

APSE Annual Seminar 2016: Survival of the Fittest

Tackling the Big Issues

7 September 2016

Elizabeth Wood



Overview of Walker Morris LLP

Strong public sector practice

- recognised specialism in local government, housing and procurement.

Full range of additional specialisms including;

- corporate, banking and finance, real estate, planning, tax, employment and pensions.

Ranked by independent assessors among the top UK law firms.

Lawyers recognised independently as leaders in their fields,

Over 500 staff including 48 partners and a further 300 lawyers

Single site firm working nationally.



Delivering Housing: models in use

- HRA new build
- Development agreements
- Lease back vehicles
- HCA direct commissioning
- Authority loans to Housing Providers
- Joint ventures:
 - Contractual
 - Corporate
- Special Purpose Vehicles
 - Housing Delivery
 - Housing Services

Joint Venture vs Wholly Owned Subsidiary

Joint Venture

- Two parties putting something in and getting something out
- Share of risk and reward
- Procurement?

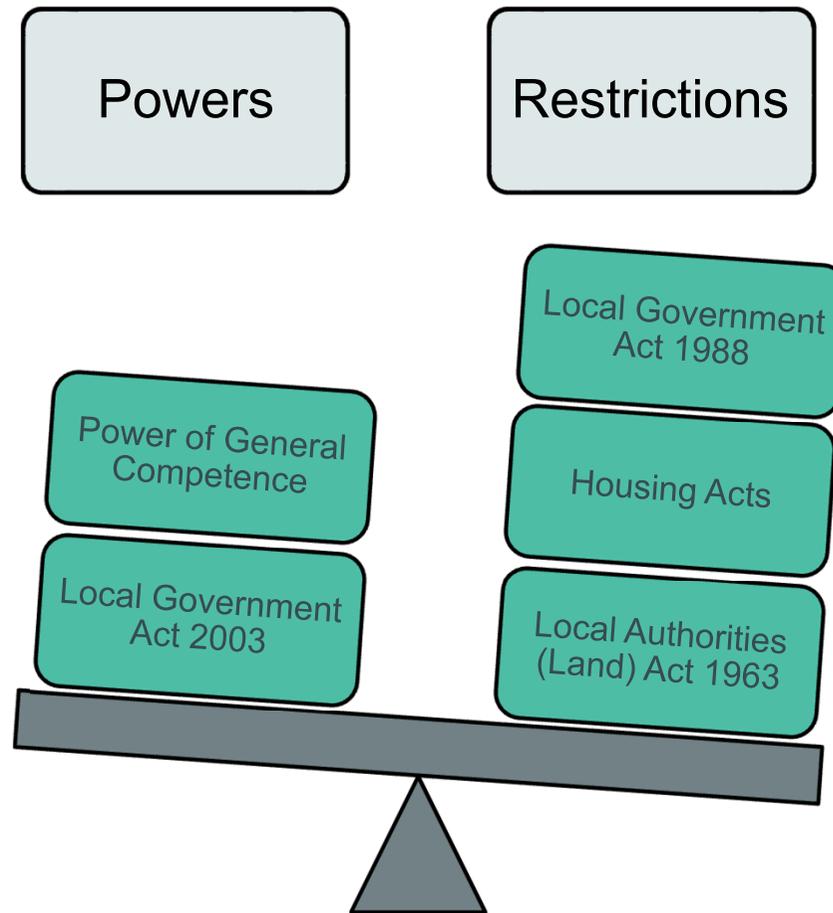
Special Purpose Vehicle

- Wholly owned
- The Authority alone is putting in and getting out
- Sole risk and reward
- Procurement?

Do you need a new delivery structure?

- What is driving the review?
- Who will services or housing delivery be provided for?
- Do you expect to procure?
- How much control does the Authority want?
- What resources will the Authority provide?
- What inputs are needed from others?
- Market appetite?
- Do you have an existing Company you can use?

Have you got the power to set up a Company Structure?



Procurement

Will there be a contract with the Authority?

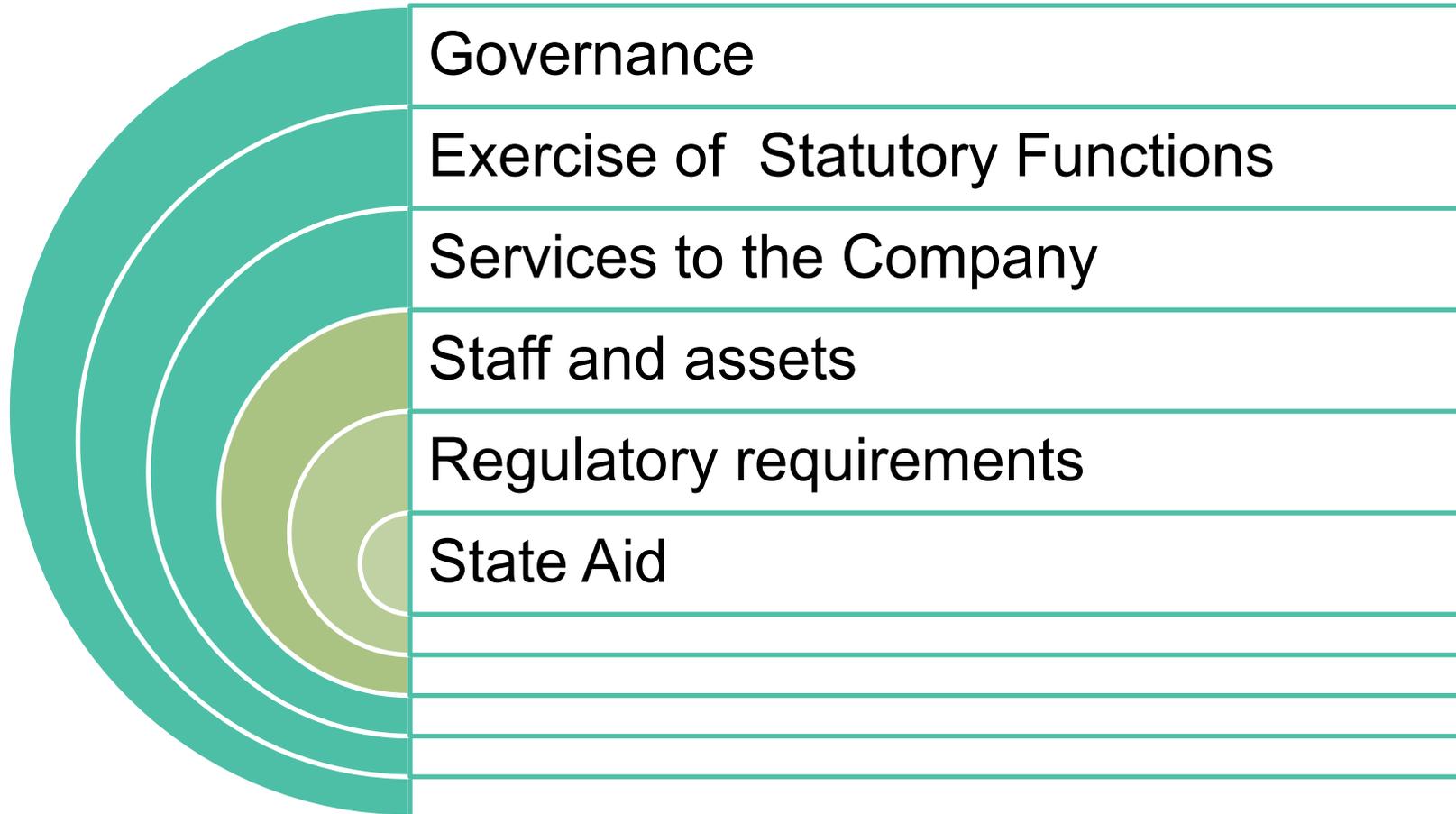
- Building new homes
- Managing houses for the Authority
- Repairing
- Services for others

Does it need to be able to have direct awards from another public body?

Teckal compliance?

- Does the Authority have enough control?
- Will there be any other party involved in the Company
- Will it work for anyone else
 - 80:20

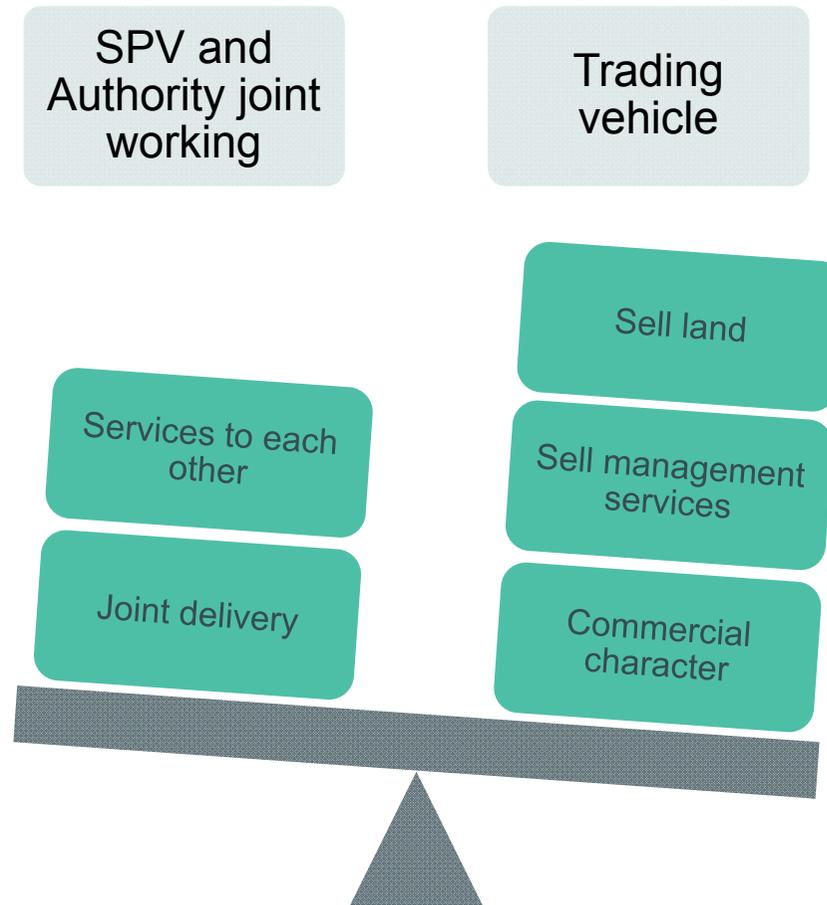
Other Issues

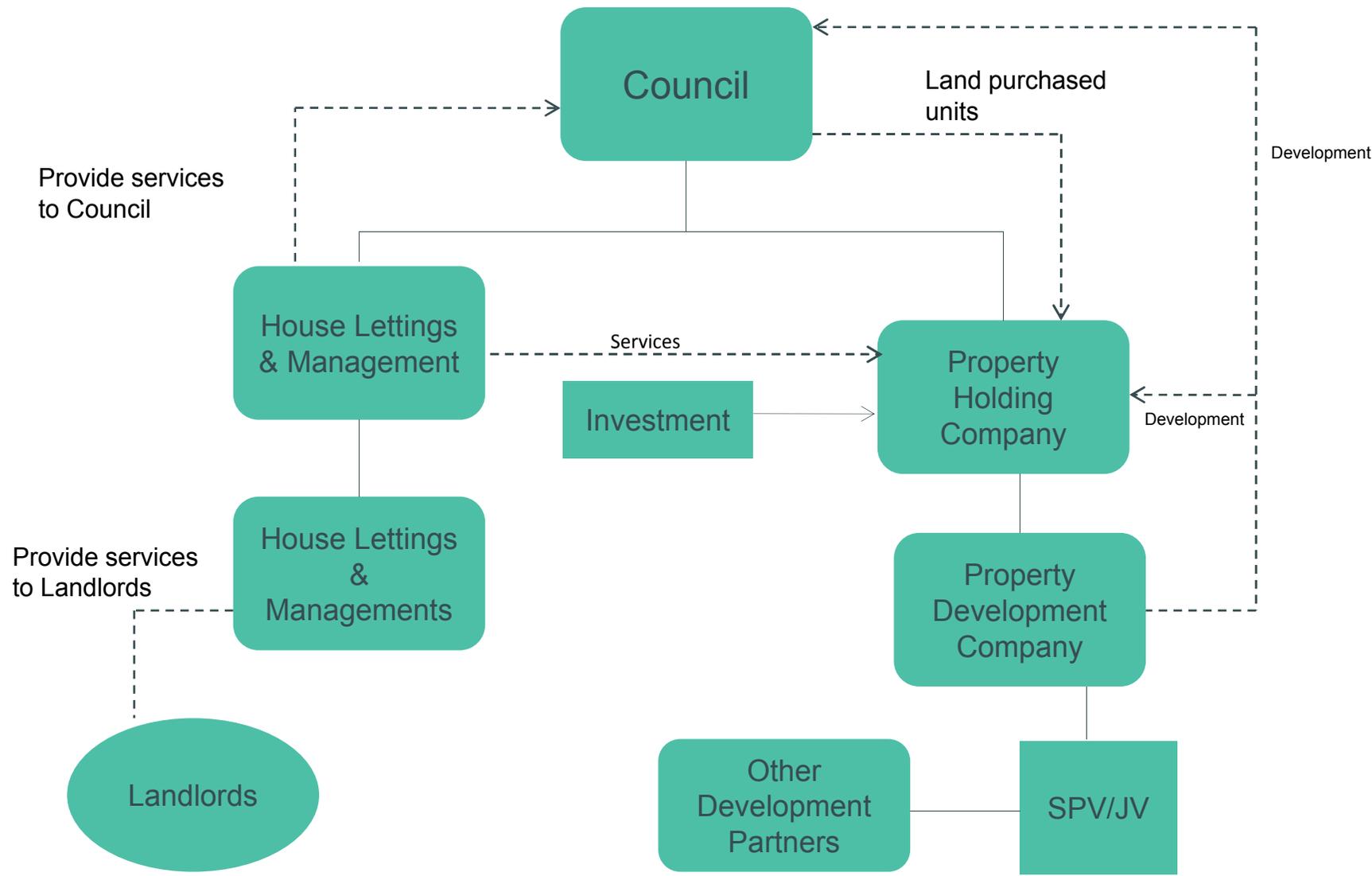


What are your objectives



Balancing the objectives





Local Authority Case Study

Contacts



Elizabeth Wood

Director

+44(0)113 283 2554

elizabeth.wood@walkermorris.co.uk



Disclaimer

The information contained in this document is confidential to you; it is not to be shown, quoted or referred to, in whole or in part without our prior written consent. It has been prepared for the purposes of information only and is only valid as at today's date. It serves only to alert the reader to recent legal developments or provide general information regarding a legal topic and to act as a guide; it is not a comprehensive or definitive statement of the law. It should therefore not be relied upon in place of specific legal advice. We exclude all liability (in negligence or otherwise) arising from any reliance placed on the information contained within this document by you (or any third party) for any purpose, to the maximum extent permitted by law.

