

Within the law

To launch this week's legal focus, *Victoria Madine* profiles some of the leading social housing practices across the country - and looks at where business is booming

Winckworth Sherwood

The team: Nine partners are in the housing and regeneration team, led by Andrew Murray, of which seven deal primarily with social housing.

The practice: The main London office handles most of the firm's social housing work, offering all the usual areas. The practice's clients are national and include Affinity Sutton Group.

The firm says: 'We are working with a number of clients to refocus their strategies as a predictable consequence of the economic conditions.'

'Merger, consolidation work, banking, placing security and stock transfer work are relatively unaffected.'

'We're seeing an increase in employment work, we think largely as a result of our investment in that area.'

'As for the future: these are exciting times. The creation of the Tenant Services Authority and the Homes and Communities Agency is set to refocus the sector's energies on tenants and these bodies will significantly impact how social housing providers are funded.'

'In addition, the management of regeneration schemes will also dramatically change as the usual planning gains, for example through section 106, are not made.'

'Developers, social landlords and the government will have to work together in a true joint venture where the risks are shared.'

Changes: Louis Robert and his team from Prince Evans joined the firm in June.

The Winckworth Sherwood team outside their Westminster office in London



Trowers & Hamlins

The team: Trowers & Hamlins has a far larger practice than any of its rivals. Ian Graham heads up the 150-person team, with 41 partners spending the majority of their time on solving social housing issues.

The practice: Operating from offices in London, Manchester and Exeter, the team works with more than 200 local authorities and 250 social landlords. Clients also include the HCA and the TSA. You name it and the group covers it - property, governance, care, local government, finance, litigation, construction, employment and pensions.

The firm says: 'We are advising on all the Welsh stock transfer proposals,

as well as the Manchester Council stock transfer.'

'The need for loans to be put in place quickly has meant increased work for both our banking and property finance teams. The care sector is less affected by the property market turmoil than the mainstream social housing sector. Work from specialist care providers has increased. We have more housing private finance initiative projects on our books.'

'In a downturn, more disputes are inevitable. We are seeing this now in terms of new instructions across a range of types of contract. Local housing companies is an area of work that is growing.'

Anthony Collins

The team: Eleven out of the firm's 21 partners spend the majority of their time on social housing. The team is headed by Peter Hubbard.

The practice: Based in Birmingham, the firm's work is national and covers all areas related to social housing.

The firm says: 'In the last year, the most growth has come from procurement and partnering arrangements with contractors; group structure amalgamations; service charges and leasehold management and recovering property improvement costs from leaseholders; and retirement villages.'

'In the coming year, the three potential increases are stock swaps and other property transfers; the prospect of judicial reviews against registered social landlords; and the change in the regulatory framework from the Housing Corporation to the TSA.'

“The need for loans to be put in place quickly has meant increased work.”

Devonshires

The team: All 25 partners work on social housing cases. The firm's chief executive, Andrew Cowan, heads the social housing practice.

The practice: Based in central London, the firm works with clients across the UK. Areas of expertise include care, charities, contracts, commercial, employment, group structures, lending and securitisation.

The firm says: 'Mergers, joint ventures, fraud, finance and employment have seen the most growth over the last year.' ▶

Shoosmiths

The team: Andy Ballard heads up the team, and is one of four partners who work full time on housing matters, as part of a team of about 40 lawyers.

The practice: There are 10 offices across England, with most of the housing work undertaken by the Birmingham office.

Clients include Parkway Green Housing Trust, Longhurst Group, Livability Housing, United Housing Association and ACIS Group.

Specialist areas include housing management, governance, commercial and procurement, and employment and pensions.

The firm says: 'We have seen substantial growth in the number of stock transfers taking place, especially in Wales. Consolidation continues to be buoyant in the sector.'

'Employment is also strong, though we're dealing with quite nasty cases, for example, unfair dismissal and discrimination.'

Shoosmiths' team (from left): Mark Robinson, Rebecca McGuirk, Andy Ballard, Ranjit Bassey and Philip Heath



TC Young

The team: Arguably the main social housing practice in Scotland, with nine partners spending the majority of their time in the area. With the exception of TC Young's private client department, everyone in the firm works on social housing.

The practice: With offices in Glasgow and Edinburgh, the firm acts for social landlords across Scotland and English social landlords with interests

in Scotland.

The firm says: 'Housing management and second stage stock transfers in the Glasgow area are buoyant areas for us. But right to buy has slowed and we are dealing with more cases of tenant arrears.'

'It is also possible that site acquisitions will slow as a result of the credit crunch, and we'll see more consolidation in the sector taking place.'

Eversheds

The team: There are six partners in the social housing team.

The practice: Eversheds operates seven offices across the UK - in London, Newcastle, Birmingham, Cardiff, Cambridge, Leeds and Manchester - and each carries out social housing work. Clients include Places for People, Circle Anglia and Harvest.

The firm says: 'Real estate, finance, employment and housing management work are all strong. But disposals are down and the type of development work is likely to change. With less private money, social landlords are remodelling their business plans.'

Changes: Lead partner Mitch Brown joined from Dickinson Dees in September.

Coffin Mew

The team: Jennifer Bennett is head of the team - six partners work on social housing full-time.

The practice: The firm's Southampton office is the main centre for social housing work, with other offices in Fareham, Portsmouth and Gosport. Clients include First Wessex, Affinity Sutton and Spectrum housing groups. A full range of commercial and housing management services are offered.

The firm says: 'Public law, anti-social behaviour and human rights are all busy areas. Care and supported housing are also growth areas.'

Changes: Michael Owen joined as partner in June from Dutton Gregory, along with two members of his team.

“Disposals are down and the type of development work is likely to change. With less private money, social landlords are remodelling their business plans.”

Lewis Silkin

The team: Seven partners at Lewis Silkin spend the majority of their time on social housing. The practice head is Gillian Bastow.

The practice: Based in central London, the firm's work is national: from north Yorkshire to the south coast. The firm offers a full range of services to clients.

The firm says: 'The areas that have grown most in the last year are finance, governance work, regeneration, construction litigation and care and support. We have seen a significant expansion of our care and support practice over the last year. In particular, we have been giving a lot of advice in relation to extra-care schemes. This involves acting on the development side, but also acting on all the contractual elements of the care package with social services and other public sector bodies.'

'We have seen an increase in the amount of governance advice we are giving. This is in relation to issues such as payment of board members, ensuring that boards are aware of their duties and generally taking a more risk-based approach to governance. We think this will increase with the new regulatory framework under the Housing and Regeneration Act 2008, which places a great deal of emphasis on regulation.' ▶

Maclay Murray & Spens

The team: Three partners work on social housing regularly, led by Chris Smith, with another nine partners working on the area part of the time. The team is supported by up to 30 fee-earners.

The practice: The firm's London and Edinburgh offices carry out the bulk of housing work but clients are based across the UK, including Guinness Trust and A2 Dominion. Areas of work include development projects, acquisitions, stock transfers, plan-

ning applications, partnering, care contracts and landlord and tenant and specialist employment advice.

The firm says: 'Finance, mergers and group restructuring are all areas where we have seen growth. Employment and pensions are also busy as a result of service provision changes following restructures. However, there has been a drop in development due to a decrease in the number of section 106 agreements being carried out. Shared ownership sales are also down.'

Dickinson Dees

The team: Benjamin Done heads the social housing practice, working with two other partners who handle social housing work for the majority of their time. They oversee the housing investment team, which handles the non-contentious housing practice; and the property litigation team, which handles the contentious work.

The practice: Offices in Newcastle, Tees Valley, York and London, with most social housing practice handled in Newcastle. The firm operates nationally, with clients including

Places for People and housing association Home.

The firm says: 'We're still seeing a lot of activity in terms of mergers, new groups, litigation, rent possessions and court work. The courts are becoming slightly more pro-tenant with regards [to] rent possessions, most probably due to the economic context. Also, many social landlords are refocusing their business on rentals rather than development.'

Changes: Partner Benjamin Done was appointed head of the housing investment team in February.

"Employment and pensions are busy as a result of service provision changes following restructures."

Below: the social housing team from Dickinson Dees

LG

The team: Three partners devote most of their time to social housing, supported by a team of nine solicitors. The best-known name is Simon Randall, who is also chair of Broomleigh Housing Association and a non-executive director at Affinity Sutton Group.

The practice: Based in central London, the firm has clients from across the UK, but a particular presence in the south east. It highlights housing regeneration schemes; corporate governance; joint ventures and partnering arrangements; landlords and tenants; PFI; public procurement; acquisitions and disposals; and judicial review as areas of strength.

Orrick, Herrington & Sutcliffe

The team: Anne O'Neill, partner in the firm's real estate department, heads up most work concerning social housing providers. Two other partners in the department also spend much of their time working with social landlords.

The practice: An international firm with 21 offices worldwide, Orrick, Herrington & Sutcliffe's London office deals with all social housing work. Specialising in complex joint ventures, the firm also advises on European competition law.

The firm says: 'Some social landlords are busy acquiring sites and we have seen a growth in acquisitions. But money is harder to get to fund development schemes and those organisations that have been expanding over the last year have now stopped.'

Cobbetts

The team: New arrival Hugo Stephens, who joined the team in August from Pinsent Masons, leads the social housing department, working with one partner and two solicitors. Partners specialising in other areas, such as employment and banking, also support the team when necessary.

The practice: Social housing work is conducted from offices in Manchester, Leeds and Birmingham. Clients include Gentoo Group, Aspire Housing, Accord Housing Association and Trans-Pennine Housing. Work is focused on large, bespoke projects such as stock transfers, PFI and regeneration.

The firm says: 'Stock transfer is still very strong: the firm is currently working on the transfer of Salford Council's stock to new housing association City West and is also advising Manchester Council on the Brunswick PFI.'



MARK PINNER