



OUR EXPERTISE IN INDUSTRIAL AND LOGISTICS

Brabners Chaffe Street LLP is a leading commercial law firm based in the North West providing a range of legal services to organisations throughout the UK. Our Industrial and Logistics expertise falls within the Commercial Property team in the Manchester office who are commended in The Legal 500 as an 'excellent' practice for the sector. The team is led by Tony Fitzmaurice who was noted in the 2010 edition of The Legal 500, as providing 'a great balance between technical ability and commerciality' and 'excellent personal service'. Logistics specialist, Matthew O'Brien, was also commended in the recent Legal 500 as 'an excellent Junior Lawyer, old beyond his years'. The team provide a full range of advice to many logistics companies including the negotiation of property provisions in logistics agreements and the negotiation of development agreements and leases.

Longstanding clients include DHL, Rhenus Logistics, Tradeteam and Pickfords. Examples of recent transactions include:

- Handling the property aspects of the sale of DHL's domestic parcel business to Home Delivery Network
- Handling the property aspects of a £1.6billion contract to run the NHS Supply Chain
- The sale of two international rail freight terminals totalling 33 acres
- The acquisition of a 27 acre freight terminal to provide a logistics consolidation centre for the 2012 London Olympics
- Advising on the property aspects of a major contract with British Airways to provide catering services for up to 13 million meals per year
- Acting for the occupier in a design and build contract for the construction of a 100,000 square foot logistics warehouse
- Advising on the leasing of a large number of warehouses ranging in all sizes up to 750,000 square feet
- Advising on the implications of customer insolvency.

Leases

Flexibility to meet customer requirements and control of costs are critical to survival of logistics companies in the current downturn and beyond. Lease terms are crucial. Now is an ideal time to press for advantageous terms in lease negotiations to protect your commercial position and cash flow. Developers are under increased pressure to let their property with demand weak and business rates relief for most unoccupied properties being no longer available.

Our Logistics team has extensive knowledge in drafting documentation to help you conclude transactions to best suit your business strategy. We are used to negotiating tenant-friendly provisions to protect your commercial position and cash flow, including switching to monthly payments, inclusion of incentives and dilution of late payment penalties.

We work with you to ensure that your leases contain provisions that act in your favour including:

- Unconditional break clauses
- Flexibility of assignment and under letting
- Exclusion of expensive tenant obligations such as the installation of firewalls and sprinkler systems
- The ability to terminate quickly in the event of damage or destruction
- Limiting repair obligations
- Removing environmental liabilities
- Sufficient flexibility to carry out any alterations
- Capped service charges.

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Development

We have acted for many logistics businesses in drafting agreements with developers to design and build warehouses for their operations. The essential requirements for a development include:

- Your ability to challenge practical completion of the development
- compensation for delay
- Clarity of specification to provide a fully commissioned and suitable warehouse for your business
- The right of inspection as the developer's works progress and the entitlement to make representations including to the snagging list to be issued at practical completion
- The ability to get sufficient aftercare from developers to fix problems that arise in the twelve month period after practical completion;
- Protection on rent and rent review if the completed warehouse is larger than the target area; and
- To be provided with a full package of warranties for construction and design as a pre-condition of completion.

Environmental

Our Environment and Regulatory Compliance team understands the strong emerging challenges that many logistics and transportation businesses are facing. Not just from evolving legislation and governance by regulators but also through questions raised by major customers and shareholders on the environmental, sustainability and corporate social responsibility policies of their suppliers. This is in addition to more traditional issues of environmental quality, product safety and worker safety.

Our team advises on a wide range of matters including:

- Industry regulation and prosecution
- Noise and nuisance claims
- Project development and environmental impact
- Environmental and health & safety liabilities on the acquisition or disposal of land or businesses
- Energy
- Waste
- Sustainable infrastructure
- Permits, licences, consents and other operational compliance issues.

About us

Brabners Chaffe Street LLP is featured in the Commercial Lawyers' list of Top 100 Law Firms and is recognised by the leading independently published directories *The Legal 500* and *The Chambers Guide to the Legal Profession* as one of the leading corporate and commercial law firms servicing the North West.

We are confident you will be impressed by the level of service, our knowledge and expertise and the accessibility of our team of specialist lawyers. We provide a service tailor-made to your requirements that is commercial, pragmatic, rigorous, timely and cost-effective.

Contact Details

For more information about our Logistics team and the service they provide please contact:



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