

Industry Interview:

Peter Williams, Partner - Real Estate, DAC Beachcroft LLP

Peter Williams talks to First Comment about why he became a lawyer, the positive impact of the NPPF, reform of public law, future industry challenges, and other careers he's considered.

What led you to becoming a lawyer and joining DAC Beachcroft LLP?

I have my parents to thank for pushing me into the arms of the law. I joined Davies Arnold Cooper in 2007 from Pinsent Masons. I took an opportunity to build a real estate practice from the Manchester office. In 2011 DAC merged with Beachcroft, which has been a really good fit.

What's your view of ABS - do you think these are positive for the legal services market in the future?

Over time we will move to a position where there will be a large section of the industry that is not owned or run by lawyers. I fear that this will have a detrimental effect on professionalism and service.

What will be the greatest challenge facing real estate lawyers in the future?

Commoditisation and the corresponding impact that it will have on service.

How is the National Planning Policy Framework changing the landscape for property transactions and developers?

For developers and those seeking planning permission, particularly for residential schemes the Framework has been a success. It has given an overarching sense of perspective to the consideration of planning applications taking as it does a much more pragmatic approach to the issues.

The effect is now being felt locally. In summary it has gone a long way to meeting the government's objectives for it. An improving economy will see its effect being felt to a greater extent.

What are the most common legal issues that you encounter during the course of handling a commercial property transaction? Which issues are most challenging to resolve?

Inter creditor relationships in property finance are a common challenge.

In your opinion what is the level of awareness in the property market to the risks encountered during the course of completing a commercial property transaction, as a result of the new enforcement powers against breaches of planning control?

Simply, little.

What is the likely impact of the introduction of the government's proposals to reform public law (Judicial Review and village green)? Do you foresee this resulting, for example, in greater recourse to private actions (e.g. enforcement of restrictive covenants) as a means of opposing development?

Yes the private law remedies could be used but only where the objecting party has the requisite interest. The proposals seem to us to be sensible, particularly those in respect of village greens. The JR changes could still potentially come unstuck if we can be shown that they do not respect the Aarhus convention principles of access to justice on environmental matters.

There will however still be challenges, the law has not changed as to what constitutes an arguable JR case in planning and LPA's are still getting some of the fundamentals wrong.

If you could do anything (other than practice the law), what would you choose?

Chef, footballer – in fact any form of top sportsman, musician, historian, author. I could go on...

How do you keep busy when you're not at work?

I enjoy getting out into the hills and stretching my legs. Family and sports keep me busy otherwise. I enjoy a good pub quiz in the local as well.

How do you keep busy when you're not at work?

The Box of Delights (it was a children's programme on TV around Christmas time in the 1980's). Just for nostalgic reasons, it was strangely scary too!