

1. Lavelle Coleman

England and Wales Solicitors Based in Ireland

Lavelle Coleman Solicitors was established over 20 years ago and today consists of 25 Solicitors, 10 Legal Executives and a total staff of 70. It is based in offices on Lower Hatch Street, Dublin 2.

In 2004, Lavelle Coleman Solicitors established a dedicated full time England and Wales legal practice, which offers a wide range of legal services in England and Wales matters to Irish based clients. The firm has a number of English qualified solicitors who practise as solicitors in England and Wales matters from our Dublin offices.

Our England and Wales solicitors are regulated by the English Solicitor's Regulatory Authority. We offer the same services from our Dublin Office that a solicitors' firm based in England or Wales may provide.

Our England and Wales practice includes solicitors who practise both in Ireland and in England and Wales. We can accordingly advise on both the Irish and English aspects of disputes and transactions.

We have extensive experience of the issues that arise for Irish based individuals and businesses in litigation, corporate, property, banking and commercial transactions and in legal compliance in England and Wales.

Lavelle Coleman, Solicitors provides England and Wales legal services in the following areas:

Banking and Mortgage Enforcement

Lavelle Coleman advises and acts for a number of leading financial institutions in relation to Irish and England and Wales banking, securities and mortgage enforcement. Lavelle Coleman is on the panel of a number of Irish and UK based banks. One of our English Solicitors is a former legal counsel to a leading England and Wales Professional Indemnity insurer.

We have over five years experience in advising financial institutions in respect of English legal work including the following

- ❖ Drafting Loan Conditions
- ❖ Advising on qualifications to certificates of title in England
- ❖ Compliance under Irish and UK Financial Services legislation
- ❖ Appointing LPA receivers

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- ❖ Enforcement of Charges
- ❖ Mortgage derived Professional Negligence litigation

Insolvency

Our firm has a strong reputation in insolvency matters dating back over twenty years. We have advised Irish and UK based liquidators, insolvency practitioners, companies and individuals in England and Wales insolvency matters since the current financial crisis commenced in 2007.

We have experience in the following insolvency matters in England and Wales

- ❖ Statutory Demands and Insolvency petitions
- ❖ Advising on voluntary winding up
- ❖ Advising on Individual Voluntary Arrangements
- ❖ Advising on personal bankruptcy
- ❖ Litigation for and against liquidators

Property

Lavelle Coleman has successfully completed hundreds of property transactions in England and Wales and is on the panel of many UK lenders as well as Irish lenders who offer loan finance in the UK. We

undertake transactions and advise on the following areas;

- ❖ Sale, purchase and letting of residential property
- ❖ Sale, purchase and leases of commercial property
- ❖ Construction and development matters
- ❖ Agricultural sales, purchases, tenancies and regulation
- ❖ Landlord and Tenant issues
- ❖ Irish and UK Taxation aspects of property

Since December 2007, a Home Information Pack is required to market residential property in England and Wales. We are in a position to provide Home Information Packs at a competitive price.

Litigation

Lavelle Coleman undertakes England and Wales litigation for both claimants and defendants. We act and have acted in a broad range of disputes and claims for Irish residents in the English Courts including;

- ❖ Property disputes
- ❖ Enforcement of contracts
- ❖ Debt collection in England and Wales
- ❖ Professional Negligence Claims

Management and Enforcement of Loans and Security in England and Wales for Irish Lenders

- ❖ Enforcement of Irish Court Orders in England and Wales
- ❖ Commercial disputes
- ❖ Financial Services Disputes.

We undertake debt collection work in England and Wales. We have acted in a number of disputes arising out of English investments and partnerships.

Commercial Law

Lavelle Coleman has acted for Irish and UK based clients in a range of commercial and business transactions. We have advised start up businesses on regulatory compliance matters in trading into and setting up in business in England and Wales. We have advised clients and acted in the following areas

- ❖ Sale and Purchase of English Companies and Assets
- ❖ Compliance with English laws and regulatory requirements
- ❖ Companies Act 2006 Compliance
- ❖ Shareholders Agreements
- ❖ Joint Ventures
- ❖ Franchises, Distributions and Agency Agreements

Practical Guides to English Law

Lavelle Coleman's England and Wales Solicitors have written detailed and practical guides for Irish individuals and businesses in a range of areas. These Guides are available on our website or can be requested in printed form. They are practical, up to date and are written with particular reference to the English legal issues that arise for Irish based individuals and companies.

We have prepared guides in the following areas:

- ❖ Legal Guide to Insolvency in England and Wales available at www.lavellecoleman.ie/practice-areas/englandandwales

English insolvency law was modernised in 1986 and was reformed further in 2003. The system is modern, flexible and

efficient. Bankruptcy is much more commonly encountered in England than in Ireland and offers the opportunity for a speedy resolution and restart. A bankrupt can be discharged after a year. Individual Voluntary Arrangements offer the possibility of a binding Agreement based on the consent of 75% in value of creditors. Company insolvency has been reformed. Administration has been given a prominent role since 2003 and represents a flexible means of achieving the optimum resolution, whether a company voluntary arrangements or liquidation. Our guide outlines the various insolvency rules and procedures available.

- ❖ Legal Guide to Litigation and Dispute Resolution in England and Wales which is available on our website at www.lavellecoleman.ie/practice-areas/englandandwales

The English litigation system was radically overhauled in 1999 so as to become simpler, speedier, more efficient and more cost effective. These reforms have created a modern and flexible system of litigation and dispute resolution. This guide outlines the principles and procedures involved in the English litigation system.

- ❖ Legal Guide to Residential Investment Property in England and Wales, available on our website at www.lavellecoleman.ie/practice-areas/englandandwales.

This is a detailed and practical guide to the legal and taxation issues which arise in the purchase, sale, letting, management, regulation and taxation of residential investment property in England and Wales. It cover both the UK and Irish taxation obligations.

- ❖ Legal Guide to Commercial Investment Property in England and Wales, available on our website at www.lavellecoleman.ie/practice-areas/englandandwales.

This guide covers the issues arising in the purchase, sale, leasing and

taxation of retail, office, industrial and other commercial property in England and Wales. It focuses on issues which arise in granting commercial leases, buying leased property, management and compliance issues for landlords.

- ❖ Legal Guide to Construction and Development in England and Wales which is available on our website at www.lavellecoleman.ie/practice-areas/englandandwales.

This guide covers legal and practical issues in the construction and development of commercial and residential property in England and Wales. It deals with procurement, contaminated land, construction contracts, planning law, building regulations, New Home Warranty providers and Land Registry Practice on Estates. It also deals with joint venture and profit sharing arrangements in land development.

- ❖ Legal Guide to the Purchase and Sale of Agricultural Property, Tenancies and Regulatory Matters in England and Wales available at www.lavellecoleman.ie/practice-areas/englandandwales.

This guide deals with the legal and practical issues that arise in the purchase, sale, letting and management of agricultural land in England and Wales. It covers public rights, farm leases, planning and environmental controls. It also covers the English Milk Quota and Single Farm Payment systems and highlights the approach to Rural Development taken in the English Rural Development Programme 2007 – 2013.

We have also produced legal guides in the following areas;

- ❖ Legal Guide to Wills, Probate, trusts and Inheritance Tax in England and Wales
- ❖ Guide to UK Taxation
- ❖ Guide to UK / Irish Cross Border Taxation
- ❖ Legal Guide to trading with or in England and Wales
- ❖ Legal Guide to England and Wales employment, health safety and welfare law
- ❖ Legal Guide to Intellectual Property law and E-commerce in England and Wales

- ❖ Legal Guide to Commercial and Business Law in England and Wales
- ❖ Legal Guide to Sale of Goods and Supply of Services in England and Wales
- ❖ Legal Guide to Trading, Customs and Licences
- ❖ Legal Guide to Financial Services Compliance
- ❖ Legal Guide to Regulation in England and Wales

Important Notice

This guide is intended as an overview of the matters discussed. It is designed to heighten awareness. It is not a substitute for specific advice in relation to particular circumstances. Loan agreements and mortgage deeds are not standardised. The relevant facts and circumstances will differ from case to case. There may be unknown facts and circumstances in any case, which are of relevance to the overall legal position.

While care has been taken in the production this guide neither, Lavelle Coleman nor the authors accept any responsibility for

Management and Enforcement of Loans and Security in England and Wales for Irish Lenders

anything done or omitted in reliance on it.
Specific legal advice should be taken.

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reproduced in any way without written
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*Lavelle Coleman is an Irish firm of solicitors
with an England and Wales legal practice.
Our England and Wales qualified and
regulated solicitors provide a wide range of
legal services from our Dublin offices. We
have written legal guides in relation to a
broad range of England and Wales legal
matters as they relate to Irish based
individuals and businesses. These guides
are available on our website at
[http://www.lavellecoleman.ie/England-
Wales-Law.aspx](http://www.lavellecoleman.ie/England-
Wales-Law.aspx)*

*This is an extract from our "Legal Guide to
the Management and Enforcement of
Security in England and Wales for Irish
Lenders (2009). The Guide is intended as
an overview and broad outline of the matters
covered in it. Its purpose is to inform and
raise awareness. We are happy to offer
specific legal advice on particular
circumstances. It should not be relied on as
a substitute for comprehensive legal advice
with reference to the particular
circumstances. While we have taken due
care in the preparation of this publication,
we do not accept legal liability as a result of
any reliance placed on anything in it. The
reader should rely only on specific legal or
taxation advice. This extract is based on the
law as of 1st August 2009.*

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