



## Real Estate

# Wind of change at B&Q

Working with B&Q, the UK's leading DIY and garden centre retailer, TLT advised on powering its main distribution centre with 100% green energy from a wind turbine. Following a public consultation process, permission was granted within three months of the application. Dale Vince, MD at Ecotricity said "That's the speed these things are supposed to take but rarely do. If we're to seriously address climate change we need a planning system that performs like this as a rule rather than the exception to it - fingers crossed somebody in government (or opposition) may be listening".

For the next 30 years the turbine will power the whole of B&Q's distribution site, saving over 5,000 tonnes of CO2 emissions each year, which equates to 150,000 tonnes of CO2 in the turbine's lifetime.



## Deals news

### United Asphalt acquisition

TLT has advised United Asphalt on the acquisition of two major asphalt plants in the south of England.

TLT's expert Minerals & Aggregates team also acted for a leading aggregates company on the multi-million pound acquisition of shares in its joint venture partner. In addition to providing significant property advice, TLT handled all aspects of the acquisition, including corporate issues, supply contracts and competition.



### Nisbets Plc invests £15 million in new Avonmouth site

TLT has advised Nisbets, the UK's largest supplier of catering equipment and clothing, on the acquisition and redevelopment of a new nine-acre brownfield site.

The site, on the Access 18 industrial park in Avonmouth, is worth more than £15 million. It is to be redeveloped by St Modwen Properties, which specialises in the regeneration of brownfield and urban environments.

The redevelopment will include the construction of a 165,000 sq ft distribution centre, incorporating 23,000 sq ft of offices and a 68,000 sq ft mezzanine floor. The new facility is scheduled to be completed for Summer 2008.

### British Waterways relocates head office

British Waterways Board (BWB) has successfully relocated its head office in Watford, with TLT advising on the move.

It is the latest in a series of projects TLT has advised BWB on over the past year. Other highlights include advising BWB on its involvement in the King's Cross redevelopment, and on a very large lease-restructuring arrangement for the Interchange building in Camden.

#### Information

Do you want to know more? call Andrew Glynn, head of TLT Real Estate on +44 (0)117 917 7926 or visit our website.

# Eastern promise for Imperial Tobacco

A multi-million pound investment in Taiwan by Imperial Tobacco has got off to a successful start after wide-ranging legal advice from TLT.

TLT prepared and negotiated multi-disciplinary professional team appointments, provided strategic procurement advice, including the selection of the form of contract (FIDIC Turnkey), and prepared and negotiated all necessary amendments.

TLT has previously provided the tobacco giant with construction advice and drafting for the development of a major production facility in Turkey. The firm's successful relationship with Imperial Tobacco has led to its appointment for a further major overseas project.



## Cyber Enterprises secure hotel deal

Advice from TLT helped hotel developer Cyber Enterprises secure development funding from Bank of Scotland for the construction of a Holiday Inn Express in Watford.

## Double deal for hotel duo

TLT has advised Merrigold on the refinancing of its County Hotel in Essex. The refinancing released equity for sister company Maribel to acquire a Holiday Inn Express hotel in Strathclyde. TLT dealt with funding and security issues for the deals, both of which were funded by Bank of Ireland.

## Zeebest flying high

Zeebest has been advised by TLT on the acquisition, funding and construction of a Holiday Inn Express in Minster, Kent, close to Kent International Airport. The hotel, with Bank of Ireland providing development funding, opened in January 2008.

## Persimmon and Barratt gets affordable homes go-ahead

A landmark development of 295 homes, including affordable housing,

is to go ahead in Somerset after TLT helped secure planning permission for the developers.

TLT acted for Persimmon Homes South West and Barratt Homes Exeter to obtain permission from Somerset County Council and Taunton Deane Borough Council for the development at Cades Farm, Wellington.

Affordable housing was a particular issue, as the development was seen as setting a precedent for sites in the borough council's adopted Local Plan. TLT also dealt with issues relating to protected species, such as great crested newts and dormice.

The firm worked alongside planning consultants Boyer Planning, highway consultants Peter Evans Partnership, and ecology, landscape and archaeology experts, Waterman CPM.

## All mine

TLT is providing planning advice to Western United Mines (WUM) on the re-opening of its tin mine at South Crofty.

The firm has previously advised WUM on permitted development rights allowing it to undertake explorative

drilling on third party land, with the owner's permission. TLT is also advising on plans for an extension to the underground extraction area, relocation of the mine infrastructure, including a new processing plant, and amendments to existing planning permission conditions.

South Crofty is the only active tin mine in the UK. Tin prices have escalated over the last few years due to the demand for raw materials from China. Combined with modern mining methods, it means that tin mining is once again a potentially profitable activity.

## Scottish & Newcastle expand

TLT continues to act on behalf of Scottish & Newcastle Pub Enterprises (S&NPE) on its pub acquisitions programme. Recently we have worked on two small packages - the first being three pubs in Lincolnshire and the second of two pubs in Loughborough. A tight timescale was set for reaching exchange, which we and S&NPE were committed to achieving. We exchanged ahead of the deadline, allowing S&NPE to move on to the next deal.

# Development news

## Bright future for Normansfield hospital

TLT has advised on a Section 106 planning agreement for the proposed redevelopment of Normansfield Hospital, Teddington, Surrey, for residential use.

Normansfield Hospital was established in 1868 by Dr John Langdon Down for the care of children with Down's Syndrome, the disability he gave his name to.

The hospital building, which is grade II\* listed, is currently in a poor state of repair. The works will involve extensive refurbishment. Some parts will be modernised, and many parts will be restored to their original condition and appearance. The development includes the construction of new apartment blocks, as well as an extension to and refurbishment of the hospital building itself.

Parts of the hospital site which fall outside of the current proposed development were developed by Laing Homes, and the current proposal will see the completion of the development of the whole hospital site.



The Section 106 planning agreement has now been completed, and planning permission granted.

The development will ensure Normansfield Hospital's removal from English Heritage's Buildings at Risk register.

## TLT news

### Keep up to date with social housing news

I-Source for Social Housing is a comprehensive online resource for housing professionals. Provided by the firm's social housing team, it offers easy access to articles on a range of subjects, including development, finance, governance, regulation, housing management and maintenance.

I-Source for Social Housing also offers an invaluable opportunity for thoughts and ideas to be exchanged in a secure forum.

Visit [www.tltisource.co.uk/social-housing](http://www.tltisource.co.uk/social-housing)



### David Pester reappointed as managing partner

David Pester has been reappointed to his third consecutive term as managing partner

of TLT by the firm's 72-strong partnership.

David, who was recently named 'Managing Partner of the Year' in the 2007 British Legal Awards, commenced his third term in April 2008.

### Chambers praises TLT's Real Estate group

Chambers UK, one of the leading legal directories in the UK, has praised TLT's Real Estate group on another successful year. Comments included, 'Based in Bristol and London, this "driven and ambitious" firm has enjoyed another busy year. Clients value the "access to senior people" and extol the "efficiency, technical competence and commerciality" of the lawyers.'



### New appointments in the Real Estate group

Kerri Ashworth has joined TLT as an associate from Bond Pearce solicitors. Kerri

has significant experience in renewable energy projects.

# Planning focus



## Partner Katherine Evans heads the Planning & Environmental team at TLT.

Katherine leads a team experienced in all aspects of planning and environmental law. Specialisms include planning inquiries, complex multi-party agreements, commons/village greens and contaminated land.

Recent highlights for the team include:

- Acting for Western United Mines in a major planning inquiry into the proposed redevelopment of the

surface of South Crofty tin mine, the UK's only active tin mine. The team's work on behalf of the owners/developers of the mine included judicial review proceedings. The proceedings culminated in the withdrawal of the Action Area Plan for the area and were also featured in Planning magazine. The team is providing ongoing advice related to re-opening the mine for large scale extraction, including new minerals-related planning applications. The proposed compulsory purchase of the surface of the mine continues to be an active area of advice.

- Instructed by new client Cornwall Light & Power, who build, own and operate renewable energy plants, such as wind farms, in the UK. TLT is advising on a significant project in Cambridgeshire and has provided a wide range of planning advice in relation to several sites with and

without existing planning permissions.

- Advising on planning issues and compulsory purchase and compensation procedures, in particular in relation to the Craylands and Fryerns projects for Swan Housing Association Limited.

'This "solid and pragmatic" [Planning] team enjoys a good reputation in the house building sector. Clients also recommended its "great expertise and understanding of clients' needs," especially on Section 106 agreements and CPOs.'

**Chambers UK, 2008**

'This team is "coming on strong", offering clients a "seamless service - the work gets done in a clear, practical manner that is very much in tune with our requirements.'

**Chambers UK, 2008**

## Real Estate group key contacts

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