

# Hotels & Hospitality



A photograph of the The Dorchester hotel facade at night. The building is illuminated, and the name 'The Dorchester' is prominently displayed in large, dark, three-dimensional letters on a light-colored stone or concrete wall. Above the name, there are windows with white frames and a yellow and white striped awning. Below the name, there is a decorative balcony with a black metal railing featuring a diamond pattern. The balcony is overflowing with green foliage and bright red flowers. Below the balcony, there is a decorative frieze with a repeating scalloped pattern. In the foreground, there are more green plants, including a tall, narrow topiary tree and a large bush. A car is partially visible behind a metal railing in the lower right. The overall scene is warm and elegant.

# The Dorchester



# About Charles Russell Speechlys

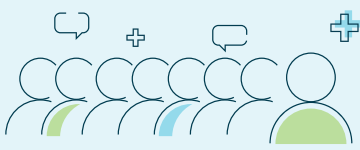
Charles Russell Speechlys is one of the oldest and most respected law firms in the UK with over 170 partners and over 500 lawyers in 11 locations across the UK, Europe, the Middle East and Asia. Through each of these locations, clients are able to access the full range of the firm's skills and expertise. We have an unusually broad range of abilities and experience across the full spectrum of business and personal legal needs. This gives us a wider perspective, clear insight and a strongly commercial long-term view. Our clients find our more considered and personal approach a refreshing alternative to conventional business law firms.

"Their track record in the hotels and hospitality sector ensured the advice we received was excellent. In future, [Charles Russell Speechlys] is top of my list"

MINISTRY OF TOURISM (OMAN)

1,000+

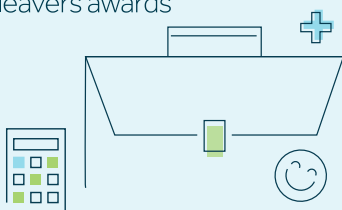
Employees



114

Lawyers are listed as leading individuals

Ranked **best**  
company culture at the school  
leavers awards



Ranked in **53**

legal and geographical categories of  
Chambers 2021



**Tier 1**

in 21 work type/geographical  
categories  
(LEGAL 500 UK 2021)

# Our Services

We offer our clients the expertise of a specialist team of lawyers experienced in hotel & hospitality matters across our international network of offices.

We have industry experts who deal with all legal services in relation to the hotel & hospitality sector such as real estate, construction, corporate and commercial, intellectual property, regulatory and disputes resolution. The multi-disciplinary team is able to provide a co-ordinated legal service tailored to our clients' bespoke requirements and objectives.

Our team has international experience and we have advised on hotel & hospitality matters globally including the UK, Europe, Africa, Middle East, Asia and the Caribbean.

We advise owners, operators, developers, investors and financiers on the full spectrum of services within the hotel & hospitality industry comprising:





### Hotel Development

Our real estate and construction team works closely with our hotel & hospitality clients to provide a '360°' service in relation to the development lifecycle of a hotel. Such services typically range from assisting with the initial site acquisition and most appropriate form of development agreement to other legal areas of expertise such as construction procurement and management, planning and environmental considerations.



### Hotel Investments (Sales and Acquisitions)

We have a dedicated team that regularly advises on the sale or acquisition of hotels ranging from 5 star flagship resorts to boutique hotels. We have specific experience of advising on both property as well as share sales and acquisitions. The team comprises experts across the firm such as real estate, corporate, tax, intellectual property and employment.



### Hotel Operations (Traditional Hotel Management)

We have a 'Partner led' team that are specialists when it comes to advising on the suite of contracts which are relevant to hotel management. These will typically include the Hotel Management Agreement, IP or License Agreement, Technical Services Agreement and Central Services Agreement. Moreover, there are usually a number of other ancillary documents which could be applicable such as a Non-Disturbance Agreement or a Key Money Agreement.

Our award winning team has truly global experience and acts for both hotel owners and operators. We are also able to utilise our in-depth industry knowledge to add value to our clients.



### Hotel Financing

Our banking team has significant experience when it comes to the financing or refinancing of hotels – whether in relation to the initial development and construction of a hotel or alternatively the refurbishment of an existing hotel. The team has acted on a range of financing, often syndicated and involving senior as well as mezzanine debt structures.

The team also has experience of acting for both lenders as well as borrowers and therefore we are able to focus on the issues that really matter when it comes to ensuring that the project is 'bankable'.



### Hotel Joint Ventures

There will be a number of strategic reasons why hotel projects involve structures that are based on joint ventures, ranging from investing in new markets when a hotel partner is required to benefitting from the joint venture partners' expertise and experience. The latter, in itself, could be in relation to a number of different areas such as development expertise or experience in a particular category of hotels such as EWAA (ecotourism, wellness, adventure and agritourism). Whatever the driving force behind the requirement for the joint venture, we have a large and dedicated team that can help navigate through the potential pitfalls around the lifecycle of a joint venture from formation and evolution to termination.



### Hotel Branding & IP

We have a market leading intellectual property team that recognises that one of the key areas relating to the hotel sector is the use and protection of intellectual property. Our team understands that the protection of a brand is of fundamental importance to operators but at the same time the use of the brand by a hotel is critical to its success. We therefore regularly advise on the use of branding agreements and IP Licenses to ensure both operators' and owners' requirements are balanced.



### Hotel Disputes

We have an award winning litigation and dispute resolution practice with specific hotel sector expertise. Work can involve ensuring documentation contains well drafted dispute resolution provisions so as to either help avoid disputes – provisions through the use of dispute avoidance and risk management – or ensure that actual disputes are dealt with as efficiently and as cost effectively as possible.

The team is also used to working alongside both owners and operators to find mutually beneficial solutions which help protect the underlying business relationship.



### Hospitality & Branded Residences

Our hotels & hospitality team also has significant experience in relation to advising on a variety of matters across the hospitality sector such as managed & serviced apartments and branded residences to exclusive international beach clubs. Our work is typically wide ranging and can include areas such as community structuring and interfacing with the hotel development, sale and purchase agreements, management agreements, leasing arrangements, rental pool agreements, property and facilities management and so on.



### Hotel Alternative Structures

Given the depth and breadth of our hotel practice across the firm and the international experience we have across our offices, our hotels & hospitality team is able to consolidate this expertise for the benefit of our clients. There is no better example of this than in relation to advising our clients on an array of alternative structures which exist in the hotel sector and which may be best suited to our clients given their circumstances and the objectives.

In this regard, the team experience across the following alternative structures:

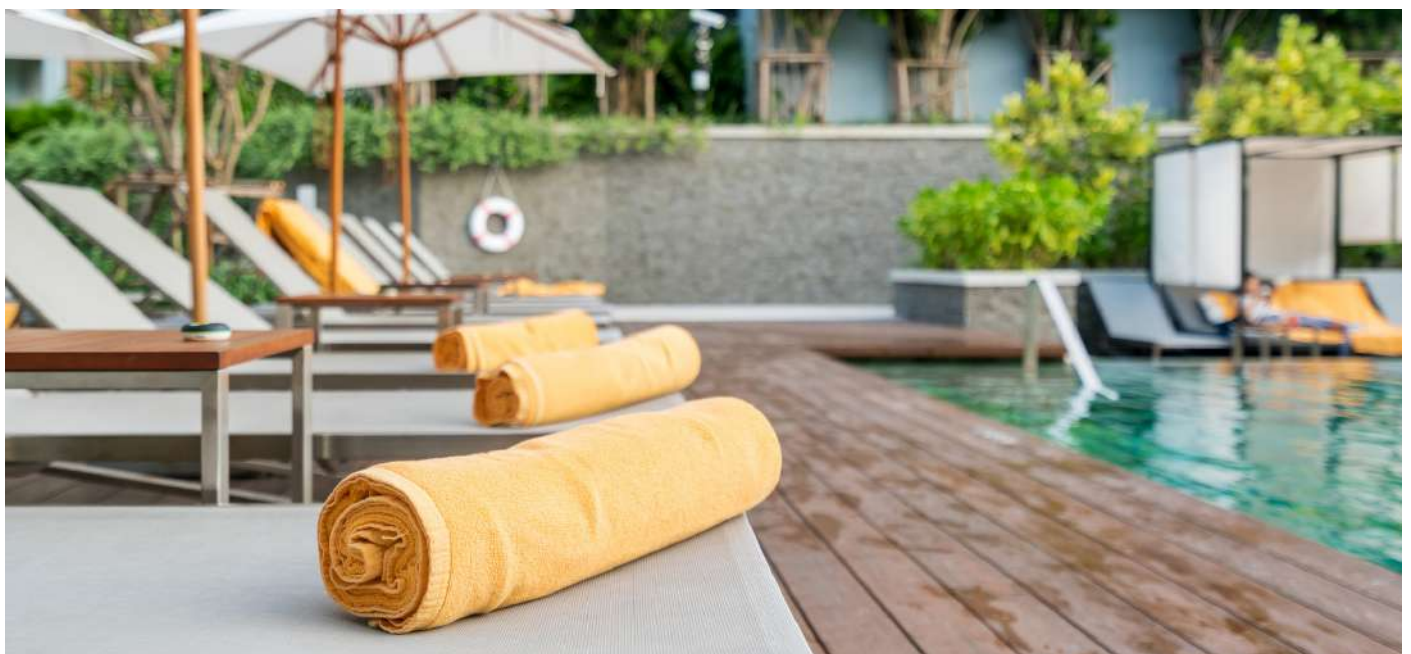
- Franchise;
- 'Manchise';
- Third Party Operator / 'White Label'; and
- Hotel Leasing.

**“They are always on the mark, deliver great customer service, and look for creative solutions for difficult problems”**

CHAMBERS GLOBAL, 2020

**“Precise, solutions-oriented, technically brilliant and great with clients”**

CHAMBERS



# Brands we have worked with

 <p>THE RITZ-CARLTON®</p>	 <p>TAJ HOTELS · PALACES · RESORTS · SAFARIS</p>	 <p>Hilton HOTELS &amp; RESORTS</p>	 <p>ACCOR</p>
 <p>MILLENNIUM HOTELS AND RESORTS <i>More than Meets the Eye</i></p>	 <p>FOUR SEASONS <i>Hotels and Resorts</i></p>	 <p>Kempinski HOTELIERS SINCE 1897</p>	 <p>IHG®</p>
 <p>SHANGRI-LA HOTELS and RESORTS</p>	 <p>Dorchester Collection</p>	 <p>BANYAN TREE</p>	 <p>THE ADDRESS MONTGOMERIE DUBAI</p>
 <p>فندق الخليج - البحرين THE GULF HOTEL BAHRAIN</p>	 <p>WYNDHAM HOTEL GROUP</p>	 <p>SOFITEL HOTELS &amp; RESORTS</p>	 <p>Palazzo Versace DUBAI</p>
 <p>ibis HOTELS</p>	 <p>Hampton by HILTON</p>	 <p>VIDA HOTELS AND RESORTS</p>	 <p>Marriott®</p>
 <p>SIX SENSES HOTELS RESORTS SPAS</p>	 <p>AMERICAN EXPRESS® FINE HOTELS &amp; RESORTS</p>	 <p>mint hotel Manchester</p>	 <p>NADLER HOTELS</p>

# Experience

## The Dorchester Collection

Advised The Dorchester Collection on the construction of their new hotel at 45 Park Lane, Coworth Park and a hotel in Europe.

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## Four Seasons Hotel

Drafted amended form FIDIC construction contracts for construction and completion of the iconic Four Seasons Hotel as part of the Bahrain Bay Development programme.

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## The World Islands

Advised an international developer on the development of an island on The World Islands in the Emirate of Dubai comprising a 5 star hotel and residences to be operated by an international hotel operator.

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## Hotel Development, Nigeria

Advised on a \$200 million project for a four star hotel and conference centre in Nigeria based on a turnkey construction contract (based on the FIDIC Yellow Book terms & conditions) and arrangements for the development manager (investor), project manager and procurement agent.

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## The Government of The Commonwealth of The Bahamas

Acted for the government of The Bahamas in relation to the \$3bn+ development of what was set to be the largest hotel and casino complex in the Caribbean.

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## Mezzanine Development Facility

Advised an investor on the provision of a £37m mezzanine development facility for an extension to a Hilton hotel in London.

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## Resort Development

Acted on the development of a sports and leisure resort along the Brazilian coast comprising 1,600 residential units, eight hotels and an array of recreational amenities, including two championship golf courses, tennis courts, polo fields, shopping areas and restaurants.

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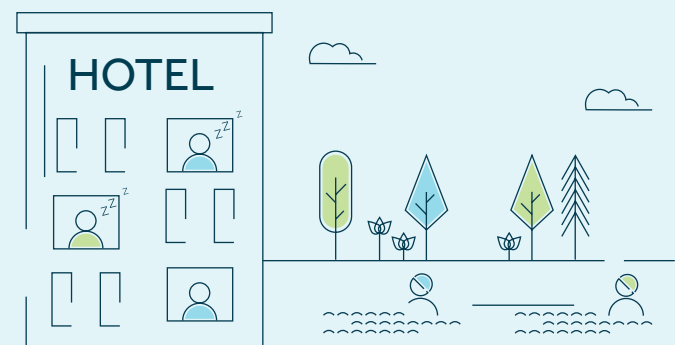
## Majid Al Futtaim Group

Advised Majid Al Futtaim in relation to negotiating and finalising the new spa contract and ancillary arrangements of their flagship hotel, Kempinski Mall of Emirates.

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## Boutique Luxury Hotel

Assisted a contractor in relation to multi-million sterling disputes arising out of the construction of a boutique luxury hotel in Central London.



## Hotel Acquisition

Acted for a private investor in the acquisition and development of two 5 star boutique hotels in central London.

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## Barr Al-Jissah Resort

Advised an owner/developer as to design and negligence issues in the design and construction of its 5 star resort in Oman including front end structured negotiations with the contractor and the lead design consultant. The claim value was \$90 million.

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## DesRes Limited

Acted for DesRes in its acquisition of 88-89 Queen's Gate. We were involved in the property acquisition and refurbishment and fit-out, as well as dealing with the subsequent change of use from residential to hotel.

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## Wyndham Hotel Group

Advised the Wyndham Hotel Group in respect of a hotel in Chelsea and on its management contract.

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## Accor (Ibis)

Advised a developer in relation to an Ibis branded hotel with c.130 keys under a traditional management structure. We negotiated and finalised the full suite of management contracts comprising the Hotel Management Agreement, the Technical Services Agreement, the IP License and the Non-Disturbance Agreement.

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## Gulf Hotels

Advised a listed company on the Bahrain stock exchange, with the acquisition of a tower in Dubai for use as a hotel under its umbrella of brands. The deal value was of circa \$100 million.

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## Millennium Hotels

Instructed to act for Millennium Hotels on three arbitration matters, including offshore and onshore cases in the UAE and litigation case in the Abu Dhabi Courts.



### Shangri-La

Advised Bahrain Marina Development Company with the appointment of Shangri-La in relation to the redevelopment of part of Bahrain's corniche. Work included advising on the initial terms of reference as well as the hotel management agreement and all ancillary contracts.

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### Financing a New Hotel Development

Advised a UK clearing bank on all aspects of its £10m senior development loan to finance a new Holiday Inn in London, including construction documents, property due diligence, arrangements with the operator and loan and security documents.

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### Hampton by Hilton

Advised a client in relation to the redevelopment of a large plot of land in Folkestone, Kent, which will be anchored by a Hampton by Hilton hotel comprising circa 120 keys. We advised the Owner in relation to the Heads of Terms and negotiated and finalised the Branding and Management Agreement, amongst other matters.

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### Marriott

Advised the Marriott in relation to a proposed development of a new luxury hotel under its umbrella of brands in Bahrain. Our work involved undertaking detailed due diligence in relation to the project, preparing a long lease of the land and advising on a non-disturbance agreement.

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### Confidential Client

Advised a foreign bank on its property and construction developments facilities to Ace Zone Holdings Limited (a BVI SPV owned by companies and individuals associated with a Singaporean listed property development group). The purpose was to refinance the acquisition and fund the development of a freehold property in Hammersmith, London into an aparthotel.

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### Titanic Quarter Development

Acted for the group of companies responsible for the Titanic Quarter development in Belfast, in relation to a dispute concerning the name of a hotel in Huddersfield. The matter involved actions for trade mark infringement and passing off, and trade mark opposition and cancellation proceedings.

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### Hotel Development

Advised a joint venture company on the development of two hotels at Lagos International Airport. Our work included advising on the due diligence, the relevant share acquisition and the hotel management suite of contracts with Accor Group.

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### Taj Hotel Group

Advised an internationally renowned luxury hotel group on legal permits and title and corporate structuring options to separate Sharia'h compliant and non-Sharia'h compliant income. We also reviewed the HOA relating to the proposed investment in Bahrain.

### Hampton by Hilton

Assisted with preparing a 'manchise agreement' which provided for an initial period of traditional management but with the option to convert to a franchise agreement between years 5 and 7 following the opening date of the hotel.

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### Zallaq Sofitel Resort & Spa

Advised a global Chinese contractor as to outstanding contractor claims and non-payment issues arising in the construction and completion of the resort and spa facility and successfully achieving early structured settlement with the owner/developer. The claim value was \$24 million.

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### Resort Development

Provided initial structuring and development advice in relation to the incorporation of a joint venture company and special vehicle companies, investment agreements, hotel suite of contracts, facility agreements and construction contracts in relation to a development of a 5 star resort in the Maldives.

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### Luxury Beach Club

Advised on a management agreement for the operation and management of an international luxury beach club situated by the Four Seasons, Dubai. Work involved close coordination with CRS' Business Services team to ensure that shareholder requirements and corporate structure considerations were reflected.

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### Marassi Al Bahrain

Acted as key legal advisor to Eagle Hills Diyar in relation to a prominent mixed-use development known as "Marassi Al Bahrain", a project valued at over \$3 billion. Our work included preparing off-plan sale and purchase agreements in relation the branded residences component of the Vida and Address Hotels.

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### Luxury Hotel

Acted for a luxury hotel operator in a series of disputes against a contractor who was seeking a final account valuation of £38m for loss and expense, subcontractor loss and expense and variations associated with the value of the final account arising out of a construction contract for a new hotel at Park Lane, London.

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### Confidential Client

Acted on the sale of a London Ramada hotel in a joint venture with overseas investors, including restructuring property interests with new leases and hotel management agreements.



# Awards









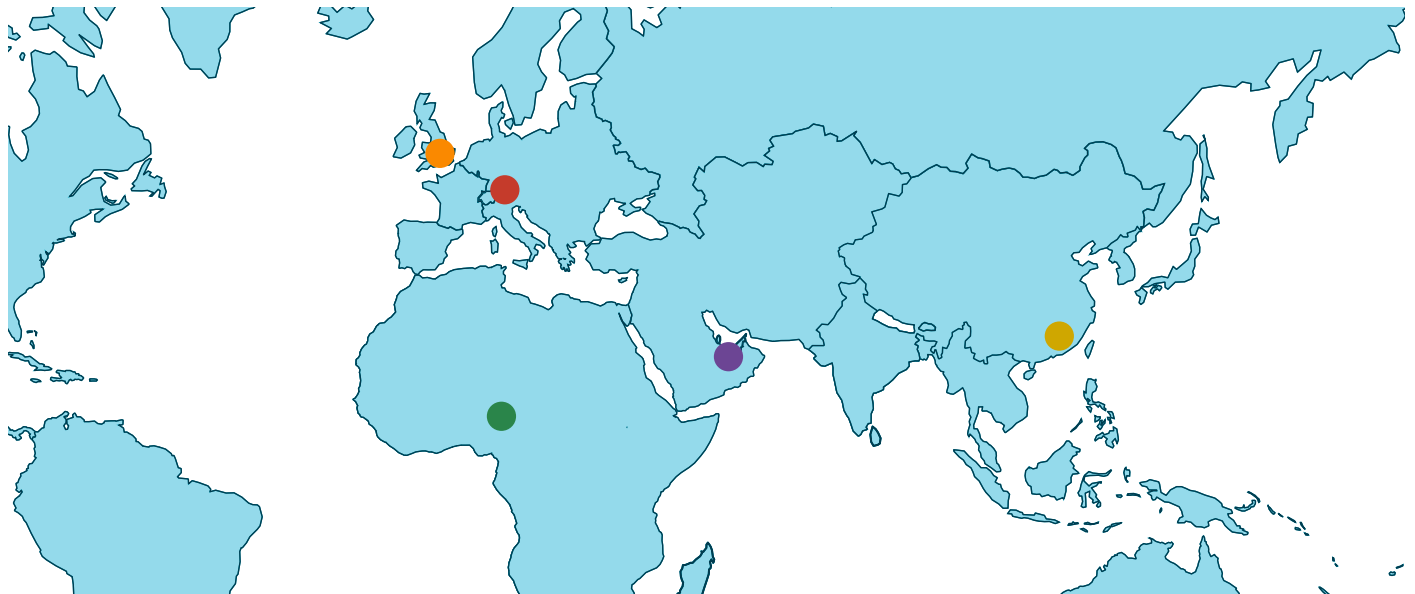
“They’re head and shoulders  
above the competition”

CHAMBERS GLOBAL, 2020





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