing High Court proceedings, electronic disclosure, preparing and exchanging witness statements, preparation for trial, and representing the Council at mediation. The case was successfully settled following mediation.

## Housing

All aspects of housing law, including but not limited to:

- funding and finance;
- housing management;
- disputes;
- planning and development.

### Spotlight experience

- Advising on development and planning for the Duchy of Cornwall's 4,000 unit 540 acre site at Nansledan.
- Advising a JV formed by a London Borough and an RP on a six year £130m regeneration scheme that developed 700 affordable homes, other mixed tenure houses and flats, and private sale homes.
- Advising Wandsworth Borough Council on a £250 million mixed use development of a large retail site.

## Employment

We advise on all aspects of employment law including but not limited to:

- non-contentious employment matters relating to TUPE, COSOP, redundancies, restructuring, outsourcing, changes in terms and conditions, and reorganisations; and contentious employment law including discrimination / equal opportunities involving litigation and / or dispute resolution.

### Spotlight experience

We provided advice to a large public sector organisation on:

- strategic decisions;
- communications with staff and technical TUPE and pension issues;
- Union backed collective grievances on single status and back pay claims;
- strategic, operational and HR initiatives to deliver 'best in class' services; and
- improve underperforming 'special measures' projects.

## General civil (including complex debt collection)

All aspects of debt recovery, including but not limited to:

- commercial lending & debt recovery;
- regulatory standards relating to debt collection; and
- litigation and disputes relating to debt and its recovery.

### Spotlight experience

Our Debt Recovery Service for small businesses in relation to debts up to £100,000. Where we refer to "Debt Recovery", we mean the recovery of invoice debts owed to our clients where those debts arise from contractual relationships for the supply of goods and/or services, or where our clients have a statutory entitlement to the sums owed, where the sum owed is up to £100,000.

## Construction

We advise on all aspects of construction law including but not limited to:

- construction contracts (standard forms such as JCT, NEC, IChemE and bespoke forms);
- building and engineering contracts, Repairs and maintenance contracts, Housing and regeneration contracts;
- consultants' appointments;
- development Agreements;
- collateral warranties and letters of reliance;
- performance security: bonds and parent company guarantees; and
- construction disputes including proceeding by way of the Pre-Action Protocol for Construction and Engineering Disputes, adjudication, arbitration, litigation and mediation.

### Spotlight experience

Advising on the Forder Valley development site, a £160 million housing scheme which will deliver a total development area of 71.37 hectares, of which 38.67 hectares will be given to the North Plymouth Community Park, plus land for an education centre, a city farm and a major new link road.

Advising a major London Borough the council on its major regeneration project to deliver over 45% affordable housing as part of a wider regeneration programme for the borough including advising on major new build bespoke development agreements including complex phasing, termination and insolvency provisions.

## Landlord & tenant (including housing)

We advise on all aspects of real estate and real estate finance including but not limited to:

- crown, commercial and residential real estate including investment;
- site/property redevelopment;
- acquisition and disposal (including relevant tax advice);
- compulsory purchase;
- freehold, leasehold and licences;
- sales and leasehold;
- landlord and tenant matters; and
- real estate litigation.

## Contracts

We advise on all aspects of contracts and contract law, including commercial contracts and other commercial agreements, including but not limited to:

- advising on, drafting and negotiating agreements relating to commercial activities;
- supporting relationships including advising on rights and obligations, changes, termination / exit and transition between suppliers and advising on commercial / contractual reorganisations and restructuring including novation, assignments and changes in ownership;
- advising on public infrastructure regulation such as UK/EU regulation relating to energy, water, transport and telecommunication industries necessary to support commercial transactions and/or arrangements; and
- advising on grant funding including UK replacement grant funding post-Exit Date; and advising on, drafting and negotiating grant documents.

### Spotlight experience

We are advising the RBKC in relation to its Edenham Way regeneration project alongside CBRE and Grant Thornton. The regeneration will deliver market housing, social housing and intermediate housing as well as a commercial block.

We have assisted RBKC to ensure this is delivered, using the procurement process as a tool to drive the correct behaviour from the selected development partner.

## Procurement

We advise on all aspects of public procurement law including but not limited to:

- the application of domestic and EU public procurement law; and
- end-to-end support on procurement exercises, including drafting specifications, evaluation criteria, tender documentation and associated procurement and contractual documentation.

### Spotlight experience

We advised CORMAC Solutions Limited (a Teckal company wholly owned by Cornwall Council) in its Highways Joint Venture with Nottinghamshire County Council.

We designed and helped implement a service delivery model for the JV which complied with the procurement rules. This involved advising on the 'Teckal' and 'Hamburg' exemptions including analysis of the scope of the 'reverse-Teckal' derogations. We also advised on general procurement, local government vires and governance, property, commercial and tax matters.

## Education law and education projects

We advise on all aspects of education law, including but not limited to:

- school workforce;
- early years; higher and further education;
- pupil/student related litigation; admissions and exclusions;
- special educational needs; and equalities issues;
- governance and re-organisation issues;
- inspection and regulation;
- finance and funding issues; and student finance;
- education-focused charity; and
- contract and property law issues relevant to the educational sector.

### Spotlight experience

Advising on a wide range of HR and employment law issues, including the management of staff relations, and sensitive disciplinary issues.

Securing residency with the mother and a specific issue order allowing the child to move schools, after she initially faced a lengthy court battle without legal representation.

## General planning

We advise on all aspects of planning law, including but not limited to:

- planning strategy;
- development projects and schemes;
- applications for development, construction and change of use;
- compulsory purchase orders and s106 agreements; and
- planning/development inquiries and appeals.
- judicial reviews and statutory challenges relating to planning decisions; and
- advice on the Community Infrastructure Levy.

### Spotlight experience

Advising the London Borough of Brent in relation to Wembley Park which has 5,000 homes, has 20,000 sqm retail space, 85,000 sqm business space, car parks, and ancillary space.

Providing the full range of planning law services to the London Borough of Wandsworth including negotiation of s106 agreements, defending judicial reviews and appeal inquiries, preparing and issuing enforcement notices, and advising on the prospects of the successful use of CPO powers. Undertaking all s106 agreements and highways agreements for Brick by Brick (Croydon) Limited.

## Highways agreements

We advise on all aspects of transport law (excluding rail) including but not limited to:

- road based projects and infrastructure;
- logistics (contentious and non-contentious);
- haulage; and
- road regulatory matters.

### Spotlight experience

Advising the Department for Transport on its development agreement with HS2 Limited as the delivery body for HS2. Advising the West Midlands Transport Executive on procurements.

Successfully defending a transport and logistics company in a Traffic Commissioner public inquiry following alleged breaches of driver safety regulations, the working time directive, and maintenance requirements.

## Compulsory purchase orders / small scale development projects

We advise on all aspects of planning law, including but not limited to:

- planning strategy;
- development projects and schemes;
- applications for development;
- construction and change of use;
- compulsory purchase orders;
- s106 agreements; and
- planning / development inquiries and appeals.

### Spotlight experience

Drafting section 106 agreements for the redevelopment of the Homebase site in Wandsworth for a mixed-use scheme including 385 apartments; retail, community, office/studio and play spaces; with associated cycle and car parking; and public realm improvements. It was the first application to be called-in by the Mayor of London following the adoption of the Affordable Housing and Viability SPG in August 2017.

## FOI law, data protection & governance

We advise on all aspects of data protection and information law including but not limited to:

- the law surrounding the use and control of information by public and private sector bodies, including domestic and EU data protection legislation;
- international data transfers;
- data protection laws, data requests and complying with the principles of transparency; and
- Freedom of Information.

### Spotlight experience

Providing ongoing GDPR compliance advice to a major public utility following its demerger. This has included amending template data protection provisions, reviewing employee communications and updating privacy policies, as well as assisting with the procurement of GDPR-related services. Representing a Council in successfully defending an appeal to the ICO for a Freedom of Information request for confidential planning documents.

## Licensing

We advise on all aspects of licensing law, including but not limited to:

- licensing for sales of alcohol or regulated entertainment;
- taxi licensing;
- licences and permits for gambling;
- licensing due diligence; and
- advice on the Community Infrastructure Levy.

### Spotlight experience

The licence removed from a nightclub that had irresponsible 'special offers' on drinks and a history of drug dealing.

A restaurant in a residential area had its opening hours restricted due to crime and anti-social behaviour linked to the premises. Closure of a restaurant selling unsafe and mislabelled meat products. Removal of a taxi driver's licence following allegations.

## Pensions

We advise on a range of issues relating to the LGPS and NHS Pension Scheme, including:

- risk-sharing issues in procurement exercises, and related drafting;
- Admission Agreements and Pension Directions, and Bonds/ Indemnities
- exit deficit and Exit Credit issues within the LGPS; and
- the preparation of Admission Body policies on the exercise of discretions.

### Spotlight experience

Preparing all Admission Agreements and Bonds for two London Boroughs and associated schools.

Drafting and negotiating LGPS risk-sharing provisions for a Local Authority in various outsourcing exercises, with a view to ensuring a fair risk-sharing profile with the appointed service providers, to help retain a high number of bidders and secure overall best value of the Local Authority.

## State aid (in relation to commercial matters & procurement)

We advise on:

- all aspects of subsidy control and legacy State aid;
- complex multi-funder projects and the application of procurement law;
- competition law;
- due diligence on supplier mergers with potential competition law implications; and
- competition considerations in responding to FOI requests, and the publication of supplier information.

### Spotlight experience

We were instructed by the Council of the Isles of Scilly in relation to its organic thermal treatment and energy recovery project (the “OTTER Project”), which is a fundamental aspect of the Council’s “Smart Islands” programme with a capital cost of £1,930,000.

We provided a state aid report to the Council to evaluate the three primary sources of funding for the OTTER Project being the Council’s Local Enterprise Partnership, the Council itself and South West Water.



## Local authority companies

We advise on all aspects of corporate law, including but not limited to:

- UK company law;
- NHS mergers and acquisitions;
- joint ventures, including public private partnerships and other forms of collaboration with the independent sector;
- use of companies limited by shares/guarantee, limited liability partnerships and other types of legal entity;
- public sector investment/stakes in private companies;
- disposals of assets by the public sector to the private sector;
- structuring private sector investment in public sector assets through corporate vehicles;
- National Security and Investment Act 2021;
- corporate governance;
- directors' duties; and
- company secretarial services.

### Spotlight experience

Preparing all Admission Agreements and Bonds for two London Boroughs and associated Schools.

Drafting and negotiating LGPS risk-sharing provisions for a Local Authority in various outsourcing exercises, with a view to ensuring a fair risk-sharing profile with the appointed service providers, to help retain a high number of bidders and secure overall best value of the Local Authority.

## Charity law

We advise on:

- all aspects of subsidy control and legacy State aid;
- complex multi-funder projects and the application of procurement law;
- competition law;
- due diligence on supplier mergers with potential competition law implications; and
- competition considerations in responding to FOI requests, and the publication of supplier information.

### Spotlight experience

We acted for a charity which ran a care home for the elderly. The charity wanted to extend the use of the buildings as a hospice and to provide help for people in the local community.

The charity's constitution did not provide for these changes and the normal process was time consuming and expensive. We therefore advised the charity on how to set up a Community Interest Company to deliver these objectives, whilst mitigating the tax impacts. The CIC model gave the charity its desired outcome with less risk, delay, and expense than through the traditional route.

## Lot 2 - key contacts



**Andrew Perkins**

Partner and head of our Commercial Litigation team, within the Dispute Resolution department. Andrew advises and represents companies; shareholders (minority, majority and class); directors; private equity, VC and other funders; and trustees in shareholder litigation and disputes relating to commercial contracts.



**Stephen Homer**

Stephen is Head of Adjudication and Arbitration Services in the Construction law team. He is an expert disputes lawyer, with a particular specialism in professional negligence disputes and adjudications.



**Paul Butterworth**

Partner in our Real Estate team. Paul advises housing clients on major regeneration and development projects, as well as on private and public finance in the sector. He advises on regulatory frameworks for Registered Providers and also local authorities on their powers related to such projects.



**Jessica Taylor**

Partner with over 25 years' experience in advising on construction and engineering law.



**Sian Gibbon**

Partner and Head of Property Litigation. Sian has extensive experience dealing with a wide range of property disputes, acting for registered providers of social housing and the wider public sector clients including Regional Development Agencies, the Police and education establishments.



**Kirsty Cooke**

Partner in the Employment team. Practice covers all aspects of employment law and HR, and advising on immigration related employment issues.



**Robin de Wreede**

Real Estate Partner specialising in work for the Public Sector.



**Lucy Woods**

Partner who supports clients in procuring and negotiating contracts.



**Ruth Yates**

Senior Associate advising on all aspects of public sector contracts, from the outset of a procurement process, through to completion and dealing with post close contractual issues.



**Charles Pallot**

Partner with over 25 years' experience advising on employment law issues.

## Lot 2 - key contacts



**David Richardson**

Partner and Head of the Planning team who advises on all elements of planning law, whether contentious or non contentious matters.



**Duncan Moors**

Legal Director who has also been Head of Legal at a District Council.



**Gareth Pinwell**

Partner in the Planning team. Gareth has acquired over 20 years' experience of advising on a wide range of planning issues.



**Clare Brewer**

Partner advising on the structuring and financing of transport infrastructure projects.



**Mark Manning**

Partner advising on transport infrastructure design and build contracts.



**Ian Manners**

Partner in the Business Risk and Regulation team. Ian advises clients across the whole range of industry sectors including information law and regulatory compliance



**Hannah Pettit**

Associate in the Commercial team and Technology Sector. Hannah advises on commercial contracts and data protection matters, with a particular focus on the Technology Sector



**Emily Bowden**

Solicitor advising on LGPS risk-sharing issues in Local Government outsourcing projects, for both Local Authority and private sector clients.



**John Toth**

Partner advising on the establishment and restructuring of charities, mutuals and CICs.



**Kerry Morgan-Gould**

Partner advising on disputed trusts and wills.

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