

THEA LIMITED SOLICITORS



Anna Rabin

EDUCATION & QUALIFICATIONS

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| Sep 1995-Jun 1996 | Postgraduate Diploma in Legal Practice
College of Law, Store Street, London |
| Sep 1991-Jun 1994 | Law & European Law LL.B (Hons): Class obtained: III
University of Leeds (second year spent at Uppsala University, SWEDEN on ERASMUS). |
| Sep 1988-Jun 1990 | 3 GCE 'A' Levels: History-A; English-B; Sociology-B
Witham Sixth Form Centre, Essex |

LEGAL EXPERIENCE

October 2016 – FINALIST: Best Business Women Awards in the category of Legal Services 2016

March 2016 – WINNER: Lawyer Monthly Women in Law Awards – Construction Lawyer of 2016

Oct 2008 – present: Construction Law Consultant Ltd. Director. Acting for various law firms on a consultancy basis. Retained by The College of Law as a Consultant to teach construction master-classes to junior lawyers.

Jan 2006 – Sep 2008: Jeffrey Green Russell, Waverley House, 7-12 Noel Street, London W1F 8GQ. Partner and Head of Construction and Engineering. Non-contentious, domestic construction and engineering law.

Sep 2003 – November 2005: Maples Teesdale, 21 Lincoln's Inn Fields, Holborn, London WC2A 3DU. Non-contentious, domestic construction and engineering law.

Jul 2000 –Sep 2003: Lovells, Atlantic House, Holborn Viaduct, London EC1A 2FG. Non-contentious projects/PFI, construction and engineering law.

Sep 1998 – Jun 2000: Nicholson Graham & Jones, 110 Cannon Street, London EC4N 6AR. Non-contentious construction and engineering law.

Sep 1996-Sep 1998: Articles at Nabarro Nathanson, 50 Stratton Street, London W1X. Seats: Company/Commercial, Property Finance, Construction (non-contentious), Commercial Litigation.

Summary of experience to date:

- Acted for the developer of a site in central London worth £20m in construction spend to create an 18 storey mixed use development comprising residential units and Music College, using JCT design and build procurement.
- Acted for the developer of a site in North London building luxury apartments, communal areas to include a swimming pool and landscaped grounds. The works were funded by a major high street bank and the facility agreement lent approximately £85m to the developer so the documentation needed to be negotiated with the bank's lawyers and the construction team and had to be institutionally acceptable.

- Acted for Hanover In Hackney Ltd entering into a Development Agreement for the redevelopment of Buccleuch House in Hackney, London, a scheme being developed for both sale and rental purposes. The scheme involved the demolition of existing buildings on site and the construction of 106 residential apartments, including 12 affordable residential units, and a 46 bed Extracare Scheme. Dealt with the construction aspects of the scheme which involved settling the construction obligations in the development agreement and negotiating the forms of JCT building contract, professional appointments and all associated warranties to be used by the developer with its contractor and consultants.
- Acted for several well known Banks on a residential scheme in Chelsea, London, a residential scheme of a mansion block refurbishment and 4 separate houses on one plot, an extension of a Holiday Inn hotel in East London, the development funding for the Chancery Court Hotel in Holborn and the refinancing package for 8 development sites concerning the construction of care homes. In all cases the contract choice was a JCT building contract.
- Acting for a company developing several retirement villages (Essex and West Sussex) which include cottages and units for the elderly together with bowling greens and landscaped grounds, communal facilities and ancillary services. All contractors, some of whom are major blue chip contractors on schemes which are fully funded signed up to JCT building contracts with bespoke amendments. Dealing with all professional appointments and warranty issues for the bank.
- Acting for a well-known football club in connection with the construction of a new school in London as part of a sale of land owned by the club and leaseback with development obligations placed on a developer building a school with residential units above and with sub-leases to the Department for Education and school operators.
- Acting for a major lending institution lending on a residential development comprising social and private housing. Settling the form of the development agreement and approving and advising on the suite of construction documents to include a JCT design and build contract with bespoke amendments.
- Acted for two separate freeholders of hotel sites, leasing land under business sale agreements and leases to Travelodge Hotels and dealing with the construction obligations in this regard.
- Dealing with the construction documents for Chesterfield football stadium (over 10,000 seats) and all associated warranties, bonds and guarantees. The contract form was a JCT standard building contract.
- Acted for the developer of a site in the Midlands entering into an agreement for lease with Tesco Stores for the construction of a Tesco Extra and office block adjacent to the supermarket part of the site. The contract form was a JCT design and build contract.
- Preparing the construction documents for a landowner developing a site to lease to Premier Inn Hotels, dealing with the Tenant's solicitors in respect of its requirements and commenting on the Agreement for Lease and subsequently acting for the bank lending on the project and procuring all necessary warranties and preparing the report on construction documents for the bank. A JCT contract was used.
- Acted for niche property developer and main contractor, London Wharf Plc. The company develops residential homes in and around London and required a bespoke, pro-forma framework sub-contract agreement, incorporating standard terms and conditions, for use when appointing sub-contractors.
- Acted for Hillarys Developments (No 5) LLP (a joint venture between Odin Estates Limited and Hillary's Developments Limited) in respect of the re-development of a 3.8 acre site known as The Maltings, Burton on Trent. Advised Hillary's/Odin in connection with the preparation and negotiation of the suite of professional consultancy agreements and associated collateral warranties in favour of third parties and liaised with the project manager, Benchmark Property Limited, in respect of the completion of the JCT With

Contractor's Design Standard Form of Building Contract used for the project, which included a 91,000 sq ft Grade II listed Maltings building together with surplus land for the construction of approximately 30,000 sq ft of B1, B2, B8 units.

- Acted for LR Healthcare Limited (a joint venture company between Community Healthcare Investments Limited and London & Regional Properties Limited) in respect of a forward funding project valued at £7m in connection with the first endoscopy centre of its kind at Celtic Springs business park in Wales. The project comprised development in two phases. Phase 1 is approximately 26,000 square feet, built over 2 floors and providing 15 en-suite bedrooms, 2 endoscopy suites and 2 operating theatres. Phase 2 allows the facility to effectively double in size according to future demand. Dealt with all the construction issues in the Development Agreement, Agreement for Lease and approving the forms of Building Contract, Professional Team Appointments and the Warranties to be taken up in favour of LR Healthcare Limited and its tenant.
- Acted for City and County of Swansea in connection with the construction of the £24m Morfa Stadium and associated retail and leisure park in Swansea.
- Dealing with the construction documents for Coventry football stadium.
- Acted for F&C Property Asset Management plc, agents for Phoenix & London Assurance Company Limited, in connection with a number of major plant replacement schemes at its 155,000 square feet flagship offices, Charter Place, Uxbridge. This involved the replacement of the roof mounted wet cooling towers with air-cooled units and the enhancement of the back-up generator facilities. Prepared the consultants' appointments and the construction contracts (a JCT With Contractor's Design Contract and an IMechE/IEE (MF/1) Model Form of General Conditions of Contract were used) for both projects.
- Acted for City and West End in respect of its joint venture with Standard Life to redevelop 40,000 sq ft of office and 12,000 sq ft retail space in the heart of the Pollen Estate. The project involved demolition and complete refurbishment behind the main Old Burlington, Clifford Street and Savile Row facades and on completion had a total value of £40 million.
- Acted for North West Kent College in connection with development works at its Dartford and Gravesend campuses. An ICE Minor Works Form of Building Contract, three JCT Agreements for Minor Works and two JCT Standard Forms of Building Contract Private Without Quantities With Contractor's Designed Portion Supplement, one of which incorporated phased completion, were used. Works comprised initial site operations in connection with drilling, grouting and stabilisation of the former chalk mine workings and disturbed ground, followed by a major re-development of the Campuses which involved the extensive alteration and some extension of buildings and the fitting-out of others, associated infrastructure works, a new nursery and baby care unit and a new technology block.
- Acted for Staffordshire University in the expansion of its campus site and science buildings under a JCT contract structure and negotiating the construction package of documents including all bonds, guarantees, warranties and underlying construction contracts.
- Advising a developer on the development of an 18 hole golf course and club house to a standard acceptable for international competition.
- Advised Gort Securities Limited in connection with the external refurbishment of the Waterdale Centre, Doncaster. The Centre comprises over 85,000 square feet of retail floor space and 403 car parking spaces. The site also includes 37 residential flats, over 29,000 square feet of leisure accommodation and 5,157 square feet of office accommodation. An amended form of JCT Standard Form of Building Contract With Contractor's Design was negotiated with the Contractor.

- Acted for Friends Provident Life & Pensions Limited, advised by F&C Property Asset Management plc (then called ISIS Property Asset Management), in the forward funding of Durham City Retail Park. This involved dealing with all construction issues covered by the Development Funding Agreement and negotiating the forms of building contract and consultants' appointments to be used. Planning permission for a retail warehousing scheme has been granted consisting of 190,000 square feet of retail space including a B&Q superstore, eight other retail units and two fast food restaurants.
- Advised The Abbey School, Reading, on the construction aspects relating to its development project at its premises in Reading. The project involves the design and construction of a new teaching block comprising a hall, 6 classrooms, toilet and ancillary spaces and external works and the refurbishment and expansion of the existing dining facilities at the premises.
- Acted for various funds which lend on both a straightforward purchase and on a build and purchase basis. Negotiated and reported on construction documentation put forward by the borrower on various developments. Loan facilities dealt with are between £1m and £200m and cater for redevelopment, new build, flats, offices, retail, hotels and multi-purpose ventures. Funds I have acted for include Barclays, Lloyds Banking Group, HSBC and Clydesdale.
- Acted for various developers building warehouse facilities, hotels, health and leisure/full spa centres, a football stadium and retail and office developments. Prepared building contracts, professional appointments, and warranties, assisting with drafting letters of intent, advising clients in respect of sale and leaseback scenarios involving institutional purchasers and reviewing, drafting and commenting upon various development agreements and agreements for lease.
- Facilities Management experience with various clients requiring Agreements to be put in place with their preferred supplier of ongoing maintenance services. Clients include Hertsmere Borough Council, T2 (appointed by a major high street and out of town retailer) and British Telecom. Services included the preparation of an Invitation to Tender Document and a Facilities Management Contract for services such as the management of preventative and reactive ongoing maintenance capital assets, the provision of a telephone help desk, regional surveyors, an annual survey of each asset and the management of capital projects funded through a maintenance budget and financial reporting.
- Acted for a company in the aerospace and gas and oil industries which makes high performance torque measurement systems for the turbo machinery market and drafting standard terms of supply of goods and services.
- Acted for a sub-contractor in connection with an NEC 3 sub-contract with a blue chip main contractor in connection with works to Woodhead Tunnell and advising on the impact on the Sub-contract of the Main NEC3 contract which terms were incorporated by reference.
- Acted for companies involved with the construction of photovoltaic plants and wind turbine farms in the renewable energy sector under EPC Contracts.
- Acted for a developer building a wood chip facility in the USA which turns woodchip into renewable energy and acting for the same developer in respect of contracts to build wind farms in the UK. An MF/1 Contract published by the Institution of Engineering and Technology was used for the former project and the wind farms were developed using a bespoke Engineer Procure Construct and Maintenance Agreement.
- Acted for the Contractor in connection with piling and foundation works as part of the Tottenham Court Road Station Upgrade using an NEC 3 under lump sum payment arrangements and negotiation and advice on the same.
- Acted for the employer in connection with an NEC 3 Option C Target Cost Contract to cover remediation works to Blackmoor Lane (a civil engineering project) and negotiation of the contract terms with the contractor.

- Advising a contractor working under an MF/1 Contract in respect of the construction and completion of a frozen and refrigerated fish factory for a major high street and out of town supermarket chain.
- Acted for a JV Partner in respect of its involvement with the Lee Valley Sewage Replacement System during the tender period and post appointment of the JV as preferred bidder.
- Acted for Tubelines, the consortium which successfully bid for the Jubilee, Northern and Piccadilly lines of the Tube PPP, as part of a large team. My involvement centred around the negotiation of secondment contracts and direct agreements.
- Experience in drafting and negotiating Schedules of Amendments to Standard Forms of Building Contracts (including JCT "design and build", "traditional build", Major Project Form, IFC and Minor Works contracts, DOM/1 and DOM/2, Management Contracts, IChemE "red book", FIDIC, NEC, ICE and MF/1 contracts), including the provision of warranties, parent company guarantees, bonds, deeds of novation etc. Reviewing, negotiating and amending other industry standard terms of appointment, for example RIBA's Forms (for Architects) and ACE Conditions of Engagement (for Engineers). Construction management experience. Acted for employers, funds, contractors and sub-contractors.
- Writing articles for trade/legal journals including an article on the Construction (Rights of Third Parties) Bill (enacted 1999) for Corporate Counsel, June 1999, being quoted in Building Design, June 1999, an article on Partnering for Building Services Journal, February 2000, an article on the House of Lords decision in Panatown for Estates Gazette, September 2000, an article for Construction Law Journal on latent defects insurance, published Spring 2004, an article for Construction Law Journal on the DTI Post-consultation Event on Improving Payment Practices in the Construction Industry, published Spring 2006, a contributor to the 2004 reissue of Volume 5 (Building and Engineering Contracts) of the Encyclopaedia of Forms and Precedents and a contributor to the 2006 reissue of Volume 38(1) and 2007 reissue of Volume 38(3) (Sale of Land) of the Encyclopaedia of Forms and Precedents, all published by LexisNexis Butterworths and the English chapter of an international book entitled Delay Clauses in International Construction Projects, September 2010 and published by Kluwer.
- Preparation and delivery of seminars to various organisations and clients covering topics such as The Contracts (Rights of Third Parties) Act 1999, the JCT 2003 Major Project Form Contract, the JCT 2005 and 2011 Design and Build, Intermediate and Minor Works Contracts and An Overview of Construction Contracts, Collateral Warranties and Third Party Rights. Preparing Legal Alerts on "hot" topics for clients, to include contaminated land issues and the new Construction Industry Scheme.
- Member of the Law Society, Society of Construction Law and The Technology and Construction Solicitors Association.

OTHER INFORMATION

Languages

GCSE French and **Nationality**

British

limited Swedish