

Big Scheme Development: Legal Masterclass 2008

14th May, 2008

Designed for: Residential Developers, RSLs and their advisors

Location: Cavendish Conference Centre, London W1

Chairman: TBC

Hosted by: London Development Events

This events brings together some of the leading legal experts in residential development and investment to explain the key issues affecting those developing schemes of 100 units or more during 2008/09.

The day will include talks, debates and networking sessions, giving you the chance to meet the speakers plus other leading industry figures who will be attending. There will also be an opportunity to have your questions answered and to provide further feedback.

The following pages introduce you to the speakers and explain the day's content.

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9.45am Land related issues

Why local councils now hold the keys to land supply

Simon Randall is partner and head of housing and local government services at Lawrence Graham. He acts for local authorities and housing associations on a wide range of issues, including housing, urban regeneration and joint ventures.

He is chairman of Broomleigh Housing Association. Previously a member of both Bromley Council and the Greater London Council (during the Ken Livingstone years), he has served as chairman of the London Boroughs Association Housing and Social Services Committee, and has advised three housing ministers on policy.

The key themes that Simon's presentation will cover are:

- How to work with local councils
- The regeneration of London's housing stock
- The use of CPO powers
- Nomination rights
- Local housing companies

The increasing importance of Rights and Light – and avoiding injunctions and damages

Tim Fogarty is a partner in commercial litigation at Bevan Britten. He specialises in the resolution of disputes concerning real estate and planning. His 17-year legal career includes stints at Clifford Chance and Masons.

He has particular expertise in advising private sector developers, housebuilders and large public house estates. He has recently acted for developers facing challenges to their schemes based on Environmental Impact Assessment Regulations – including one 1600-unit scheme in Fulham. He is currently providing Rights o Light advice to the developer of another major scheme in the capital.

The key themes Tim's presentation will cover are:

- What Rights of Light used to mean for developers
- How recent cases have changed the situation
- The increased risks of injunctions
- Risks and damages

10.35 **Finance**

How to deal with banks during the credit crunch

Paul McCartney is a partner at Davies Arnold Cooper. He has acted for both for borrowers and for leading banks and institutions on property finance transactions. He has considerable experience in property restructuring and insolvency matters, and has had articles published on these issues.

The main themes Paul's presentation will cover are:

- The general state of the market – how banks are reacting
- The changing level of documentation
- How and why funders are becoming more diligent
- What a borrower should be doing

Is it worth applying for housing grant?

Louis Robert is senior partner at Prince Evans, a West London law firm specialising in work for housing and public sector clients, developers and residential/commercial landlords.

Louis's area of specialism is in innovative projects for Registered Social Landlords – in regeneration, flexible tenure and key worker projects, and joint venture company/off-balance transactions. He is currently working on arms length companies and is involved in the group structures of RSLs – in fact, he has provided the legal input to the National Housing Federation guide on this very topic.

The main themes Louis's presentation will cover are:

- A guide to grant providers
- Grant conditions, clawback and profit-sharing
- The accreditation process for private developers
- Is it all worth it?

12.00 **Planning**

What the Community Infrastructure Levy means for developers

Simon Ricketts, a former barrister, is head of planning and environment and partner at SJ Berwin.

He has wide planning, compulsory purchase and local government law expertise, with particular experience in planning inquiries and the negotiation of planning and infrastructure agreements. He has acted for developers, landowners and objectors on major and controversial residential and mixed-use schemes, among others.

He was rated second best planning solicitor in the country in Planning Magazine's 2007 survey.

The main themes Simon's presentation will cover are:

- How will CIL work? How much will be payable, when and by whom?
- Steps to take now in negotiating section 106 agreements and transactions
- Working with authorities in drawing up CIL policies
- Negotiating s106 and delivering infrastructure in a CIL world

Key players and their new powers to push through schemes

Michael Gallimore is head of planning at Lovells. He was named the best planning solicitor in the country in Planning Magazine's 2007 survey, and is named as a leader in his field in both Chambers and the Legal 500. He deals with all aspects of planning law.

Recently he has advised Ballymore on many projects, including several regeneration schemes in East London which provide nearly 3m sq ft of development. He is also advising Argent on the planning aspects of the King's Cross regeneration scheme.

The main themes Michael's presentation will cover are:

- The mayor's new powers
- The Housing and Regeneration Bill
- The new Homes and Communities Agency – and its powers
- The new Infrastructure Planning Commission – and its powers

2.00 Partnering with RSLs and Public Bodies

What developers, RSLs and councils want – and what this means for joint ventures

Naomi Goode is a partner at Lewis Silkin. She has 13 years' experience in the social housing sector and advises on a wide range of matters, including urban regeneration and development and social housing finance. She writes articles on affordable housing and chairs and speaks at the National Housing Federation.

She has recently acted for a consortium of Family Housing Association and Affinity Housing Association in relation to the regeneration of Elephant and Castle.

The main themes Naomi's presentation will cover are:

- What RSLs and developers want from a scheme
- EU procurement compliance
- Clawback, overage and profit sharing – and joint ventures
- Major schemes - ensuring flexibility and financial viability

Tax and financial issues for RSLs and developers

Andrew Sneddon is a partner at Trowers & Hamblins. He deals with a wide range of taxation work, acting for corporations, registered social landlords and local authorities. He advises on vehicles for property acquisition including minimising stamp duty land tax, and in particular, advises social landlords on large scale developments.

The main themes Andrew's presentation will cover are:

- Limited Liability Partnerships – how do they work?
- RSL taxation – why social landlords want LLPs
- Avoiding VAT leakage
- Stamp Duty Land Tax

2.50 Building and Construction

The Cost of Sustainability and Increasing Regulation

Howard Bassford is a partner at DLA Piper. He advises on all aspects of planning work, and was named in Planning Magazine's survey of leading solicitors.

His specialisms include major infrastructure projects as well as planning applications, environmental assessment and residential work. He has participated in judicial reviews and statutory challenges in the High Court.

The main themes Howard's presentation will cover are:

- The background
- Building regulations requirements for energy efficiency
- Policy and law in renewables
- Other aspects of sustainability – the things infrastructure levies don't buy

A Low Margin World: Reducing Risk in Design and Construction

Nicholas Gould is a partner at Fenwick Elliott, the largest construction specialist law firm in the UK.

He acts in a wide range of construction sectors in the UK and internationally, and has conducted Government funded research into construction dispute resolution. He has also acted as a mediator and adjudicator, and is a senior visiting lecturer at King's College, London.

The main themes Nicholas's presentation will cover are:

- The risks inherent in design and build schemes
- How to manage commercial warranties and third party rights
- Necessities for standard payment procedures
- Common sources of delay and dispute resolution

4.00 Selling and Investment

The long term risks of mixed-tenure and mixed-use schemes

Philip Freedman, a partner at Mishcon de Reya, specialises in property development and leasehold work for investors, developers and lenders. He is an acknowledged expert in landlord and tenant matters and advises on lease renewals, rent reviews, planning appeals and leasehold enfranchisement.

He has advised the Land Registry and the Office of the Deputy Prime Minister, and was awarded a CBE in 2005 for his services to property law.

The main themes Philip's presentation will cover are:

- Service charge recovery and consultation
- Extent of residential tenants' right to manage and the risk of enfranchisement
- Issues related to different refurbishment cycles
- Limited use of headleases – and potential use of commonhold

Due diligence when dealing with bulk buyers – fraud, money laundering and terrorism

Julia Cudd is a partner at Riseam Sharples, which acts for investors and owner-occupiers acquiring residential property in Central London. It has 18 years' experience acting for investors in Eastern Asia, and regularly acts for investors from other parts of the globe.

It expertise includes the purchase of property currently being constructed, and issues related to the sale of contracts prior to legal completion.

The main themes Julia's presentation will cover are:

- Dealing with bulk buyers
- On-the-spot purchasers
- Money laundering and fraud
- Issues to be aware of when dealing with international buyers

4.45pm Networking Session Begins

To book a place on this event please contact Lexi Segar – lsegar@ldevents.net or call 020 8877 0088