

# RM3788 Wider Public Sector Legal Services: Lot 4 Transport Rail

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## DWF Prospectus of Services 2021

England and Wales,  
Scotland, Northern  
Ireland

[dwfgroup.com](https://www.dwfgroup.com)

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# Introducing DWF

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DWF's rail team is committed to understanding the needs of our clients and providing advice that benefits their organisations. This approach has allowed us to deliver light and heavy rail projects in innovative ways which fully address clients' strategic and policy objectives.

Our team of rail experts have advised on passenger rail franchise procurement and delivery, infrastructure bills and delivery contracts, track access and regulatory reviews, new and refurbished rolling stock, rail freight terminals and grants / subsidy control, tram schemes, station and maintenance depot developments and leases, retailing, ticketing and transport integration.

Our team has also handled contract disputes, high value claims for personal injury, line trespass and for damaged rolling stock, as well as employment law, trade union and rail pension scheme matters.

Our national team provides decisive, expert direction in an approachable way. We are recognised for our exemplary service, understanding clients' commercial needs as well as the complex legal framework surrounding the rail industry. Praised for our innovative and energetic solutions, we pride ourselves on our collaborative approach in applying them.

Our team is led by Paul Hopton, who has worked within the rail industry for many years and brings extensive experience of rolling stock and infrastructure matters. He is delivery orientated and will be the key interface between DWF and instructing authorities. He will spend time understanding your requirements and objectives. He will work with our wider team to ensure that there is a full understanding of how we can provide a quality service which adds value for your organisation.

## Experience includes:

- advising the Welsh Government on the development of the Global Centre for Rail Excellence;
- advising Hitachi Rail on rolling stock projects, train maintenance and depot arrangements;
- assisting West Midlands Combined Authority on the insourcing of the Midland Metro operations to a wholly owned subsidiary and the procurement and delivery of the Midland Metro Alliance;
- advising Transport Scotland (Scottish Ministers) on the procurement and mobilisation of the £7.7 billion ScotRail Franchise and the £462 million Caledonian Sleeper Franchise. This work included advising on the procurement and funding of two new fleets of rolling stock for use in Scotland; and
- advising multiple clients in relation to the management of objections and interface arrangements with HS2.



**Paul Hopton, Director**

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# About Us

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Sector experts with global reach and local teams across the UK



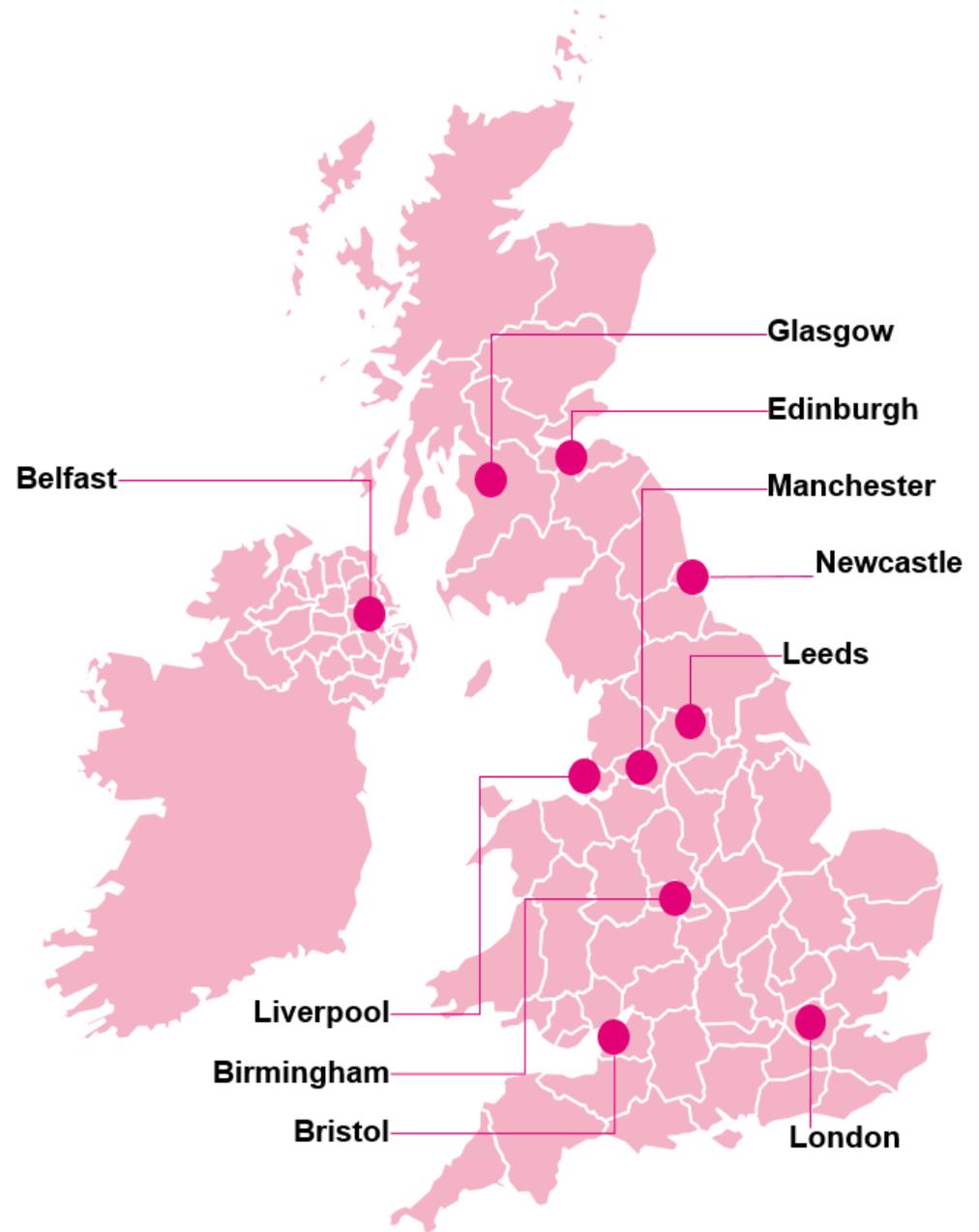
**Sir Nigel Knowles**

Managing Partner & CEO

We are a global legal business, transforming legal services through our people for our clients. We have offices in 30 locations across the UK and the rest of the world and over 4,000 people delivering services and solutions that go beyond expectations. By questioning traditions and thinking beyond conventions, we achieve outstanding levels of innovation. We have received recognition for our work by the Financial Times, which named us as one of Europe's most innovative legal advisers.

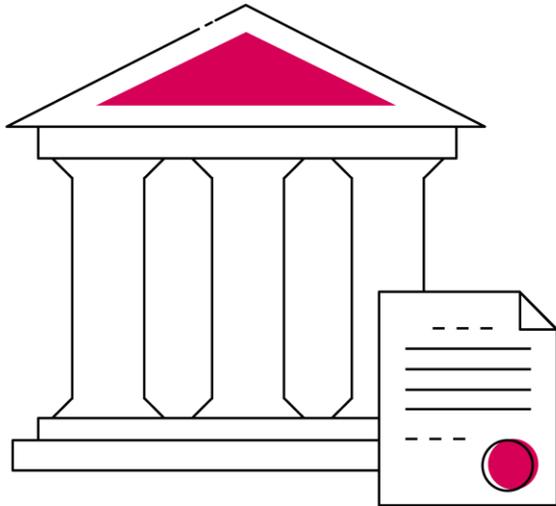
We work for over 300 UK local authorities (including major City Councils), police authorities, charities, education and healthcare providers, Local Enterprise Partnerships, Combined Authorities and many central government agencies.

We also work for private sector providers and businesses that work with the public sector such as developers, construction companies, outsourced services providers, inward investors and port and transport authorities.



# Contents

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## Mandatory Specialisms:

- Rail Transport Law
- Rolling Stock
- Planning and Authorisation (Rail)
- Projects and Infrastructure (Rail)

## ★ Rail Transport Law

### How we can help

DWF's rail team supports clients on all aspects of rail regulation. We provide clear, focused advice which identifies the relevant legal and commercial issues and helps clients achieve their strategic objectives.

We advise public sector clients in relation to the regulation of both light and heavy rail schemes.

We can advise on:

- Functions and powers under the Railways Acts;

- Negotiating regulated agreements for access to and interface with the rail network;
- Health and safety including the application of The Railways and Other Guided Transport Systems (Safety) Regulations 2006;
- Crisis management following major incidents; and
- Regulated procurement, competition law and subsidy control.

## 🔍 Case study

### Scot Rail

DWF advised the Scottish Ministers on the procurement, mobilisation and operation of the £7.7bn ScotRail Passenger Franchise. We advised on all policy, commercial, regulatory and contractual matters - providing input on devolved rail functions and powers, franchise procurement, contractualisation, the UK rail regulatory frameworks, subsidy control and procurement.

## ✔ Expert advice



**Paul Hopton, Director**

T: +44 7708 485503

E: [paul.hopton@dwf.law](mailto:paul.hopton@dwf.law)

Paul draws on his experience of working in the legal team at Network Rail to advise on a wide range rail regulatory, procurement and commercial law issues.



**Martin Gallaher, Consultant**

E: [martin.gallaher@dwf.law](mailto:martin.gallaher@dwf.law)

Martin specialises in advising on the procurement and delivery of transport and major infrastructure projects, including the ScotRail and Caledonian Sleeper franchises.

## ★ Rolling Stock

### How we can help

DWF has experience advising on the procurement and leasing of rolling stock for light and heavy rail.

Our experience includes:

- Advising on train build, maintenance and technical support agreements;
- Advising on the grant funding of new rolling stock;
- Drafting and negotiating Section 54 Agreements and direct agreements;

- Drafting and negotiating lease finance agreements;

- Protecting public sector interests in relation to train supply, maintenance and services agreements;

- Negotiating the amendments and novation of tram supply and tram maintenance agreements; and

- Advising on public / utilities procurement and subsidy control.

## 🔍 Case study

### Caledonian Sleeper

DWF advised the Scottish Ministers on the procurement and funding of new rolling stock through the Caledonian Sleeper Franchises. Advice focused on the protection of the Scottish Government's investment through grant funding, section 54 and funder direct agreements which secured the ongoing availability of the rolling stock for the Caledonian Sleeper Franchise.

## ✔ Expert advice



**Paul Hopton, Director**

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E: [paul.hopton@dwf.law](mailto:paul.hopton@dwf.law)

Paul has extensive experience of negotiating and implementing contracts for high speed, heavy and light rail rolling stock manufacturing and maintenance.



**Rachel Crosier, Director**

T: +44 7510 371718

E: [Rachel.crosier@dwf.law](mailto:Rachel.crosier@dwf.law)

Rachel has particular experience in the use of PPP contracts for major rolling stock projects, including advising Agility Trains on the Intercity Express Programme.

## ☆ Planning and Authorisation (Rail)

### How we can help

DWF has experience in delivering rail related projects from inception through to operation. We provide advice on obtaining powers for rail projects and on the protection of the interests of clients affected by those powers.

Support we can provide includes:

- Providing strategic advice in relation to planning and authorisation;
- Managing planning appeals, including public inquiries;
- Representing clients' interests in relation to private legislation for heavy rail and transport works orders for metro developments;
- Critically reviewing planning reports and environmental statements;
- Conducting high court litigation, including judicial reviews and statutory challenges; and
- Advising upon all aspects of compulsory purchase, including the making, confirmation and implementation of orders.

### 🔍 Case study

#### South Staffordshire Water ("SSW") and HS2

DWF are assisting SSW to ensure that its assets are not adversely affected by the delivery of HS2. Work has included preparation of the consultation response to the Environmental Statement for the High Speed Rail (West Midlands - Crewe) Bill and preparing a parliamentary petition in relation to the Bill, setting out the protections required in respect of utility undertakers' apparatus.

### ✔ Expert advice



**Andrew Batterton, Partner**  
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E: [andrew.batterton@dwf.law](mailto:andrew.batterton@dwf.law)

Andrew specialises in advising on planning, consents and statutory orders for large infrastructure projects, including acting for the DfT, HS1 and regional transport authorities.



**Shane Toal, Partner**  
T: +44 771 503 9770  
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Shane leads on real estate and land rights aspects of energy and infrastructure projects, including advising on asset protection, wayleave and utility diversion issues.

## ☆ Projects and Infrastructure (Rail)

### How we can help

Our infrastructure practice advises the public sector on infrastructure procurement throughout the UK.

In addition to our experience of rail franchising and public service contracts, our team has extensive knowledge of construction and engineering contracts in the transport sector. Since our lawyers specialise in both contentious and non-contentious advice, the same team is able to play a valuable role in ensuring that your

infrastructure project is delivered smoothly. Whether you are working on a renewables, oil and gas, utilities, roads and bridges, ports and harbours, retail, education or residential project, our experience and industry knowledge will deliver the results you need in the timescales you need them.

### 🔍 Case study

#### Welsh Government – Global Centre for Rail Excellence

We are advising the Welsh Government on the development of the Global Centre for Rail Excellence, a new £150m facility dedicated to research and testing rail rolling stock and technology. The site is being developed on a former opencast mine site in South Wales and will include two 4.5-6.9km rail test track loops with ancillary workshop, office and research facilities. We are advising on all aspects of the project from planning and land acquisition to corporate structuring and public sector powers.

### ✔ Expert advice



**Rachel Crosier, Director**  
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E: [rachel.crosier@dwf.law](mailto:rachel.crosier@dwf.law)

Rachel is an international infrastructure lawyer, who advises on the procurement and delivery of complex, large-scale and novel projects, including heavy and light rail infrastructure.



**David McNeice, Partner**  
T: +44 7724 700438  
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David advises on a wide range of construction contracts and disputes, including in relation to railway infrastructure and depots.

# Our locations and contacts



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# About DWF

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DWF is a leading global provider of integrated legal and business services, operating across eight key sectors in over 30 global locations with over 4,000 people.

Our purpose is to deliver positive outcomes with our colleagues, clients and communities.



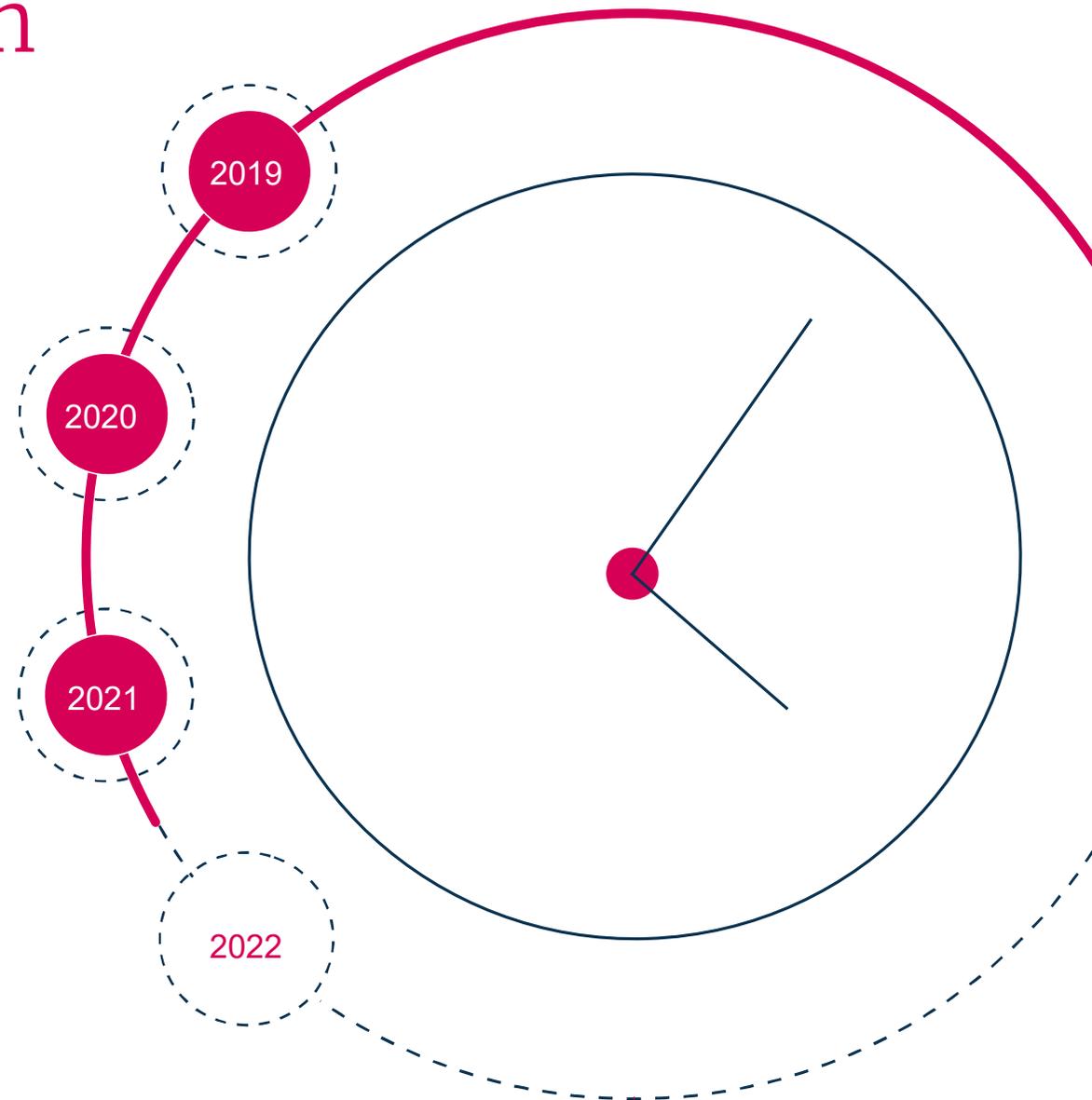
# The legal market has changed profoundly in the last decade and speed of change continues to increase

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There is a clear and growing desire for legal services to be delivered in an easier and more efficient way

So we've listened to our clients and designed a range of services to meet these needs.

Our vision is to deliver integrated legal and business services on a global scale through our three offerings



We deliver this on a global scale through our three offerings; Legal Advisory, Mindcrest and Connected Services, across our eight key sectors.

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## Legal Advisory



Premium legal advice and excellent client service. Our teams bring commercial intelligence and industry sector relevant experience.

## Mindcrest



Outsourced and process led legal services which standardise, systematise, scale and optimise legal workflows.

## Connected Services

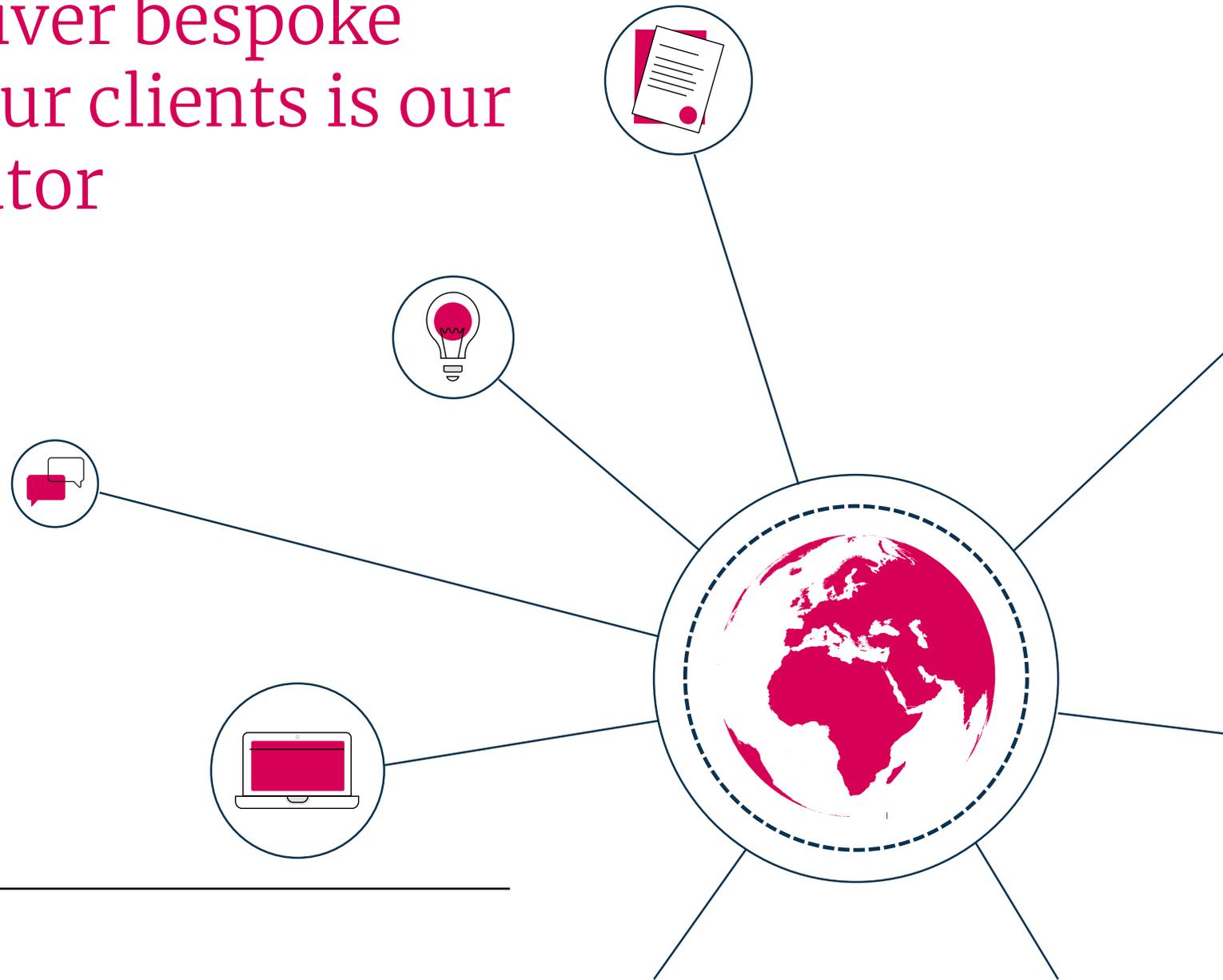


Products and business services that enhance our legal offerings.

# Our ability to seamlessly combine any number of these services to deliver bespoke solutions for our clients is our key differentiator

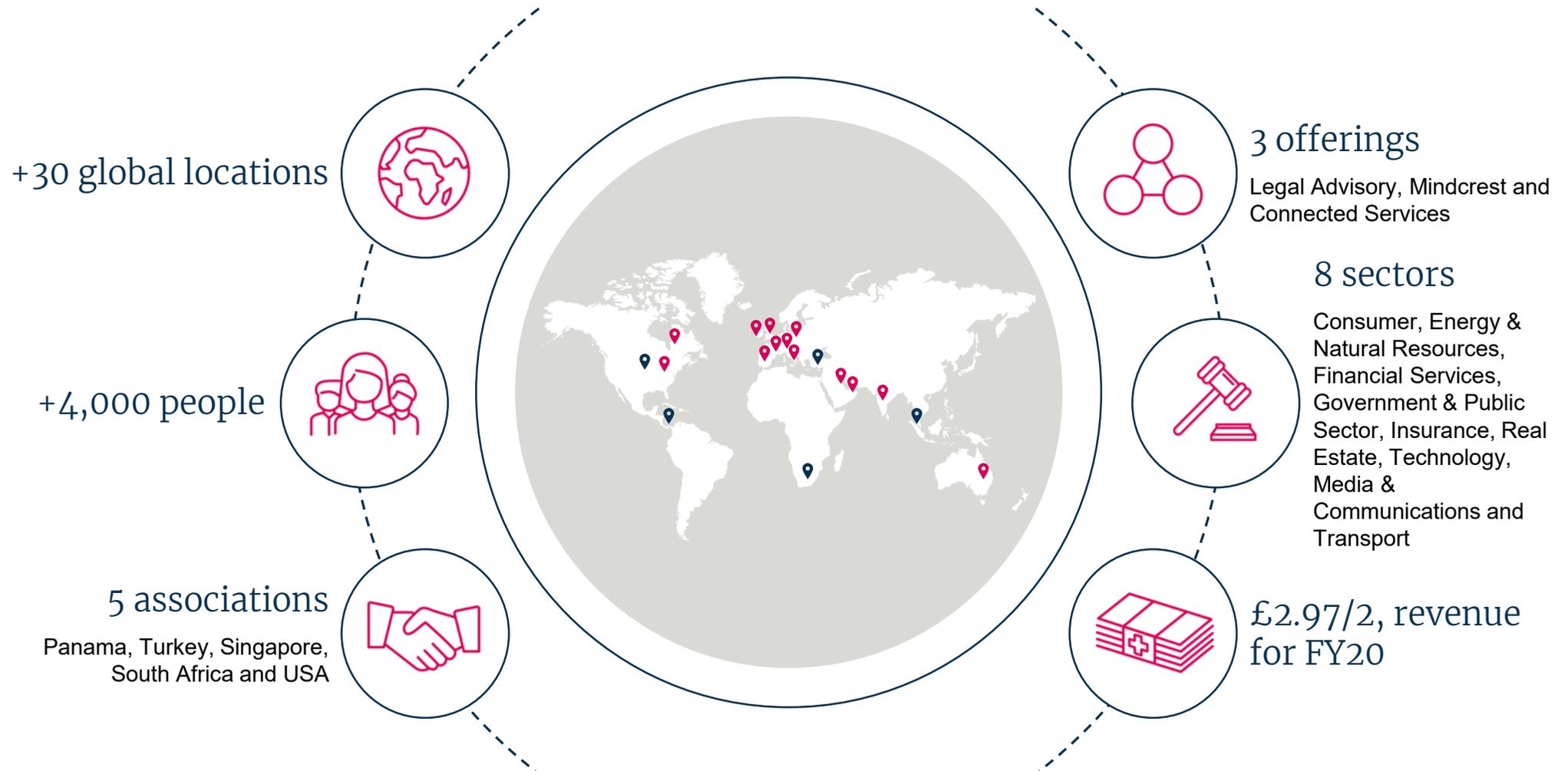
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Our Integrated Legal Management approach delivers greater operational efficiency, price certainty and transparency for our clients. Without compromising on quality or service.



# A global business

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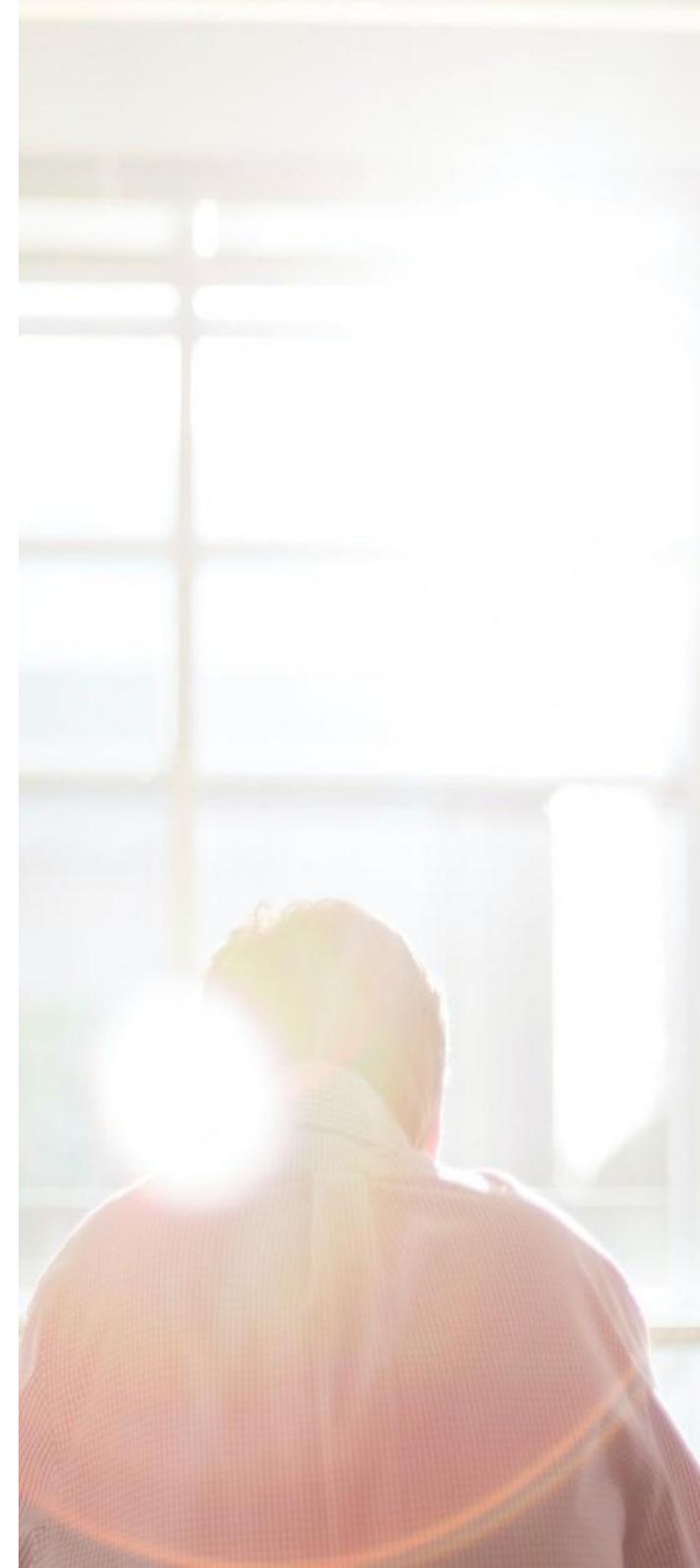
# ESG and responsible business

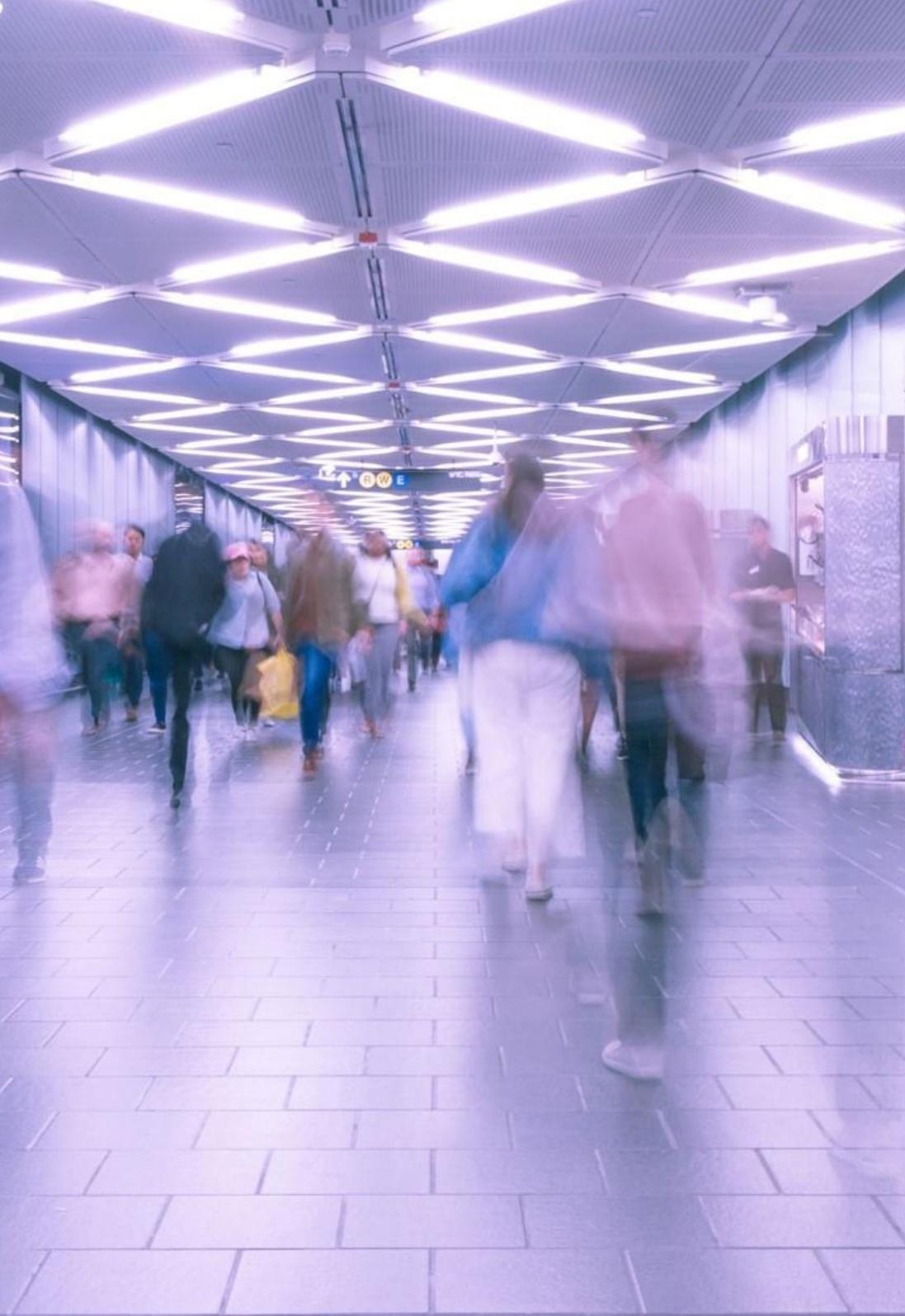
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Our ambition is to make DWF a world leader at responsible business, mobilising our collective strength and strategic commitments as a force for good in society. As a purpose led business, how we do business is just as important as what we do.

Doing the right thing defines who we are as a responsible business and integrity is essential to everything we do.

As a leading global provider of integrated legal and business services, we play an important role in helping business to grow and prosper. However, as the only Main Market listed business in our sector, we recognise that there is increased stakeholder interest in how we do business, where and who we do business with and the level of our ambition and action to integrate and manage ESG (Environment, Social and Governance) risks into our business operations.





# UN Global Compact

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We already manage a wide range of ESG factors and since becoming a signatory in 2016, take action in support of the ten principles of the United Nations Global Compact in the areas of Human Rights, Labour, Environment and Anti-Corruption.

- Our actions are prioritised to contribute to the UN Sustainable Development Goals (SDG's) and the UN Women's Empowerment Principles. The legal industry is changing and we are setting the pace as a progressive, innovative global business. That's why in 2020, our Group CEO, joined with other business leaders to call on the UK Government to ensure the SDG's are at the heart of UK COVID-19 recovery plans.
- We are also accelerating our contribution to address the worst impacts from climate change as an integral and deliberate part of our business strategy aligned to the UN's 2030 agenda and a 1.5C pathway. Participation in the UN's SDG Ambition Accelerator Initiative and a new Environmental, Social & Governance (ESG) strategy will help to scale our collective impact and ambition globally.

# Environment

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A responsible and sustainable approach to doing business is central to our purpose and in conducting our business activities.

We believe it is important to support the global transition to a sustainable low-carbon economy, leading by example in our own operations. In supporting the principles of sustainable development, we have in place an environmental management system to identify and control the impacts of our business and enhance current working practices.

- As a global company, this means:
- Actively managing our carbon emissions aligned to a 1.5C pathway
- Taking action to ensure efficient use of resources, follow the 'Reduce, Reuse, Recycle' waste hierarchy
- Investing in technology to help drive our sustainability agenda
- Maintaining ISO14001 certification as part of the external auditing of our sustainability performance
- Collaborating to develop, apply and promote environmental best practice to enhance our resilience to climate change.



We're proud to be a member of the Legal Sustainability Alliance, a group of law firms and related organisations taking action to improve the environmental sustainability of their operations and that we achieved a 24% reduction in our carbon footprint between 2015 and 2018.

# DWF Foundation

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Through our IPO, the DWF Foundation received 1.8m shares of investment.

Founded in 2015, the DWF Foundation is an independent charity founded by DWF and has the sole aim of providing funds, resources and support to help our communities achieve their full potential.

Our vision is to encourage all our people to work together as a catalyst for change. Each of our offices has a dedicated team who are committed to our corporate responsibilities. Through the DWF Foundation we hope to build upon the excellent work that they already do with our local communities and charities.



+100 charities supported to date



£17k in employability grants



+500k donated in 299 grants



+£2k in environment and sustainability grants



100% of money raised donated as grants



+£273k in health and wellbeing grants



+£111k in education grants



+£131k homelessness/poverty grants

# Diversity & Inclusion

## Diversity is at the heart of creating a sustainable business

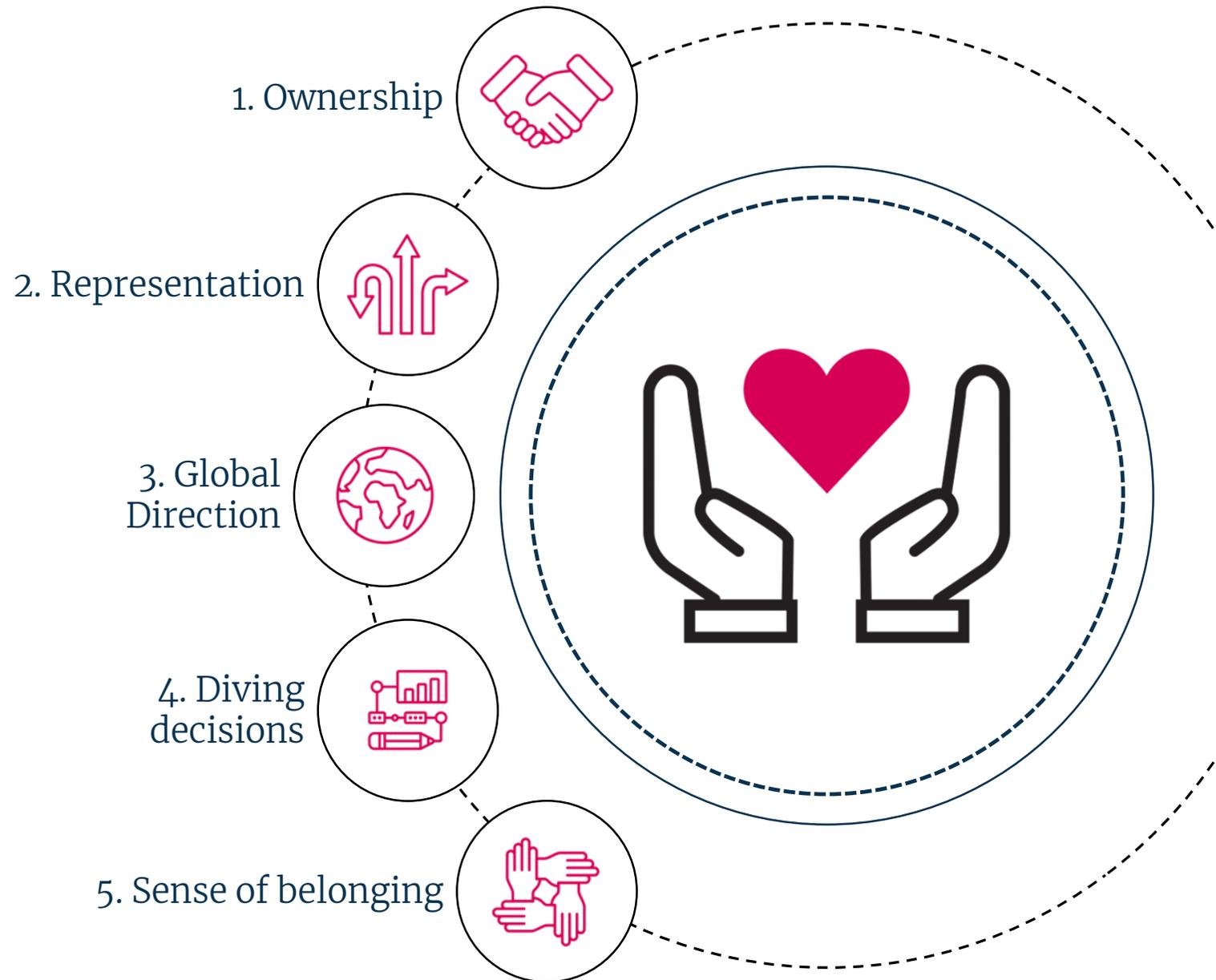
At DWF, we are building a stronger business by focusing on the diversity of our teams. We aim to create an inclusive environment where you can bring your whole self to work and enable our diversity to truly flourish.

Our people help to shape our culture by sharing their perspectives, experiences and challenging our thinking. We value this diversity of thought as it helps us to become a better global business and be better together, which is one of DWF's core values.

## Our strategy

It's our vision to create a working environment and culture where people of all backgrounds are able contribute at their highest level and where their differences have a positive impact for our people, clients, communities and shareholders.

Our diversity & inclusion strategy focuses on the following five priorities across our areas of focus on Gender, Race & Ethnicity, LGBT+, Disability and Mental Health.





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DWF is a leading global provider of integrated legal and business services.

Our Integrated Legal Management approach delivers greater efficiency, price certainty and transparency for our clients.

We deliver integrated legal and business services on a global scale through our three offerings; Legal Advisory, Mindcrest and Connected Services, across our eight key sectors. We seamlessly combine any number of our services to deliver bespoke solutions for our diverse clients.

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