



## Listening to your needs

### Leading lawyers supporting the Primary Care sector

Expanding Primary Care Centres (“PCCs”) is at the heart of the Irish Government’s Project Ireland 2040 strategy and its Sláintecare vision. Our lawyers are at the forefront of developments in this area.

The Government’s intention is to provide a new primary care centre for every 10,000 of population, which suggests a need for 490 such centres in the State. Since 2001, 81 new purpose-built PCCs have been delivered. It is clear we have a long way to go. A recent report by CBRE suggests the need for fast-tracked delivery of the many schemes that are in the planning process and simplification of the leasing system to ensure that we continue to attract investors and to enable us to deliver PCCs at the rate at which they are needed.

#### How we can help

Businesses operating in the PCC sector today, be they developers, vendors, funders etc, will require legal advisers with in-depth understanding of the sector who can deliver strategic advice to help mitigate risk and aid opportunity.

In Ireland, our multidisciplinary lawyers are highly experienced and have advised on some of the most novel and complex transactions on the island of Ireland.

We provide a holistic service across all legal areas, including:

#### Real estate:

- advising developers on site acquisition, site assembly, lease negotiation and sale of completed PCCs to investors
- advising investors and lenders on acquisition of PCCs, notably the bespoke requirements of HSE as key tenant in the PCCs

#### Banking and finance:

- advising on the funding and financial matters to PCCs and the private healthcare sector to include engagement in relation to debt restructuring, potential insolvency triggers and development finance

#### Procurement and construction:

- advising on major infrastructure projects and construction
- experienced in both contentious and non-contentious complex procurement matters

#### Corporate, M&A and capital markets:

- advising on innovative and complex healthcare M&A transactions, often across multiple jurisdictions
- advising on private equity and other forms of financing

#### Dispute resolution:

- acting in healthcare disputes arising from contractual issues and mergers, warranty and indemnity claims
- vastly experienced in using various alternative dispute resolution mechanisms such as arbitration, conciliation, mediation and adjudication

#### Taxation:

- providing advices on tax planning and tax structuring

## Recent experience

- Advised **Primary Health Properties PLC** on several PCC projects for a UK fund, including the acquisition of a built PCC in Shankill, Dublin and the forward funding of a Rialto PCC. The Rialto project included negotiating a “step-in” arrangement when a contractor breached its building contract at the Rialto PCC, allowing a new contractor to complete the centre and the HSE to access and occupy as a Covid Clinic.
- Acting for UK investor **Octopus Healthcare (now PHP)** on the funding and development of PCCs in Mullingar, Crumlin, Kilkenny and Tallaght. Kilkenny PCC was an acquisition of a standing asset the other PCCs were portfolio forward funding schemes from site acquisition to practical completion.
- Acting for developer **Townmore** on the development and sale of a newly constructed 60,000 square foot PCC facility in Tullamore to a UK investor LUI investments for a reported circa €16m.
- Acting for developer **Clarington Group** on the development and sale of three fully let PCCs in Dublin and Kildare to Primary Healthcare Properties PLC for a reported circa €40m.
- Acting for lender **Nord LB** on the refinancing of eight PCCs owned by UK investor Lou Investments and its associated companies. This involved advising the lender on the form and particular clauses of the HSE and occupational tenants including servicing arrangements.
- Acting for the **National Development Finance Agency** in relation to Grangegorman PCCs and 12 higher education sites and, prior to that, six social housing sites, conducting title investigations and advising on aspects of the project agreement.
- Acting for the **HSE** in relation to all their property transactions for a number of counties including Kilkenny, Waterford, Wexford, Sligo, Leitrim and Donegal including sales, acquisitions, leases, licences, the rectification of title and applications for registrations based on possessory title.
- Advising an international funder on its primary healthcare facility, including managing a number of disputes with developers and successfully negotiated the novation of the contract to our client to avoid a long and expensive dispute.
- Advising a confidential client on a dispute arising from the project agreement for the provision of primary healthcare facilities, where various notices of dispute have issued on behalf of the counterparties.

## What our clients say

*“Very strong & personalised client service. Ability to problem solve & generate creative solutions that assist both the client & the transaction. Strong attention to detail on the conveyancing completion basics at associate level.”*

**Legal 500 Europe**

*“Some key strengths and capabilities include the wide range of services offered. Partners and associates emanate commercial acumen and have a depth of knowledge around all aspects of numerous sectors. The team is always very responsive and familiar with meeting regulator expectations.”*

**Legal 500 Europe**

A client praises our lawyers’ “understanding not just of the legal matters but also of how the authorities work,” going on to highlight “the level of confidence the firm gives; the lawyers totally control and own the solutions, the responses and the follow-up.”

**Chambers Europe**

*“The depth of knowledge, understanding of the market practice and familiarity with regulator expectations sets Eversheds apart. They are extremely responsive and commercial.”*

**Legal 500 Europe**

*“They adapt their advice to the client’s level of legal knowledge,” reports an interviewee, who goes on to say: “They are very pragmatic, business-focused and know what we want.”*

**Chambers Europe**

*“The team is extremely efficient and proactive in transactions. They identify issues early rather than wait for them to develop. That direct approach helps get the job done in a way which benefits all parties.”*

**Chambers Europe**

An interviewee reports that “the team has a solutions-focused approach.”

**Chambers Europe**



## Contact

For more information on how we can support you, please contact a member of our dedicated team:



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