



YOUR MONTHLY E-BULLETIN

Issue 88; March 2021

LATEST CONSORTIUM NEWS

Your Consortium is now on LinkedIn

Find us [here](#)

We are looking to develop our profile in the future to make sure that we provide the information you want and need on this new additional platform.

If there is anything you'd like to us to add to the profile please let us know.

Annual Training Programme 2020/21

Your FREE training programme is now well underway with live webinars provided over zoom or webex on line.

All our Webinars are free to attend to staff from member organisations including client department staff of course.

To attend a live webinar, you need to register in advance using the individual link provided for each webinar.

Look out for the e-mail alerts which provide you with the individual registration links for upcoming webinars or go to the website secure area and click on 'book a course' to find the links.

How do you access a recorded Webinar?

Each live webinar is recorded.

Following each webinar the recorded session will be available to view – by accessing the recording link found in the secure area of the website.

You need to log in to the website to access the relevant link which can be found by clicking on the Publications tab - podcasts/webinars.

Introducing our new Precedent Service – Coming soon....

We will shortly be launching our NWLC Precedent Service on the Consortium website.

Our Partner firms will be contributing a range of precedents which will be available to download for free to staff from member organisations.

The precedents will be tailored for the use of member organisations and their work areas.

We also plan to develop the service to include a request service.



REMINDERS

Consortium Quarterly Winter edition, January 2021 – have you seen it? It is published to the website but its available [here](#)

In this edition we have launched our **Consortium Offer** which for the very first time brings together and highlights the FREE Added Value offers available to member organisations from our Partner Firms.

Please take a look at what is on offer and take advantage of them.

In the coming months we will be highlighting how some organisations are using this added value to best effect.

NWLC FREE Webinars Coming Up

All our programmed webinars are now loaded to the Consortium website at www.nwlegalconsortium.com

In March and April we've got the following to look forward to –

24th March, **Regeneration Update** – Geldards

8th April, **Adult Social Care** – Bevan Brittan, and

21st April, **State Aid and Subsidy Control, Post Brexit** – DAC Beachcroft

Registration links for these events are available on the website in the secure area – use the 'Book a Course' tab, or look out for the regular email alerts.

New Roles up for grabs

We publish a range of vacancies on the website jobs page at www.nwlegalconsortium.com/jobs

We are currently showing vacancies at Wigan, Cheshire West and Chester, Liverpool City Region Combined Authority and St Helens.

For more details go the Jobs page on the website at www.nwlegalconsortium.com/jobs

If your organisation wants to advertise any vacancies on the website **for free** contact Beryl Heath on bh_nwlconsortium@btinternet.com

NWLC NOMINATED CHARITY OF THE YEAR



Please support the North West Air Ambulance Charity

For the Charity's latest events go to: nwaa.net

Catch up with the crew



Adam has been with the North West Air Ambulance Charity for two years. We caught up with him to discuss his role as a HEMS (Helicopter Emergency Medical Service) Paramedic, his acting career, and more.



Have you always wanted to be a HEMS Paramedic?

When I qualified as a paramedic, I never thought I would go on to become a HEMS Paramedic, so this has been a massive achievement for me. I have always had an interest in critical care, but never thought the air ambulance would be the path I would take. I can honestly say this was the best career move so far.

Why did you want to work for the North West Air Ambulance Charity?

Who wouldn't? After finishing my degree in critical care, the air ambulance seemed the next logical step. Not only this, but being given the opportunity to provide care to the whole of the North West is amazing. Let's be honest - it's a cool job. In fact, I've never been called 'cool' until starting this job!

What was it like the first time you went up in the helicopter?

It may come as a surprise, but I've always feared flying! I'd never been in a helicopter prior to this role, so I was feeling apprehensive. It was a lot noisier and much bumpier than I expected, but it was brilliant!

What are the best views from the helicopter in the North West?

It's got to be the Cumbrian mountains.

What is the team like at the North West Air Ambulance Charity?

It's an absolute honor to work with such a diverse, talented bunch of HEMS paramedics and doctors. Everyone is committed to providing the best patient care, and the level of knowledge the team



has, is above and beyond. The entire charity team is friendly, helpful and the passion shown by everyone shines through.

What is the most rewarding part of your role?

Providing care to some of the most critically ill patients across the North West (and sometimes beyond!), ensuring they receive the best possible care each and every time. Knowing I can potentially make a lifesaving difference to the patient and their family is an amazing feeling.

What's one thing we might not already know about you?

I have done a lot of film work as an extra, playing the role of a paramedic. I have been in Vera, DCI Banks, Happy Valley, Good Cop, and more!

What's something you could teach us?

The human body has approximately 60,000 miles of circulation.



What's one thing you'd like to say to our supporters?

Thank you so much to everyone for doing your bit to support our service - in my eyes you are the real lifesavers! Without you, we wouldn't get to fly to critically ill and injured patients and make a difference.



If you'd like to support our lifesaving crew with a donation, visit nwaa.net/donate-now.



NWLC MONTHLY LEGAL UPDATER

POWERED BY THOMSON REUTERS AND PRACTICAL LAW

01/03/21

This is a selection of legal updates for NWLC powered by Westlaw UK and Practical Law. To read more on these topics, go to [westlaw.co.uk](https://www.westlaw.co.uk) or [uk.practicallaw.com](https://www.uk.practicallaw.com)

CASES

ELECTORAL PROCESS. *Local government.*

Coronavirus; Executive arrangements; Petitions; Postponement; Referendums.

R. (on the application of Democracy Newham Ltd) v Newham LBC. [2021] EWHC 150 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Morris J. January 29, 2021

The court interpreted the statutory regime governing the postponement due to the COVID-19 pandemic of local authority governance arrangement referendums called after the presentation of petitions under the Local Government Act 2000 s.9MC. Under the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 Pt 3 reg.12(3)(a), no petition presented between 16 March 2020 and ending on 5 May 2021 inclusive could be valid.

Application refused

LANDLORD AND TENANT.

Breach; Fixed-term tenancies; Flexible tenancies; Forfeiture clauses; Possession; Termination.

Croydon LBC v Kalonga. [2021] EWCA Civ 77. Court of Appeal (Civil Division) (CA (Civ Div)). King LJ; Asplin LJ; Arnold LJ. January 27, 2021

Under the Housing Act 1985 Pt IV s.82 a flexible tenancy for a fixed term could not be determined before the expiry of the fixed term unless the tenancy agreement contained a forfeiture clause.

Appeal dismissed

PUBLIC PROCUREMENT. *Civil procedure.*

Award decision notices; Costs orders; Exemptions; Public contracts; Standstill periods; Suspension.

Aquila Heywood Ltd v Local Pensions Partnership Administration Ltd. [2021] EWHC 114 (TCC). Queen's Bench Division (Technology & Construction Court) (QBD (TCC)). Pepperall J. January 25, 2021

The automatic suspension of a contracting authority's right to enter into a contract where there was a challenge to the award decision, pursuant to the Public Contracts Regulations 2015 Pt 3 (6) reg.95, did not apply where the authority had withdrawn its original decision and awarded the contract pursuant to a subsequent, unchallenged, decision.

Costs determined



TRANSPORT.

Control of use of property; Coronavirus; Irrationality; Legitimate expectation; Orders; Policies; Public sector equality duty; Public transport; Taxis.

R. (on the application of United Trade Action Group Ltd) v Transport for London. [2021] EWHC 72 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Lang J. January 20, 2021

In making and promulgating the London Streetspace plan and guidance, the Mayor of London and Transport for London failed to have regard to relevant considerations. In making the plan, the guidance and the related transport management order, proper regard was not given to the public sector equality duty, the legitimate expectation of hackney carriage drivers to travel on London's roads and to use bus lanes was breached, and the drivers were treated irrationally.

Application granted in part

LEGISLATION

LOCAL GOVERNMENT. *Electoral process.*

Local elections; Local government; Wales.

Local Government and Elections (Wales) Act 2021. asc 1

An Act of Senedd Cymru to make provision about local government; local government finance; local government elections; electoral registration and electoral administration; and for connected purposes.

Royal Assent: 20 January 2021

LANDLORD AND TENANT.

Coronavirus; Extensions of time; Protection from eviction.

Public Health (Coronavirus) (Protection from Eviction) (England) (No. 2) Regulations 2021. SI 2021/164

These Regulations renew the provisions in the Public Health (Coronavirus) (Protection from Eviction) (England) Regulations 2021 and prevent, except in specified circumstances, attendance at a dwelling-house for the purpose of executing a writ or warrant of possession or delivering a notice of eviction.

Website: www.legislation.gov.uk/ukxi/2021/164/pdfs/ukxi_20210164_en.pdf [Accessed at 19 February 2021]

In Force: 22 February 2021

GOVERNMENT AND REGULATORY DEVELOPMENTS

HEALTH. *Local government.*

Coronavirus; Infectious disease control; Local authorities; Testing.

9 in 10 local authorities in England now enrolled into community testing. By Department of Health and Social Care. 10 February 2021

Community testing programmes targeting people without COVID-19 symptoms have been rolled out by 232 local authorities. To date, over 2.2 million lateral flow tests have been carried out by local authorities for community testing programmes, with over 44,000 positive cases found so far.

Website: www.gov.uk/government/news/9-in-10-local-authorities-in-england-now-enrolled-into-community-testing [Accessed at 10 February 2021]



HUMAN RIGHTS. *Health; Penology and criminology; Social welfare.*

Care homes; Coronavirus; Hospitals; Prisons; Release from custody; Right to respect for private and family life; Visitors.

Ministers pressed on rights of those in care homes, hospitals and prisons. By House of Commons and House of Lords Joint Committee on Human Rights. 3 February 2021

The Joint Committee on Human Rights have written to the Secretary of State for Health and Social Care, and the Prisons Minister, on the impact of long lockdown to those in care homes, hospitals and prisons. It has drafted a new law which would end the blanket ban of relatives visits to residential care homes, allowing visits by a "person significant to the service user". In regard to prisons, the Committee is recommending once again that the Government temporarily release from prison all remaining pregnant women and those in Mother and Baby Units who have been appropriately risk assessed. Furthermore, the Committee have deemed it essential that the End of Custody Temporary Release scheme is now recommenced.

Website: committees.parliament.uk/committee/93/human-rights-joint-committee/news/138962/ministers-pressed-on-rights-of-those-in-care-homes-hospitals-and-prisons [Accessed at 3 February 2021]; www.parliament.uk/globalassets/documents/joint-committees/human-rights/correspondence/letter-to-rt-hon-matt-hancock-mp-re-care-home-and-hospital-visiting.pdf [Accessed 3 February 2021]; www.parliament.uk/globalassets/documents/joint-committees/human-rights/correspondence/210202-letter-to-lucy-frazer-qc-mp-re-mothers-in-prison.pdf [Accessed 3 February 2021]; www.parliament.uk/globalassets/documents/joint-committees/human-rights/correspondence/draft-health-and-social-care-act-2008-regulated-activities-amendment-regulations-2021.pdf [Accessed 3 February 2021]

PUBLIC PROCUREMENT. *Construction law.*

Construction contracts; Contract terms; Public contracts; Public sector; Reviews.

Launching the Independent Review of Construction Frameworks. By Cabinet Office. 9 February 2021

Professor David Mosey of King's College London has been appointed to lead an objective, independent review of public sector frameworks. Part of the Construction Playbook implementation, the review will lead to recommendations to: the components of a "gold standard" against which new proposed frameworks and framework contracts can be measured; standard contract terms that support the new gold standard; and training packages to enable adoption of the new gold standard.

Website: www.gov.uk/government/news/launching-the-independent-review-of-construction-frameworks [Accessed at 9 February 2021]; www.localgovernmentlawyer.co.uk/projects-and-regeneration/403-projects-news/46130-independent-review-of-construction-frameworks-to-establish-gold-standard-identify-standard-contract-terms [Accessed 10 February 2021]

Organisations Referred: King's College London



NEWS RELEASES

CONSTRUCTION LAW. *Housing; Landlord and tenant.*

Construction materials; Fire precautions; High rise buildings; Leaseholds; Property developers; Tenants' rights.

Amendment gaining support to make it illegal for developers to pass on remediation costs to leaseholders. *Times, 30 January 2021, 14.* By George Grylls.

An amendment that would make it illegal for developers to pass on remediation costs to leaseholders is nearing the 44 Conservative Party MP signatures needed to defeat the Government's working majority. There are estimated to be almost 80,000 blocks of flats between 11 and 18m high, whose residents are unable to sell or mortgage their homes following the aftermath of the Grenfell fire disaster.

LOCAL GOVERNMENT. *Social welfare.*

Adult social care; Council tax; Local authorities' powers and duties.

Householders face 5% rise in council tax. *Times, 2 February 2021, 12.* By George Grylls.

Analysis by the Local Government Chronicle has found that 53% of local authorities are to implement the maximum possible rise of 5% in council tax and that bills will increase in nine out of 10 local authorities as a result owing to the spiralling costs of adult social care.