

# Creative England Limited

## West Midlands Production Fund

### Invitation to Tender for Provision of Legal Services



EUROPEAN UNION  
Investing in Your Future  
European Regional  
Development Fund 2007-13



# **West Midlands Production Fund**

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This pack will provide you with the information required to assist you with your tender.

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# 1. Service Specification

## Introduction:

Creative England Limited invites tenders for the provision of legal services with respect to proposed equity investments in feature film productions via its West Midlands Production Fund.

## Service Provider Profile:

Established legal practice with:

- demonstrable experience with respect to complex, multi-party, high-value production finance transactions
- experience with finance transactions involving the disbursement of UK and EU public funds (ideally ERDF)
- appropriate professional indemnity insurance

## Anticipated Services Required:

- between 2 and 5 production finance transactions to close before 31<sup>st</sup> December 2015
- Creative England to take equity position as junior financier in accordance with West Midlands Production Fund criteria and conditions
- anticipated production budgets vary from £400k to £6m
- co-parties include other publicly funded organisations, sales agents /distributors, private equity funders and banks
- drafting of Creative England documents (principally PFA) in accordance with standard terms
- review of multi-party and other documents drafted by others (principally IPA, CAMA and security and insurance arrangements)

## 2. Fees / Contract

Proposed transactions due to be contracted in the period from October to December 2015.

All West Midlands Production Fund investments must be disbursed by no later than 31<sup>st</sup> December 2015.

Fees to be negotiated on a per transaction basis.

## 3. About Creative England

Creative England invests in and supports creative ideas, talent and businesses in film, TV, games and digital media. We aim to grow the brightest, the best, and those with the most promise so that individuals and businesses can achieve their full creative and commercial potential. We help identify future opportunities to grow the economy and generate jobs.

### **What we do?**

- ✓ Grow talent and businesses
- ✓ Address market failure and raise ambition
- ✓ Build the right climate for creative industries to thrive

### **Why we do it?**

Because England's creative businesses are already a big success. They generate jobs, profile and value. They drive innovation. We can help raise their ambition further. But some are under-capitalised and under-skilled. They need better access to mentoring, infrastructure, business planning, finance, markets, new ideas and wider networks. We help provide it. And because there is a damaging inequality of access to these things between London and the rest of the country, talent is wasted, opportunities are lost. We believe London's world position should benefit the whole country.

For more information on the company and our activities in other creative sectors:

• [www.creativeengland.co.uk](http://www.creativeengland.co.uk)

*Creative England promotes cultural diversity  
and equal opportunities for all*

# 4. How to Apply

Prior to submitting your fee proposal please ensure your firm can meet the criteria set out in the Service Specification.

You should email your expressions of interest and proposal to [productionfunding@creativeengland.co.uk](mailto:productionfunding@creativeengland.co.uk).

Initial discussions will take place (primarily by phone) with the Senior Film Executive in the period to 7<sup>th</sup> September 2015

Initial quotes and proposals to be received by: 14<sup>th</sup> September 2015

Interviews / meetings: w/c 28th September 2015

Appointment: October 2015

It is Creative England's policy to only contact shortlisted tenderers. If you have not heard from us by the end of October 2015 you have been unsuccessful in reaching selection.

Thank you for your interest.

