



# Water

## An essential utility in a demanding environment

The water industry underpins both our domestic and commercial infrastructure and is a utility our society literally couldn't live without. Whilst issues such as energy supply and security are regularly in the press and commented on by politicians, until a drought or flooding occurs, water resources are not visibly at the forefront of policy or the public consciousness. The effects both nationally and internationally of climate change, rising population, emerging economies and the desire for a better standard of living are all putting pressure on this finite resource; it is understood that water use is forecast to increase in developing nations by 50 per cent. by 2025 and by 18 per cent. in developed nations.



### WATER AND THE INDUSTRY

The water sector has one of the most challenging regulatory and legislative backdrops and businesses within it need to be well positioned to tackle the ever-changing demands of the marketplace. The challenges that face the sector are great: a hostile political environment; an ever-changing regulatory framework and the unpredictability of climate change all make for a tough commercial context within which to operate. In the short term, companies are focussed on delivering and performing well against their AMP5/PR09 regulatory targets whether that be by improving efficiency, bettering customer service plans, effectively managing private sewer transfer or their investment into high-value capital improvement plans. Businesses need to be able to tackle these factors on top of the key commercial issues that face their operation in general: reliability of supply; long term planning for flood prevention; wastewater recovery; new metering requirements and a competitive commercial environment overall.

Water companies will soon be developing their strategies for the next Periodic Review (PR14) and their Asset Management Plans for 2015-20 (AMP6). Those working within the water industry, whether they are utilities or part of the supply chain, need to be well positioned to work these challenges to their advantage and secure the best position possible within the marketplace.

### HOW WE CAN HELP

Walker Morris is an established advisor in the water and utilities sector. Our Renewables, Energy & Resources Group is a multi-disciplinary team able to advise water companies, contractors and their supply chain on all aspects of their business. We are a full service law firm with specialist capabilities in procurement, regulatory, planning, real estate, construction, employment, intellectual property, dispute avoidance and wider transaction-related advice.

Over the last ten years, members of our Renewables, Energy & Resources Group have advised a number of key players in the water sector. This includes advising water utilities and contractors on AMP4 and AMP5 frameworks, advising on marine outfall projects, advising on anaerobic digestion facilities, sewerage treatment facilities and advising utilities on their regulated and non-regulated businesses. We have in-depth knowledge of the issues that face businesses within the industry.

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*"The one thing you can always say about this firm is that the quality of the lawyers is top-notch." - Chambers*

Examples of how we can help include:

### **Asset management plan**

We understand that your business needs to be geared to comply with ever-changing and stringent parameters of policies and consents whilst being able to manage increasingly variable water throughputs and tougher targets, in addition to maintaining security of supply and value for money. Asset and resource management is key to tackling these challenges. Through our involvement in previous Asset Management Plans, we have seen the market evolve, through more collaborative working with the supply chain, a focus on innovation, risk sharing and cost management. We have provided advice on all aspects of the process including procurement, employment, intellectual property and project delivery. As well as bespoke agreements, we are experienced in using many of the industry standard forms (including NEC3 and IChemE).

We have well-established relationships with key members within the industry and understand the commercial issues behind your business's asset management priorities.

### **Regulatory – legislation and policy change**

Our Regulatory Team understands that the industry requires increasingly innovative and practical commercial advice in response to changing regulatory models. The Water Bill will bring some key changes to the sector and our lawyers can help you prepare for these. Our Team is in touch with the demands of the marketplace and how these will change in the immediate future, and can help you ensure that your business will operate at its optimum within these demanding parameters.

### **Planning/environmental**

We have a dedicated Planning Team with in-depth industry knowledge. Our lawyers have a thorough understanding of the ever-changing environmental backdrop and are well placed to provide commercial solutions to challenging planning situations.

### **Procurement**

We have an expert Procurement Team that can advise on all aspects of procurement law. Our lawyers can use our technical knowledge to ensure that your business is able to position itself and make the right strategic decisions to ensure a positive commercial future.

## **WALKER MORRIS**

Walker Morris is uniquely recognised for its strong multi-disciplinary teamwork and straightforward advice. With national and international reach, the depth of our expertise and skill assures clients that all their needs can be met by one firm. We make it our priority to understand the dynamics of your business and appreciate that, in today's business world, you need lawyers who are willing to offer support and advice beyond the 'legals'.

We are instinctively commercial and our goal is to add value at all stages of our relationship with you. We offer inquisitive people, who ask all the right questions; who work tirelessly on your behalf; and who work effectively as members of your own team to help you achieve results.

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