

# Food & Drink Group



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# Food & Drink

The food and drink industry is one of the largest and most dynamic manufacturing industries in the country. Changing consumer tastes, an ever evolving regulatory and political environment and a competitive supply chain, all combine to make this sector one of the most fast-paced and innovative in the UK.

Our understanding of the challenges and pressures in the sector and the approach taken by large multiple retailers and market leading suppliers allows us to provide advice which is proactive, strategic and commercially pragmatic. Our strength is our complete breadth of services which enables us to take a holistic and commercially-focused approach.



## Managing your workforce

### Employment / HR

Working with clients to help them resource and manage their workforces in the best possible way, guiding businesses through workforce changes, navigating relationships with trade unions, dealing with HMRC, protecting business interests from competitors and, where necessary, defending claims in the Employment Tribunals.

### Tax / Incentives

Providing advice to shareholders and management as part of M&A transactions, working with the deal team to add value, as well as providing SDLT and VAT

advice on a range of real estate transactions. The team also advises on employee incentives for businesses of all sizes ranging from tax advantaged approved schemes (such as EMI) to designing bespoke incentive arrangements.

### Health & Safety

Advising on all aspects of health and safety from safety management system design and audit to leading on accident and incident investigations, our team of safety specialists are highly experienced across the food production, storage, distribution and retail environments. Providing hands-on, on-site support when

things go wrong, whenever and wherever, 24/7/365.

### Groceries Supply Code of Practice (GSCOP)

Helping manufacturers understand how GSCOP interplays with their dealings with the big retailers (both on-going and on contract termination). We also provide bespoke or 'off-the-shelf' GSCOP training through practical and pragmatic sessions using the legal framework of GSCOP and insightful case studies to help commercial teams identify GSCOP issues and opportunities in the most effective way.

# Managing your supply chain

## Procurement

From the negotiation of strategic arrangements for the procurement of key ingredients, raw materials and packaging to the negotiation of long term supply deals and joint business plans with key customers (including wholesalers and the big multiples) we have a breadth of experience, expertise and, most importantly, understanding of the drivers, practicalities and realities of operating in the food and drink sector.

## Third Party Service Providers

Supporting companies on their business critical supply chain relationships in respect of the co-manufacturing or co-packing of goods and the appointment of transport, warehousing and

logistics providers (including freight forwarding and fully outsourced 3PL and 4PL arrangements). We have the expertise to navigate the full product journey from raw material to the table of the consumer.

## Disputes and Litigation

Supporting businesses in achieving successful resolution of contentious situations when challenges arise in relation to agents, distributors, contract manufacturers and packers, customers, logistic providers and suppliers. Our experience extends to resolving disputes arising from specification, performance and quality defects, including supply chain compensation claims, insurance coverage issues, product recall and liability claims.

# Managing your operations

## Corporate / M&A

Advising global corporations, PLCs, private equity investors, management teams, private companies and owner-managed businesses on M&A - both the buy-side and the sell-side. Our deep, and longstanding, experience of advising both buyers and sellers gives us a broad perspective on deals and enables us to negotiate

effectively and efficiently, in the knowledge of what the 'market' position is, from both sides, on any given point. This broad knowledge base, coupled with our proactive management of deals, means we can help maximise value and minimise risks. We also support on all other aspects of corporate law, ranging from joint ventures/shareholders' agreements to group reorganisations.



## Energy / Waste to Energy

Advising manufacturers, retailers, developers, funders and contractors on a wide range of energy and resources projects. These include energy efficiency, renewable energy, carbon-reduction, waste-to-energy, anaerobic digestion (AD), combined heat and power (CHP), effluent treatment, waste management and power purchase agreements (PPAs). Our specialist energy lawyers have advised on some of the largest and most cutting edge low-carbon energy projects in the UK food and drink sector.

## Environment

Representing clients across the sector in connection with environmental permitting and waste issues, providing support and guidance on environmental compliance and defending our clients in environmental enforcement action and non-compliance with environmental legislation. We deal with emissions to air, water and sewerage systems, permits, permissions and prosecutions.

*“The[ir] understanding of our business...has been a real benefit to us in the successful delivery of our growth strategy.”*

- Symington's

*“They make me feel like I am their only client.”*

- ICB



## ABC

Advising on anti-bribery and corruption policies and procedures, ensuring that organisations are operating to current best practice and International Standards on anti-bribery and corruption matters. We draft policies and procedures, conduct full audits, manage investigations and advise on voluntary disclosures and liaison with regulatory agencies and, where appropriate, offer corporate defence where enforcement action is commenced.

## Debt Finance

Providing knowledgeable and pragmatic advice in connection with the full range of debt financing products available to the sector, whether in connection with unitranche funding to support acquisitions, long term investment finance to fund a capex

programme or new product lines or working capital funding through asset based lending, traditional invoice discounting or supplier finance.

## Construction & Engineering

Providing advice for any new build, extension or refurbishment project, whether of a factory, offices or distribution centre. Guiding clients through the appointment of their 'professional team' (e.g. architects and engineers) as well as the contract with the main building contractor. We also provide advice for any major fit out works, such as automated plant.

## Competition / Merger Control

Advising on all aspects of UK and EU competition law, providing strategic advice and practical solutions on competition law matters, including securing

merger clearances on M&A deals, unfair market practices, defending regulatory investigations (including cartel arrangements) and EU procurement rules. We also advise on 'vertical' arrangements relating to supply chain and sales channel issues (such as pricing and discounts).

## Real Estate and Planning

Advising on all aspects of real estate work, including sales and purchases, development projects, refinancing deals and general portfolio management work such as lease renewals, lease variations, re-gears, disposals, surrenders, licences to alter, forfeiture, service of break notices, service charge disputes and rent reviews. Our planning team includes advocates who represent clients at enquiries as well as on planning applications (and objections).



## Protecting your brand

### IP / Brand Protection

Advising on the full spectrum of IP rights including trade marks, patents, copyright, design and domain names. Our work includes advising on brand creation, international portfolio management, enforcement, exploitation, brand evaluation,

trade mark clearance and filing, infringement analysis, competitor analysis, the commercialisation of IP and IP audits. The IP team is made up of qualified trade mark attorneys as well as solicitors, which sets us apart from most other law firms.

## Customer relationship

### Data Protection / GDPR

Supporting clients navigating the GDPR environment to protect and maximise the value of their personal data whilst meeting their legal obligations in supplier and retailer contracts as well as in marketing initiatives and in managing HR functions. We can assist with data mapping and drafting policies and procedures, impact assessments, privacy notices and contractual provisions as well as undertaking data protection audits and delivering bespoke training.

### Food Safety & Hygiene

Our lawyers have handled numerous food safety and hygiene cases for producers and retailers including some of the most well-known food safety scares in recent years. We advise on traceability, labelling, allergens and HACCP issues, just to name a few. Our significant experience extends to the interpretation of the myriad of European legislation governing food safety and hygiene standards in the UK.

*“Walker Morris engaged with the team and built up a strong working relationship and detailed understanding of Arla’s business.”*

**- Arla**

*“[Walker Morris is] a partner-led business, with excellent credentials in our industry. The partners are very ably supported by an excellent team and we found time to have a bit of fun on the way too.”*

**- Seabrook Crisps**

*“Walker Morris has invested time in really getting to know our business [and] they now operate with a firm understanding and real appreciation of the key commercial drivers behind our decision making processes, enabling them to provide commercially pragmatic advice and support.”*

**- Karro**

# Walker Morris

We offer our clients a single site, full service commercial law firm focused on providing a wide range of clients, nationally and internationally, with partner-led high quality advice. The single site, national centre of excellence in Leeds that we have built offers significant advantages in terms of developing a strong team based culture within the Firm, with the inherent value and cost effectiveness that a Leeds base brings.

We are recognised for our strong multi-disciplinary teamwork and straight forward advice. Both the Firm and our lawyers are recognised as leaders in their fields with over 90 per cent of our partners recommended in either Chambers or Legal 500 for their expertise.

## Contacts



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