

# Housing

Capability Statement



## “Clearly one of the leading firms in the region”

Tough times require capable lawyers with commercial acumen. Manches Housing Team is recognised by clients and peers as one of the leading advisory teams in the Thames Valley.

Our cross-disciplinary team of sixteen lawyers is led by partner and specialist housing lawyer, Elizabeth Hussain. We presently have panel approval for 63 Registered Providers (RPs) ranging from the G15 to the small specialist.

Over the last 12 months, we have advised on banking transactions collectively worth over £60m. Over the same period we have acted for RPs in the acquisition of land and works with our top-ten deal averaging over £4m.

We are also ranked first tier in the Thames Valley in Chambers and Partners. *“This leading firm is very well established and has an excellent reputation...clients of this responsive team includes some of the largest [Registered Landlords] RLs in the Thames Valley region”*. Chambers and Partners 2010

*‘This team acts for a large number of registered social landlords and is well respected in the region. Clients admire its energy and responsiveness. The team continues to advise on site developments and acquisitions, governance and regulation, and on lending and securitisation.’*

Chambers and Partners 2011

*‘We have successfully used Manches as our solicitors to secure £6.5m from Abbey National Treasury Services. Manches have provided a prompt and efficient service, using their experience to help us achieve our deadline. We would recommend other Housing Associations to consider using Manches for similar work.’*

Paul James, Coastline Housing Association

*‘This leading firm is very well established and has an excellent reputation.’*

Chambers and Partners 2010

## What we can do for you

As the housing sector has matured and developed so have we. Our 30 years of experience allows us to offer advice on the following housing projects:-

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- All types of Land Acquisition and Development Contract
- Asset Management and Tenancy Advice
- Banking and Secured Lending
- Construction
- Employment
- Governance and Regulation
- Group Structures
- Joint Venture and other business structures, consortium vehicles
- PP
- Procurement Law
- Shared Equity Disposal Schemes
- Tax

## You benefit from

- One of the largest Housing teams outside of London and with offices in Oxford, Reading and London you have access to over 170 lawyers who are trained to give a highly personal and responsive service.
- Strong, lasting relationships based on understanding and trust, a friendly approach, responsiveness to the task, and the quality and delivery of results.
- Lawyers who will work for you as a team, matching the right skills to the right task. In each practice area there are specialists who are leaders in their fields, as recognised by the legal media.
- Our understanding of changing political, economic, social and technological environments and the effect these have on businesses and individuals.
- A 'hotline' service which allows you to contact us for basic advice on any matter.

## Examples of our housing experience

### Development

Quite simply, we understand affordable housing development. We know where problems are likely to occur and have tried and tested practical solutions.

We recently acted for one of our housing association clients on the acquisition (under planning gain) of a £15m scheme comprising a mixture of refurbished listed buildings and new build properties within a conservation area. Our in-depth understanding of the secured lending process meant we could ensure that the scheme would be suitable to be charged for raising finance in the future.

### Construction

Our housing development team is supported by our construction team who possess a wealth of experience in both non-contentious advisory and drafting work, and in disputes and claims resolution.

The construction team recently advised on a design and build project with a well known developer. Despite the documentation being presented as “non-negotiable”, significant gaps in warranty protection were highlighted relating to core structural aspects of the building. We were successful in re-drafting the documents in order to protect our client.

### Banking and Finance

Our proven track record of technical excellence combined with commercial sense sets us apart from our competitors in banking and secured lending work.

We adopt a solution-based approach to our work. We recently acted for a new client on the provision by Royal Bank of Scotland plc of new term loan and revolving credit facilities of up to £47m. We have also secured a new term loan facility of up to £6.5m and related security charging from Abbey National Treasury Services plc.

### Sales and Lettings

We have the expertise and process systems to manage volume plot sales and lettings and all follow-on matters and can offer a bespoke service to complement your internal requirements. We have a deep understanding of the concepts and structures of shared equity, Home Buy schemes and Design and Quality Standards.

Our sales team is currently running a 240 property plot sales programme. By working closely with our client through a dedicated team of lawyers, we ensure our clients' plot sales are processed on time and on budget.

### Asset Management

We have many years' experience of advising on the full range of contentious and non-contentious issues affecting commercial and residential property management.

Recently an established client benefited from our approach to dispute resolution where we were able to deliver speedy and cost-effective solutions by recourse to a mediated settlement. In order to achieve this, we worked closely with the client to agree objectives and to assemble evidence at an early stage.

### Employment Law

We have leading lawyers in employment law who ensure we remain at the cutting edge of new legislative developments.

We often find that, in Employment Tribunals, our clients are faced with unrepresented ex-employees who adopt a scattergun approach. We have successfully used preliminary hearings to attack claimants' cases and narrow the issues. Intelligent use of ACAS and compromise agreements has prevented many potential hearings and resulted in settlements at a fraction of the financial claim.

### Projects (PPP/PFI)

We have a dedicated projects team which has wide experience of PPP and PFI transactions in a range of sectors, including significant key worker housing and urban regeneration experience.

The affordability of a major NHS housing PPP project was threatened by controls on the rent levels stipulated in the project agreement. We were able, from our thorough knowledge of the

relationship between the project documents, financial model, bid requirements, forms of tenancy and planning constraints, to devise a revised rental profile which met the affordability concerns in a viable manner that was acceptable to all parties.

### Procurement

Our procurement lawyers win praise for their cogent advice and positive approach to achieving practical results for clients, rather than simply producing lists of difficulties.

We have advised a number of housing associations regarding whether a development agreement is a "Works" contract for the purposes of the EU rules and the problem of aggregation of contracts and the EU thresholds for contract values. Current issues for housing associations (and all contracting authorities) include the question of "material change" to existing contracts and the impact of the new Remedies Directive, which is due to be implemented in the UK in December 2009.

### Corporate, Constitutional and Governance

We provide corporate and governance advice to companies, housing associations and other not-for-profit organisations in relation to their own constitution and any legislative requirements specific to them.

Our housing team recently advised a mid-sized housing association in connection with its acquisition of a not-for-profit, community skills and training company.

### Technology

Our technology team can advise you on all IT-related requirements, including data protection, outsourcing and the procurement of hardware, software and maintenance contracts.

We recently advised a long-standing client in relation to the installation of CCTV cameras by a tenant (in the context of a dispute between neighbours) and on the disclosure of medical records following a data protection subject access report from a disabled tenant.

## MANCHES

The Thames Valley housing team is led by Elizabeth Hussain. We would be delighted to help you with any of the above issues. For further information please contact:

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