

# Helping local authorities manage and mitigate their commercial property investment strategies

Local authorities were already facing massive funding challenges and since Covid-19 their resources are being stretched even further. At the same time they are being discouraged from making investments in commercial property which many of them relied upon for additional sources of income.

Using our bespoke blend of experts in landlord & tenant, real estate disputes, vires, governance, state aid, procurement, finance and asset management, we can help local authorities manage and/or restructure their commercial investments to minimise the impact of this financial downturn. Ultimately helping them to deliver the best returns on their portfolios.

We can help local authorities to:

1. manage and restructure their property investments (on the High Street/Retail) that have been impacted by the financial down turn (and more recently COVID-19);
2. manage the scenario where a subsidiary company which owns and operates the investments needs to revise its business plan and requires increased financial support from the Council and or third parties;
3. manage the governance and conflict of interests that arise between the interests of the Local Authority and its wholly owned subsidiaries, particularly in relation to the conflict of interests between the board members of the company and officers/members of the Council;
4. make investments in commercial property that are primarily focused on regeneration, housing and delivering services but may also help realise an income stream for the authority.

To find out more about how we can help, please contact one of the below experts or your client partner.

## Recent experience

**Ipswich Borough Council** on the powers to establish a wholly-owned subsidiary trading company to exercise the power to trade and, in particular, to undertake appropriate property investments. Advising on loan financing aspects related to transaction.

A **local authority** on navigating through legal issues when providing additional funding and support to subsidiary company, including releasing overage arrangements in favour of the local authority.

**St Edmundsbury Borough Council** in connection with the £80 million redevelopment of the former Bury St Edmunds cattle market.

**Two Local Authorities** on restructuring a partnership arrangement thorough which they owned and operated an airport industrial estate, including providing a report on structural options.

**Chelmsford City Council** on property investment and development transactions on plans for the investment by the Council in improvements to the Station Square in Chelmsford.

## Why us?

- **Just the right blend of local government and property investment specialists:** Our blend of specialists are uniquely placed. We have local government expertise in landlord & tenant, real estate disputes, procurement and state aid, taxation, finance and vires/governance issues, which when combined with our commercial real estate investment expertise means we can help Local Authorities rescue their commercial property investments and deliver the best returns on their portfolios.
- **Our unique experience:** This comes from our very broad range of experience, across a range of areas, acting for local authorities, local planning authorities, developers and landowners meaning that we can anticipate the issues and the requirements of the different parties involved. We work across the whole property marketplace including offices, shopping centres, retail parks and industrial estates. Additionally we are experienced in niche retail and leisure opportunities, mixed used developments, student accommodation and healthcare portfolios.
- **Genuine expertise:** We receive regular feedback from our clients highlighting our ability to go beyond getting the law right and praising our ability to find effective solutions and provide pragmatic advice.
- **Collaborative:** A key aspect of our service delivery, and where we believe we set ourselves apart from our competitors, is our collaborative approach. This is even more evident on projects such as this where the project requires lawyers to work with a wider team, not to mention with the various stakeholders involved. Our collaborative style means we work as an extension to your project team rather than "external lawyers".
- **Commitment to long term relationships:** we believe investing time up front is key to ensuring we understand all issues, drivers and appetite for risk from the Council's perspective. If appointed, we would propose a kick off meeting with the Council to help fast track our knowledge of their portfolio and the Council's overall strategy and objectives as well as relationship fundamentals (i.e. how you would like us to work with your external lawyers).

## Some useful resources

[Property matters blog](#): regular updates and commentary on the latest legal news in the ever changing world of real estate.

[Our procurement portal](#): a "one stop shop" for procurement law queries and advice.

[Our Coronavirus hub](#): a collection of insights and practical guidance to help you through the difficult decisions you currently face.

## Get in touch

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Legal 500

"The team is absolutely top-drawer. It really has strength and depth as a practice."

Chambers UK

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