



geldards  
law firm

# Geldards LLP Legal Services

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# Public Sector Law

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Geldards have a long history of acting for the public sector in England and Wales and are recognised as one of the leading legal advisors to local authorities in the country.

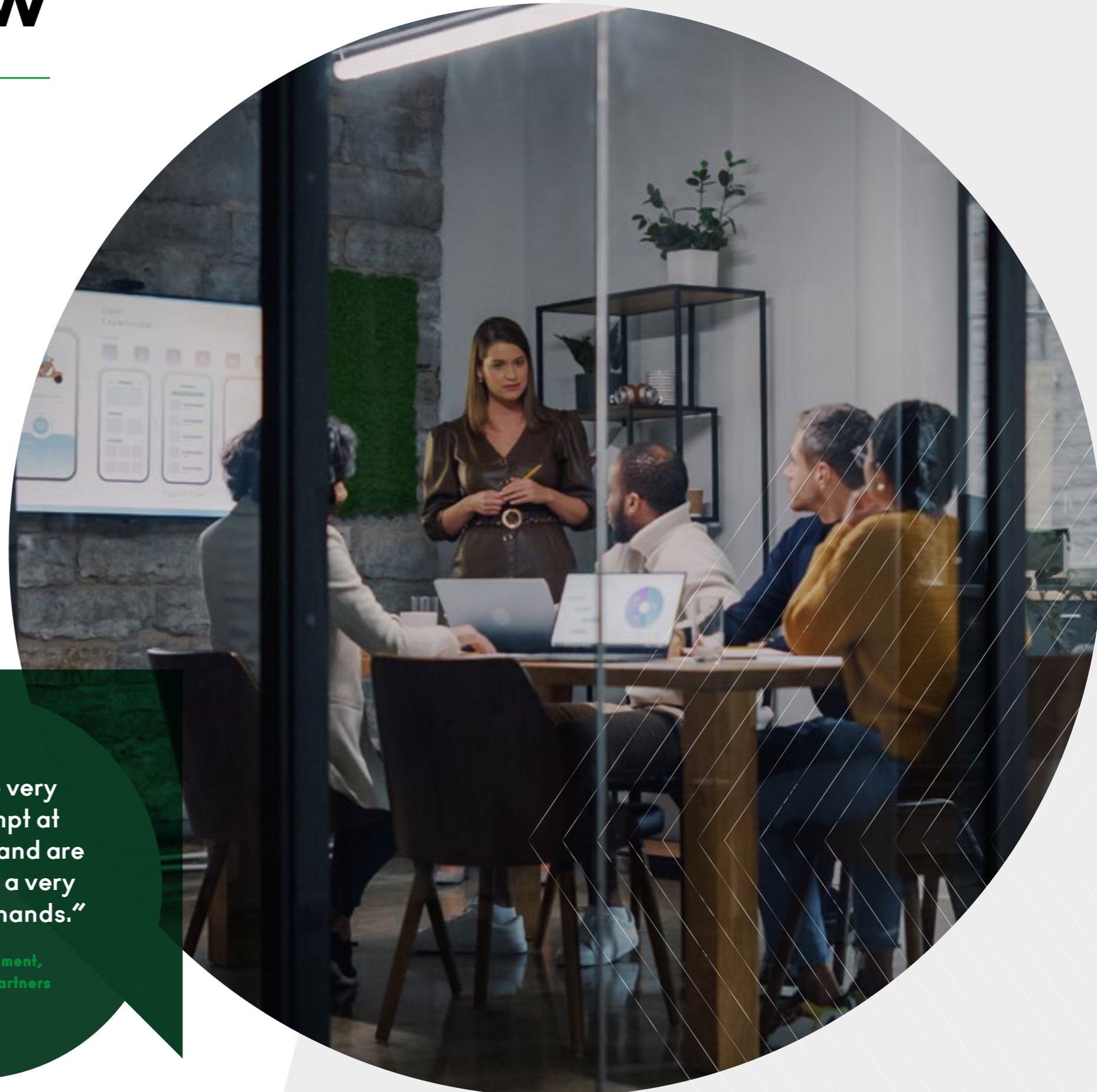
Our public sector practice covers property & regeneration, planning & environmental, construction, procurement & subsidy control, public law & vires, civil and criminal litigation, employment, commercial contracts, ICT & data contracts and disputes, public-private partnerships, company and trusts, charities & not-for-profit, joint ventures and education law.

Our strength in local government and the public sector is reflected in our appointment to all of the leading local authority legal frameworks including KCS Procurement Services, East Midlands Lawshare, North West Legal Consortium, North East Procurement Organisation, Welsh Government Commercial Delivery and the Crown Commercial Services Legal Panel.

Our council & public sector clients include; *Amber Valley, Bolton, Burnley, Calderdale, Cambridge City, Camarthenshire, Ceredigion, Cheshire East, Cheshire West and Chester, Derby City, Derbyshire County, Gloucester City, Greenwich, Herefordshire, Isle of Wight, Leicester City, National Assembly for Wales, Merton, Neath Port Talbot CBC, Newport City, Northamptonshire County, Nottingham City, Nottinghamshire County, Norwich, S4C, Sheffield City, South Derbyshire District Council, Vale of Glamorgan, Wales Air Ambulance, Walsall, Wandsworth, Welsh Government and Wrexham.*

**“They are very able, prompt at responding and are considered a very safe pair of hands.”**

**Local Government,  
Chambers & Partners**



# Public Sector Experts

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## Property, Projects & Regeneration

We have in-depth expertise across all aspects of public sector property, regeneration and infrastructure including complex public-private partnerships. We are regularly involved in major development schemes, particularly urban regeneration, including site assembly (including compulsory purchase), contractual documentation, development finance and funding agreements, construction and ultimately freehold and leasehold disposal. Our clients include local authorities and other public bodies, development companies, pension funds, property investment companies, utilities, housing associations, banks, leisure operators, retailers and manufacturers.

## Contracts, Procurement & Income Generation

We are very experienced in shared services projects, outsourcing, property and facilities management portfolios, ICT projects, PPPs, joint ventures and Local Asset Backed Vehicles (LABVs), creation of not-for-profit trusts, arm's length companies, and other corporate entities. We have particular experience of advising on structures, powers and vires including the applicability of regulations, contracts, competition law and subsidy control in relation to wholly owned companies, trading vehicles spin-outs, mutuals and social enterprises established to deliver public services ranging

from adult social care and youth services to housing and regeneration companies. We have increasingly been advising local authorities in relation to making the best use of their assets and in considering their strategies for revenue and income generation.

We advise on the applicability of public procurement and subsidy control rules to procurement exercises. This includes assisting with choice of procedure, the preparation of tender and contract documents and legal challenges across a range of commercial, construction, development and other contracts.

## Employment & HR

We have extensive experience advising on the complete range of day to day and complex employment & pensions issues. This includes service redesign and organisational restructure, implementation of contractual change and new pay structures, TUPE and pension transfers, disciplinary and grievance investigations and representation, dispute resolution, collaboration and staff transfer management, equal pay and strategic advice on management issues.

We also provide a complete legal service on employment tribunals for employers including advising clients on strategies to minimise claims, how to effectively manage and prepare for the tribunal claims process and representing clients during the tribunal hearing.





**“Geldards offer a seamless and rounded service.”**

**Public Sector,  
Legal 500**

## Dispute Resolution & Litigation

We regularly advise public sector bodies on a wide range of contentious matters, from planning enforcement, property litigation, debt collection and judicial review to regulatory prosecutions and defence.

## Governance & Monitoring Officer Support

We have extensive experience of advising local authorities in relation to vires and governance issues, including standards and conduct issues, sensitive investigations and inquiries. We have established a variety of corporate entities, partnerships, trading entities and joint ventures with appropriate governance arrangements. We have advised on the use and establishment of joint committees.

## ICT, Data & Information Law

We are experienced in advising on the outsourcing of ICT, data and back-office services and shared services arrangements. We regularly advise on Freedom of Information Act and Data Protection issues and in relation to the General Data Protection Regulations.

## Planning & Environment

Our work in planning law includes advice on a wide range of matters including the interpretation of planning permissions, permitted development rights and use classes, advising on planning provisions in development agreements and drafting section 106 Agreements.

We advise on call-ins and appeals including overseeing appointments of expert witnesses, preparing evidence and attending public inquiries. An example includes acting for a local authority on a major inquiry concerning several nationally significant wind farm applications.

## Education

We have a diverse education practice including outsourcing contracts, academies and free schools, collaborative models, University Technical Colleges (UTCs), schools' collaborative procurement and ICT projects.

## Leisure Services

We have advised on the creation of several leisure trusts, outsourcing of leisure management to external providers, including public-private partnership projects for redevelopment of leisure facilities. We have also advised public sector clients on town centre redevelopments with a significant leisure component, such as theatres and cinemas, sporting facilities and heritage centres.



# Why Choose Geldards?

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You need legal advisors who understand you, the services you commission and the unique political environment you operate in and who can apply their public sector experience to deliver the right results for you and your authority. Geldards have one of

the largest specialist teams in the country focused on providing services to the public sector with many of the team being recognised as experts in their field.

The reasons to choose Geldards are clear, we:

- 1 are public sector and local authority specialists**
- 2 understand the unique environment and challenges public bodies face**
- 3 take into consideration the critical and cross-cutting public law issues**
- 4 provide a complete legal service to support you where and when you need it**
- 5 value our reputation for working in partnership with our local authority clients**
- 6 deliver value for money and a value adding service**



## What People Say

“Geldards have a pool of experienced, knowledgeable lawyers who have been immensely helpful to us on various local authority matters.”

*Public Sector, Legal 500*

“The team has incredible strength and breadth in advising the public sector. They understand law in Wales and the differences that now exist with the law of England and Wales.”

*Public Sector, Legal 500*



# Project Highlights

## Property, Projects & Regeneration

Advising on the **Becketwell Regeneration for Derby City Council** since 2017 regarding the implementation of its plans for redevelopment of this strategic city centre site that will include a proposed 3500 seat arena. Our work has included advice on all aspects of the land assembly and structures available to the Council for the subsequent redevelopment of the site including land disposal, joint venture arrangements (both corporate and contractual) and procurement of a developer. This included advising on the vires, procurement, subsidy control and LEP funding implications for each structure.

## Planning & Environment

Advising in relation to the compulsory **purchase of land for a major waterfront regeneration** to provide 1000 new houses, leisure facilities, retail and a new school – this is a key element of the council's emerging replacement Local Development Plan. The Council has entered into a joint venture agreement with the owners and operators of an amusement park and have made a compulsory purchase order in respect of land at on the waterfront. The scheme also involves a statutory land appropriation process, and an application for a certificate under section 19 of the Acquisition of Land Act 1981 given the involvement of land used as open space.

## Employment & HR

Advising a **local authority and a school governing body** as respondents in an employment tribunal case for alleged trade union detriment and whistleblowing. Geldards supported in drafting witness statements, collating additional documentary evidence, drafting and submitting an amended defence, drafting and submitting applications for a private hearing, restricted reporting orders and strike out of parts of the Claimant's further and better particulars, and producing a new bundle of documents for the reconvened hearing. We were successful in defending the claims with each of the claimant's claims being dismissed by the employment tribunal.

## Governance & Monitoring Officer Support

Advising on arrangements for **local government reorganisation which will involve the creation of two unitary authorities**. Our specialist knowledge means we have been able to advise on all relevant issues, including governance (establishment of joint committees, elections, developing constitutions, consultation, adoption of plans and strategies, arrangements for shared services), employment (appointment of statutory officers, transfer of employees, communication with staff), finance (budgets and council tax), information management (publication scheme, designation of data protection officer), litigation (arrangements for outstanding claims), property (identifying assets, rights and liabilities, procuring any required licences, disposal of surplus land), branding and communications.

## Contracts, Procurement & Income Generation

Advising a **major London Borough** on the procurement of a JV partner for the roll out of broadband services across the region. For a term of 15 years, the supplier will operate the network, market services to internet service providers and mobile network operators and pass the funds to the JV Company.

This complex arrangement and project has included procurement and subsidy control, IT infrastructure and construction elements subject to the CDM regulations, and an outsourcing arrangement whereby the supplier operates the network and obtains customers on behalf of the JV Company.



# Like to talk about Public Sector Law?



**Paul Hilsdon**  
Partner  
Property  
paul.hilsdon@geldards.com



**Clare Hardy**  
Partner  
Procurement & Public Law  
clare.hardy@geldards.com



**Rebecca Gilbert**  
Senior Associate  
Property  
rebecca.gilbert@geldards.com



**Charles Felgate**  
Partner  
Planning & Environment  
charles.felgate@geldards.com



**Nicola Lawrence**  
Partner  
Property Litigation  
nicola.lawrence@geldards.com



**Claire Laviers**  
Senior Associate  
Construction  
claire.laviers@geldards.com



**David Williams**  
Chairman  
Head of Public Sector England  
david.williams@geldards.com



**Susanne Bradley**  
Partner  
Property  
susanne.bradley@geldards.com



**Rob James**  
Consultant, Cardiff  
Property  
rob.james@geldards.com



**Helen Snow**  
Partner  
Employment  
helen.snow@geldards.com



**Jamie Goldberg**  
Partner  
Commercial Contracts  
jamie.goldberg@geldards.com



**Paul Feenan**  
Partner  
Corporate  
paul.feenan@geldards.com

Cardiff  
Derby  
London  
Nottingham

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[www.geldards.com](http://www.geldards.com)  
[info@geldards.com](mailto:info@geldards.com)  
+44 (0)844 736 0006\*