

Chambers 2008

March 2008



Real Estate

The Firm:

The consensus among clients is that *"this is a great team to work with - it is commercial in its approach and, unlike many firms, it can see the wood for the trees"*. Sources also commended the property team's *"attentive and responsive"* style, stating: *"Deadlines are always met and we are kept informed about what is going on"*. It has been a dynamic year for the department, which has been involved in several market-leading property projects and PFI schemes. The group is advising Titanic Quarter on development opportunities at Queen's Island, Belfast, and it is also acting for Land Securities Trillium on the Northern Irish legal aspects of its bid preparation for Workplace 2010. Another highlight is acting for new client Hammerson on its £425 million purchase of LxB Holdings. Kathryn Collie heads the teams advising Land Securities Trillium and Hammerson. Her *"practical and incisive"* advice is a great asset to clients, who also appreciate her broad knowledge of the local market. Jim Houston has particular expertise in business tenancies legislation. He is currently advising Titanic Quarter on development matters.

Planning

The Firm:

This firm is recommended primarily due to its expertise in planning applications for large housing and city centre schemes, power stations and listed buildings. It continues to advise AES on its flue gas desulphurisation development at Kilroot Power Station, and clients describe the team as *"absolutely excellent and always up to speed"*. The *"attentive and responsive"* group is also regarded as having *"one of the top practices"* covering planning aspects of corporate transactions. It advised Hammerson on the acquisition of Abbey Retail Park and its future development. Experience in contentious matters including judicial reviews and appeals completes the service. The team successfully represented O2 in a judicial review and appeal relating to planning permission for a telecoms mast.

The Lawyers:

With *"a wealth of experience"*, department head Karen Blair continues to impress clients with her planning and environment expertise. Sources described her as *"highly competent, detailed and very incisive"*. Associate Claire Duffy is recommended for her *"quick responses and accurate advice"*.

Environment

The Firm:

Based in Belfast, this team handles an array of environmental issues, including planning-related and transactional work. It has seen an increase on the contentious side and keeps busy with energy projects and waste matters. It advised Airtricity on wind farm development sites in Northern Ireland and represented AES in relation to its flue gas desulphurisation (FGD) development at Kilroot Power Station, which involved regulatory, property and compulsory acquisition issues. Additional expertise is provided for climate change work such as carbon emissions and relevant EU regulations. Clients praised the practice group's *"great depth of knowledge in various subjects"* and its *"excellent client service"*.

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The Lawyers:

Head of the department, Karen Blair is the only legal associate of the Royal Town Planning Institute in commercial practice in Northern Ireland. She impressed clients with her *"straightforward and client-focused approach"* as well as her *"detailed understanding of the law and great communication skills"*.

Restructuring/Insolvency

The Firm:

This well-known group enjoys tremendous standing in Northern Ireland and can boast *"terrific links"* with many leading IPs. Peers believe it is *"fully entitled"* to its top-tier position. Although the firm acts on a growing volume of personal insolvencies, civil fraud and cross-border asset tracing assignments, it is also instructed to deal with distressed businesses, including an increasing number of accelerated disposals. A triumph for the team was its role in advising the joint administrators of Budget DIY in one of the region's most notable administrations since the introduction of the Insolvency (Northern Ireland) Order 2005, which mirrors the provisions of the UK's Enterprise Act 2002.

The Lawyers:

Satisfied clients attest that Michael Neill is *"not an individual who simply regurgitates the law"*. Rather, he *"approaches each problem based on the circumstances and helps you to get around it"*. He has continued to assist the administrators of Highmark Manufacturing on processing the company into liquidation. One source praised him for *"generating a plethora of good ideas"* and providing *"crystal clear advice"*. Neill acts on bankruptcies and a wide range of formal corporate insolvency appointments.

Projects and Energy

The Firm:

With a profile in energy derived from its solid environment and planning expertise, this firm continues to impress. Utilising its excellent projects and financing knowledge, the practice has profited from a clutch of wind farm proposals, acting for Airtricity on a number of new wind farms across Northern Ireland, and the development and financing of its 9 MW wind farm at Bin Mountain, County Tyrone. In the power sector, the team advised AES on its proposed flue gas desulphurisation development at Kilroot Power Station, which involved a range of matters from planning, environmental and regulatory, to property and compulsory acquisition issues. Oil and gas work includes negotiating licences for identified sites around the north coast for clients such as Talisman Energy and Evergreen Oil.

The Lawyers:

Noted for his understated yet effective manner, Stephen Cross receives a *"big thumbs up"* for his work in advising companies and lenders on energy projects.

Private Client

The Firm:

Clients are impressed with the broad, multi-disciplinary service offered by this two-lawyer private client team. The team is well integrated into the rest of the firm and is also a well-established presence in Belfast, regularly receiving and referring clients to and from local accountants and financial advisers. The team has been dealing with a number of high-value estates and inheritance tax issues for both high net worth and more moderately wealthy clients. It also advises on Office of Care & Protection work and is reputed for its expertise in matters involving the elderly. High profile clients include the Alzheimer's Society, Bryson House and the Presbyterian Church in Ireland.

The Lawyers:

The *"brilliant, thorough and ever amenable and available"* Alastair Rankin is head of department. He is noted for his deep knowledge of trusts, wills and church law. Along with associate solicitor Michael Graham, he regularly gives seminars for the Alzheimer's Society and lectures on tax and estate planning.

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Banking and Finance

The Firm:

The banking group advises banks and other financial institutions on providing financing facilities to their retail and corporate customers, and also advises on regulatory and compliance issues. In addition, the lawyers act as local advisers on transactions involving the transfer, warehousing and securitisation of mortgage portfolios. Major work highlights include advising Dolmen Securities and a consortium of lenders on two successive rounds of funding for Airtricity, and advising Bank of Ireland on a £10 million financing for a Northern Ireland and US-based textile manufacturer. On the borrower side, the lawyers advised Titanic Quarter on obtaining financing from Ulster Bank for the first phase of its commercial and residential development at Queen's Island, Belfast. The team is commended for its *"young, dynamic partners who are commercial and prepared to take a view"*.

The Lawyers:

Head of the team Stephen Cross is *"methodical and a deep thinker - he does not make snap decisions"*. His clientele includes banks, local and international businesses and public sector bodies, and he also has expertise advising lenders on energy projects. He led the Dolmen Securities deal and acted as Northern Ireland counsel in a series of residential mortgage-backed securitisations for various mortgage lenders. John Kirk is *"experienced, practical and always reliable"*. He has particular expertise in securitisation and asset finance transactions.

Construction

The Firm:

Clients of Cleaver Fulton Rankin *"wouldn't hesitate to recommend it to anyone"*. The unit has a strong reputation in dispute resolution, representing numerous clients in the Commercial List of the High Court. It is currently involved in several loss and expense claims and has recently finished a complicated procurement dispute in the Commercial Court. ADR is another key area for the team, which has high-value, multiparty mediations under its belt and its involvement in high profile work such as Titanic Quarter's property development on Queen's Island also attests to its growing non-contentious practice. Clients praise the firm for its responsive attitude and quick work: *"The speed of their transactions is remarkable; it's second to none"*.

The Lawyers:

The *"truly excellent"* Brendan Fox is a *"focused, pragmatic litigator who serves his clients extremely well"*. They value the individual attention he gives them, and note that he is *"very well versed in European Law"*. He has recently advised City Hotel, part of the Harcourt Group, in relation to its multimillion-pound claim concerning the construction of a hotel in Londonderry.

Dispute Resolution

The Firm:

This flourishing group enjoys a varied caseload that encompasses insurance, insolvency, financial, energy and construction disputes. Its clients are equally diverse: Abbey, Fiat Auto (UK) and Invest NI frequently instruct the team and retailers and technological companies such as Nokia and Dyson also seek the group's advice. The firm is at the forefront of the growing trend towards alternative dispute resolution, having trained several of its litigators as mediators. One of the team's recent highlights was representing a multinational financial institution in a £1 million arbitration. Clients are effusive in their praise for *"a team of very positive people with a good attitude and great work ethic"*. Sources also complimented the way the solicitors interact with counsel: *"They are an active and dynamic part of the process and will argue with the barrister if necessary"*. Managing partner Brendan Fox is acclaimed for his *"diligent approach"* and expertise in construction and intellectual property cases. Also attracting praise from clients is associate to watch Jonathan Forrester. According to interviewees, he is *"keen to get involved and make it happen - 'energy' is the word with him"*. Forrester is currently acting on a substantial dispute between joint venture partners concerning a commercial property landmark.

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Administrative and Public Law

The Firm:

The compact team at Cleaver Fulton Rankin has extensive experience in making and defending contentious judicial review applications: in the past year it successfully represented the Sentence Review Commissioners and the Life Sentence Review Commissioners in this context. The team also offers advice relating to freedom of information requests, data protection and all aspects of public authorities' statutory duties. It has been advising the Independent Monitoring Commission on its responsibilities and representation in proceedings in the English Divisional Court, where its immunity from suit and substantive decision-making were successfully upheld. Other clients include The Pharmaceutical Society of Northern Ireland and Lisburn City Council. The "very capable" Karen Blair leads the public law team and is noted to have a diverse caseload.

Intellectual Property

The Firm:

An exceptionally skilled three-partner team, it deals with issues beyond the Irish border including matters in the English courts. Its caseload is spread across the spectrum of IP sectors, clients ranging from blue-chip technology companies such as Dyson and Philips to public sector organisations. The group is valued by clients for its masterful command of IP in the technology, automotive and construction sectors, advising on contentious and non-contentious trade mark and design right issues.

The Lawyers:

Brendan Fox handles piracy, counterfeiting and infringement claims. He wins plaudits for his excellent responsiveness to clients: *He is very good to deal with. His unrivalled legal knowledge and easy-going manner ensure that he has a comfortable relationship with us*". He currently acts for a mineral water brand on passing off claims. Jennifer Ebbage leads the IT unit at the firm and is feted for her exemplary knowledge of IP issues.

Employment

The Firm:

Frontman Alyn Hicks leads the charge of employment expertise at this firm, leaving nothing to chance when it comes to client representation. He is praised for his "*preparation and fastidious approach*" and "*amazing attention to detail*". In addition to the rising number of disability discrimination claims, Hicks and the team also advised on both sides of a number of founder director exits and acted for a leading vending company in Europe in relation to injunction proceedings. Other clients which profit from this three-person team include national retailer TK Maxx, Help the Aged and The Open University.

Charities

The Firm:

The team advises charities, non-profit organisations and social enterprise organisations on a range of matters, from the establishment of charities through to constitutional, employment and property matters. Significant work for the lawyers has seen them advising the Bryson Charitable Group on its rebranding and relaunch as well as assisting in a major review of its structure and constitutional documents.

The Lawyers:

Jennifer Ebbage leads the charities unit and is the key contact at the firm.

Clients/Work Highlights:

The team is advising Northern Ireland Federation of Housing Associations in the drafting of new model rules. Other clients include Trinity Housing; the Alzheimer's Society; Victim Support Northern Ireland; Girlguiding UK; Barnardo's and Belfast Local Strategy Partnership.

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Corporate Finance

The Firm:

A buoyant corporate finance market, growth in property values and increasing numbers of government sponsored projects have all featured in this team's increased workflow. Inward investment and cross-border transactions continue to generate a reasonable deal-flow for the department, and the firm has also taken on work in the IP field and the charity sector.

The Lawyers:

"Competent and pleasant to deal with", Jennifer Ebbage *"gets through a transaction with the minimum of fuss"*, say peers. This year she advised Fighting Bull Broadcast Technologies in its second and third tranches of funding and in related commercial matters.

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