



# YOUR MONTHLY E-BULLETIN

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**Issue 90; May 2021**

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## LATEST CONSORTIUM NEWS

### **We are refreshing our Barristers Portal**

The NWLC Barristers Portal is being extended for a further period of 4 years to end March 2025.

The current Portal has 16 sets of Chambers registered to it.

Existing sets are being asked if they wish to remain on the Portal and we are looking to recruit new sets to offer you an even greater range of chambers from whom to commission work.

If you know of a set of Chambers who might be interested in this opportunity please contact Beryl Heath at [bh\\_nwlconsortium@btinternet.com](mailto:bh_nwlconsortium@btinternet.com) so she can arrange for them to receive a Registration Pack.

### **Annual Training Event 2021 - 5th October 2021 at Aintree**

Covid restrictions permitting, we are hoping to welcome a good number of you to your Annual Training Event 2021.

Bookings are now open and in future E-Bulletins we will keep you updated on our progress with programming and planning.

### **Introducing your new Precedent Service – now live**

Your new NWLC Precedent Service is now live on the Consortium website.

To find the precedents just log into the website secure area and use the drop down list under the Publications tab to select 'Precedent Service' to access the documents.

All the precedents have been provided by our Partner firms and new precedents will be added over time. They cover a variety of subjects and are tailored for the use of member organisations and their work areas.

All of the published precedents are available to download **for free** to staff from member organisations.

We are also running a **precedent service on demand** so if you require a precedent which you cannot find you can email [simon.goacher@weightmans.com](mailto:simon.goacher@weightmans.com) and he will try and obtain it for you.

We would also welcome any precedents created by member organisations which you think would be of use to colleagues.

Please email any such examples to Simon Goacher.



## **NWLC Annual Training Survey – coming to you soon**

In the next couple of weeks we will be inviting you to take part in our annual survey about our Consortium training.

This is your opportunity to let us know how it has been for you...is the training accessible, is it meeting your needs?

And looking forward, are there any changes you can suggest and what topics would you like to see covered in the new programme?

Don't miss out on letting us have your views!

## **REMINDERS**

### **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 us to add to the profile please let us know.

### **NWLC FREE Webinars Coming Up**

All our programmed webinars are now loaded to the Consortium website at [www.nwlegalconsortium.com](http://www.nwlegalconsortium.com)

In May and June we've got the following to look forward to –

11th May, **Governance Update** – Bevan Brittan

19th May, **Employment Update** – DAC Beachcroft

3rd June, **Regeneration Update** – Geldards

10th June, **Large Scale Procurements** - Weightmans

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.

### **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.



## New Roles up for grabs

We publish a range of vacancies on the website jobs page at [www.nwlegalconsortium.com/jobs](http://www.nwlegalconsortium.com/jobs)

Currently there are roles available at Stockport, Sefton and Cheshire Constabulary.

For more details go the Jobs page on the website at [www.nwlegalconsortium.com/jobs](http://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](mailto: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](http://nwaa.net)

Our nominated charity – North West Air Ambulance is celebrating, the charity has reached a significant milestone in its 'Blood on Board' project.

Read more below...

### North West Air Ambulance Charity reaches 100th blood transfusion

**The North West Air Ambulance Charity (NWAA) has reached a significant milestone in its 'Blood on Board' project, bringing blood transfusion to critically ill and injured patients across the region. The service administered blood products to its 100th pre-hospital patient in March 2021, after introducing the capability to perform pre-hospital blood transfusions by the road and in the field in January 2019.**

NWAA attends over 2,000 missions each year. Many are major trauma incidents, the likes of which require advanced care at scene to improve patient outcomes prior to hospital admission. This includes roadside blood transfusions which increase oxygen delivery and clot production, both crucial when a patient is suffering from massive bleeding.

Blood on Board is a collaboration between the charity, Blood Bikes Manchester, the North West Ambulance Service (NWAS) and Salford Royal NHS Foundation Trust Transfusion Service (SRFT). It was initially funded by the Henry Surtees Foundation, a charitable organisation supporting those with physical injuries caused by accidents.

Each day, Blood Bikes Manchester transport packed red blood cells and pre-thawed plasma from Salford Royal to NWAA's Barton base. Blood products that are not used that day by the air ambulance team are safely returned to Salford Royal for use in the hospital, to ensure precious blood donations do not go to waste.

**Clint Jones, Consultant Anaesthetist at the North West Air Ambulance Charity, commented:** "Since we introduced this capability with our partners, we've been closely monitoring and evaluating the impact it has had on patients. A significant number of patients who sustain traumatic injuries that cause massive blood loss, sadly pass away before reaching hospital. By transfusing blood and plasma as early as possible, we are drastically improving the chances of survival for the most seriously ill and injured patients we treat.

"The charity is so proud to have reached this milestone. I would like to say a huge thank you to all of our partners who continue to make this possible and continue to support and champion our charity, including Blood Bikes and our colleagues in the NHS. The North West Air Ambulance Charity relies solely on donations to remain operational, and without the generosity of our sponsors and supporters, it would not be possible to deliver this lifesaving service."



Since starting the “Blood on Board” project, the charity has recorded the following:

- Since January 2019, 303 units of blood products have been administered by its enhanced pre-hospital care teams
- On average, patients receiving pre-hospital transfusions receive 3 units (2 units of plasma and 1 unit of red blood cells)
- The lifesaving intervention costs approximately £350 per patient, excluding the cost of transport and staff
- The average age of patients receiving a transfusion is 40 years, ranging from 10 to 84 years
- The average time taken to manage blood transfusion at scene is 33 minutes.

**Steve Deakin, Blood Bikes Manchester, said:** “We are so proud to continue to work side-by-side the North West Air Ambulance Charity and Salford Royal to deliver this service for people across the region. Transfusions in the field can make a considerable difference to patients’ lives and it’s an honour, as an entirely volunteer-run operation, to be playing a role in this.”

**Deborah Seddon, Haematology and Blood Transfusion Service Manager at Salford Royal NHS Foundation Trust, commented:** “When the project was first proposed we were keen to be involved in any way we could, as our team understands the dramatic role blood loss plays in survival of traumatic injuries and the difference that could be made if patients were able to access transfusions as early as possible. The Salford Royal Transfusion Service is committed to delivering safe, effective treatment, so we are incredibly proud to support the charity in this manner for the benefit of people all across the North West.”





# NWLC MONTHLY LEGAL UPDATER

POWERED BY THOMSON REUTERS AND PRACTICAL LAW

01/05/21

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

### **CIVIL PROCEDURE. *Public procurement.***

**Coronavirus; Costs capping orders; Public interest; Public procurement.**

Good Law Project Ltd v Minister for the Cabinet Office. *2021 WL 01522220*. Queen's Bench Division (Technology & Construction Court) (QBD (TCC)). O'Farrell J. April 16, 2021

A campaigning organisation obtained a costs capping order in its judicial review claim against the Cabinet Office's decision to directly award a communications contract under the Public Contracts Regulations 2015 Pt 2 (2) reg.32(2)(c) during the COVID-19 pandemic. The court's jurisdiction for the making of a costs capping order under the Criminal Justice and Courts Act 2015 s.88 was engaged because the proceedings were public interest proceedings that raised a point of law of general public importance on the ambit of reg.32(2) (c) of the Regulations, and it was reasonable and proportionate to make the order. The appropriate level of costs cap applied to each party was GBP 120,000.

Application granted

### **CIVIL PROCEDURE. *Public procurement.***

**Confidential information; Costs; Costs budgets; Interested parties; Public procurement procedures.**

Bechtel Ltd v High Speed Two (HS2) Ltd (Costs). *[2021] EWHC 640 (TCC)*. Queen's Bench Division (Technology & Construction Court) (QBD (TCC)). Fraser J. March 23, 2021

The court set out the principles applicable to costs applications by interested parties in challenges to public procurement decisions.

Application granted in part

### **HOUSING. *Administrative law; Local government.***

**Decisions; Homelessness; Local housing authorities' powers and duties; Remedies; Reviews; Right of appeal.**

Ngnoguem v Milton Keynes Council. *[2021] EWCA Civ 396*. Court of Appeal (Civil Division) (CA (Civ Div)). Macur LJ; Arnold LJ; Stuart-Smith LJ. March 19, 2021

Where an applicant who was dissatisfied with a decision made under the Housing Act 1996 s.184 requested a review of that decision under s.202, the review decision was effective even if the local authority issued and notified it to the applicant outside the time limit specified in the Homelessness (Review Procedure etc) Regulations 2018. Where a review decision was issued and notified late, then provided the review decision had not been notified before the appeal was brought, the applicant had 21 days from the date on which it should have been notified in which to appeal to the County Court. The local authority's provision of a review decision after the commencement of an appeal would render the appeal academic, save in exceptional circumstances.

Appeal dismissed



## LEGISLATION

### CRIMINAL LAW. *Family law.*

#### **Domestic violence and abuse.**

Domestic Abuse Bill 2019-21 (HC Bill 96).

A Bill to make provision in relation to domestic abuse; to make provision for and in connection with the establishment of a Domestic Abuse Commissioner; to make provision for the granting of measures to assist individuals in certain circumstances to give evidence or otherwise participate in civil proceedings; to prohibit cross-examination in person in family or civil proceedings in certain circumstances; to make further provision about orders under section 91(14) of the Children Act 1989; to provide for an offence of threatening to disclose private sexual photographs and films with intent to cause distress; to provide for an offence of strangulation or suffocation; to make provision about circumstances in which consent to the infliction of harm is not a defence in proceedings for certain violent offences; to make provision about certain violent or sexual offences, and offences involving other abusive behaviour, committed outside the United Kingdom; and for connected purposes.

Website: [bit.ly/2w4tas0](https://bit.ly/2w4tas0) [Accessed at 30 March 2020]

Hansard: HC Vol 672 col 778 (1st Reading), Vol 675 col 233 (2nd Reading), Vol 678 col 683 (Report Stage and 3rd Reading); HL Vol 809 cols 19 (2nd Reading), 1395 (Committee Stage (1st Day)), 1617 (2nd Day), 1902 (3rd Day), 2174 (4th Day), Vol 810 cols 20 (5th Day), 349 (6th Day), 1318 (Report Stage (Day 1)), 1625 (Report Stage (Day 2)), Vol 811 cols 109 (Report Stage (Day 3)), 333 (Report Stage (Day 4)), 847 (3rd Reading)  
Commons 1st Reading: 3/3/2020 (HC Bill 96) | HC Vol 672 col 778; 2nd Reading: 28/4/2020 | HC Vol 675 col 233; Committee Stage: 17/6/2020 (HC Bill 141); Report Stage: 6/7/2020 | HC Vol 678 col 683; 3rd Reading: 6/7/2020 | HC Vol 678 col 683; Lords 1st Reading: 7/7/2020 (HL Bill 124); 2nd Reading: 5/1/2021 | HL Vol 809 col 19; Committee Stage: 25/1/2021 (1st Day) | HL Vol 809 col 1395, 27/1/2021 (2nd Day) | HL Vol 809 col 1617, 1/2/2021 (3rd Day) | HL Vol 809 col 1902, 3/2/2021 (4th Day) | HL Vol 809 col 2174, 8/2/2021 (5th Day) | HL Vol 810 col 20, 10/2/2021 (6th Day) (HL Bill 171) | HL Vol 810 col 349; Report Stage: 8/3/2021 (Day 1) | HL Vol 810 col 1318, 10/3/2021 (Day 2) | HL Vol 810 col 1625, 15/3/2021 (Day 3) | HL Vol 811 col 109, 16/3/2021 (Day 3) | HL Vol 811 col 333 (HL Bill 184); 3rd Reading: 24/3/2021 | HL Vol 811 col 847.  
Amendments 15/4/2021 (HL Bill 190) | HL Vol 811 col 1544  
Legislation referred: Children Act 1989 s.91(14)

### HEALTH. *Environmental health.*

#### **Coronavirus; Enforcement; Exemptions; Infectious disease control; Local government officers; Notices.**

Health Protection (Coronavirus, Restrictions) (Steps and Local Authority Enforcement Powers) (England) (Amendment) Regulations 2021. SI 2021/455

These Regulations amend the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021 to move England from the Step 1 area to the Step 2 area, so that the restrictions set out in Sch.2 to those Regulations apply in England with effect from 12 April 2021, the date on which these Regulations come into force. They also make minor amendments to the definition of "linked household" in reg.3 of those Regulations, amend Sch.2 para.9 to clarify that customers may enter premises serving alcohol to pay for their food and drink, and para.12 of that Schedule to clarify which facilities may remain open in campsites, caravan parks and self-contained holiday accommodation, and make other minor amendments to those Regulations. In addition, they amend the Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020 to extend the powers of local authorities designated officers to issue notices under Pt 2 of the 2020 Regulations to include contraventions of Sch.2 para.12 to the 2021 Regulations.

Website: [www.legislation.gov.uk/uksi/2021/455/pdfs/ukxi\\_20210455\\_en.pdf](https://www.legislation.gov.uk/uksi/2021/455/pdfs/ukxi_20210455_en.pdf) [Accessed at 9 April 2021]



## **HEALTH. *Environmental health.***

### **Coronavirus; Infectious disease control.**

Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021. SI 2021/364

These Regulations impose restrictions on gatherings and businesses in England.

Website: [www.legislation.gov.uk/uksi/2021/364/pdfs/uksi\\_20210364\\_en.pdf](http://www.legislation.gov.uk/uksi/2021/364/pdfs/uksi_20210364_en.pdf) [Accessed at 22 March 2021]

## **LANDLORD AND TENANT.**

### **Coronavirus; Extensions of time; Protection from eviction.**

Public Health (Coronavirus) (Protection from Eviction) (England) (No. 2) (Amendment) Regulations 2021. SI 2021/362

Regulations extend the provisions in the Public Health (Coronavirus) (Protection from Eviction) (England) (No. 2) (Amendment) 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/uksi/2021/362/pdfs/uksi\\_20210362\\_en.pdf](http://www.legislation.gov.uk/uksi/2021/362/pdfs/uksi_20210362_en.pdf) [Accessed at 22 March 2021]

## **GOVERNMENT AND REGULATORY DEVELOPMENTS**

### **HOUSING. *Local government.***

#### **Local authorities' powers and duties; Right to buy.**

Councils given power to build more homes for first time buyers and for social rent. By Ministry of Housing, Communities and Local Government. 20 March 2021

Secretary of State for Housing, Communities and Local Government Robert Jenrick has announced a package of measures which will mean that councils in England will have more freedom on how they spend the money from homes sold through right to buy, to help them build the homes needed in their communities. The Government wants homes supplied using right to buy receipts to add to overall housing supply, and to help towards delivering 300,000 new homes a year across England by the mid-2020s.

Website: [www.gov.uk/government/news/councils-given-power-to-build-more-homes-for-first-time-buyers-and-for-social-rent](http://www.gov.uk/government/news/councils-given-power-to-build-more-homes-for-first-time-buyers-and-for-social-rent) [Accessed at 22 March 2021]

### **PUBLIC PROCUREMENT.**

#### **Public procurement procedures.**

Public Procurement: Provisional Common Framework. Issued by Cabinet Office. CP 415 23 March 2021

A Cabinet Office command paper details the provisional Common Framework which will establish agreed working practices between the devolved administrations (DAs) and UK Government in relation to domestic and international public procurement policy and legislation. Specifically, it will cover: consultation and exchange of information; development of policies and legislation; engagement with the DAs on World Trade Organisation Government Procurement Agreement (WTO GPA) business; international agreements; procurement related proceedings; and resolution of disputes.

Website: [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/971419/Final\\_reformatted\\_Command\\_Paper\\_Provisionally\\_Confirmed\\_Public\\_Procurement\\_Framework\\_v4\\_pdf\\_embedded\\_links.pdf](http://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971419/Final_reformatted_Command_Paper_Provisionally_Confirmed_Public_Procurement_Framework_v4_pdf_embedded_links.pdf) [Accessed at 24 March 2021]; [www.gov.uk/government/publications/public-procurement-provisional-common-framework](http://www.gov.uk/government/publications/public-procurement-provisional-common-framework) [Accessed 24 March 2021]



Legislation referred: Public Contracts Regulations 2015 (SI 2015/102); Concession Contracts Regulations 2016 (SI 2016/273); Utilities Contracts Regulations 2016 (SI 2016/274); Public Contracts (Scotland) Regulations 2015 (SSI 2015/446); Concession Contracts (Scotland) Regulations 2016 (SSI 2016/65); Utilities Contracts (Scotland) Regulations 2016 (SSI 2016/49); Directive 2014/23 on the award of concession contracts; Directive 2014/24 on public procurement; Directive 2014/25 on procurement by entities operating in the water, energy, transport and postal services sectors; Directive 89/665 on public procurement

## **LOCAL GOVERNMENT. *Health.***

### **Coronavirus; Local authorities; Remote attendance.**

Local authority remote meetings: call for evidence. Issued by Ministry of Housing, Communities and Local Government. 25 March 2021

A Ministry of Housing, Communities and Local Government call for evidence seeks views on the use of the current arrangements which have provided express provision for local authorities across the UK to hold meetings remotely or in a hybrid format during the coronavirus (COVID-19) pandemic. Scottish authorities were able to meet remotely prior to the pandemic, and this call for evidence seeks to understand their experience of remote meetings since these arrangements came into force. A letter from the Minister for Local Government to the leaders of all principal councils in England on the future of regulations introduced during the coronavirus pandemic regarding remote meetings is included. Comments by 23:45 on 17 June 2021.

Website: [www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence](https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence) [Accessed at 26 March 2021]; [www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence/local-authority-remote-meetings-call-for-evidence](https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence/local-authority-remote-meetings-call-for-evidence) [Accessed 26 March 2021]; [www.gov.uk/government/publications/covid-19-letter-to-council-leaders-on-the-future-of-remote-meetings](https://www.gov.uk/government/publications/covid-19-letter-to-council-leaders-on-the-future-of-remote-meetings) [Accessed 26 March 2021]; [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/973494/Letter\\_to\\_council\\_leaders\\_-\\_remote\\_meetings.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/973494/Letter_to_council_leaders_-_remote_meetings.pdf) [Accessed 26 March 2021]