



# Annual Report

## 2007 – 2008

### Solicitors in Local Government Limited

**[www.slgov.org.uk](http://www.slgov.org.uk)**

Solicitors in Local Government Limited is the representative body for all solicitors working in local authorities and similar organisations and is recognised by The Law Society.

*Solicitors in Local Government Limited is a members' company limited by guarantee*

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**Fire & Rescue Service Lawyers Network (FLN)** – David Cutting  
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# 1.

## BACKGROUND

SLG (Solicitors in Local Government Limited), formerly the Local Government Group (LGG) is a company limited by guarantee. It is one of the six recognised groups of the Law Society which operates separately from but in partnership with The Law Society.

SLG represents around 4,000 solicitors and trainee solicitors working in local government and associated bodies. The membership is grouped into nine regional Branches. Each Branch has its own Branch Committee which provides training, holds seminars and events and helps to organise Special Interest Groups (SIGs) that meet regularly and concentrate on practice issues.

The Group also has a very successful training arm, LGG Training ([www.lgg.org.uk](http://www.lgg.org.uk)) which is run in conjunction with the Association of Council Secretaries and Solicitors.

SLG's National Executive Committee (NEC) is responsible for strategy and overall leadership of SLG and is made up of Officers, Branch representatives, trainee representatives and SLG's Law Society Council Members.

The NEC meets quarterly to discuss the best ways to represent and tackle the issues affecting local government solicitors today.

NEC business includes supporting, promoting and representing all local government solicitors. It concentrates on both professional and practice issues, providing guidance, responding to consultation papers, collaborating with external organisations on a variety of projects, promoting the work of local government solicitors through careers fairs and international visits and tackling and advising on policy and regulatory issues with the Law Society.

Please visit the SLG website [www.slgov.org.uk](http://www.slgov.org.uk) for more information on SLG

## 2. CHAIRMAN'S INTRODUCTION

**“SLG: Focused on supporting and representing all solicitors in local government.”**



It is with pleasure that I present to you the annual report for 2007/8

The purpose of SLG, as represented above, is to support and represent all solicitors and trainee solicitors working in local government.

Within our respective councils we are engaged in supporting our in-house clients as well as being engaged in central corporate activities. The aim of SLG is to assist you all to be more knowledgeable and skilled through the training, educational and networking opportunities we provide.

We appreciate that SLG exists in a complex legal and governmental environment. Through our regular contacts we seek to promote your interests particularly with the Law Society itself and by responding to a range of consultation exercises with both central and local government.

All of our activities depend on the voluntary activities of the Directors of the Company, your local Branch Executive Committees and individuals who act as Special Interest Group Convenors. We are all indebted to them for their hard work and commitment; remembering that their contributions are in addition to the `day job`. I take this opportunity to thank them on behalf of us all.

The report that follows gives you much more details of our activities throughout the year nationally, locally and related to some specialist activities. I recommend it to you.

Finally, if having read the report you consider that there are additional activities that you feel would be beneficial for us to pursue; or if you feel that you want to be directly engaged with SLG and make your contribution then please do not hesitate to contact me.

George Curran  
Chairman  
Solicitors in Local Government 2007/8

[george.curran@lawyer.com](mailto:george.curran@lawyer.com)

### 3. DIRECTORS' REPORT FOR THE YEAR TO 31ST MARCH 2008

**Welcome to the Report from the Directors. SLG has enjoyed an excellent year. This report sets out some of the key things that have taken place, and looks at some of the challenges SLG is likely to face in the future.**

#### 3.1 MEMBERSHIP

- The commencement date for opt-in membership as required by the Law Society was 31<sup>st</sup> December 2006
- The database is in use and can be accessed at [www.slgovmembers.org.uk](http://www.slgovmembers.org.uk)
- The Law Society and SLG's careers brochure, induction leaflet, trainee pack and registration form to all local government solicitors and trainees in March 2008. This marketing push will increase opt-in membership of SLG and greatly increase awareness of SLG to members.

**George Curran, Chairman**

#### 3.2 COMMUNICATION

##### ACHIEVEMENTS

##### Noter-Up

- The arrangements for publishing SLG's quarterly magazine continue to remain the same, retaining a quality publication with no increase in cost from 2007. The journal benefits from regular features including the Chairman's Page, Trainee News, Branch News and the Law Society update, with a newly introduced regular 'NEC Meeting Report' to keep members up to date with the deliberations of the NEC. Honorary Members now receive a complementary copy of Noter-Up through the post. You can download current and archive editions of this magazine at [www.slgov.org.uk/noterup.asp](http://www.slgov.org.uk/noterup.asp)

##### Website

- The new SLG website is currently in the final stages of design and content production. The user-friendly site will provide members with greater interactive tools, search facilities and access to the National Knowledge Network. The website address will remain, [www.slgov.org.uk](http://www.slgov.org.uk).

##### Trainee Leaflet

- A Trainee Leaflet has been produced and sent to all trainees and solicitors in local government to encourage trainees to get involved in SLG activities. Experience shows that trainees make a very valuable contribution to SLG and their participation is actively sought.

## Induction Leaflet

- An Induction Leaflet has been produced as a reminder of the services that SLG provides to its members. This Induction Leaflet has been sent out to all trainees and solicitors in local government encouraging them to take part in SLG's activities locally at Branch level (by attending Branch Meetings and Special Interest Groups) and nationally by logging onto the Members' Forum and sharing ideas and experiences with colleagues nationally in the National Knowledge Network.

## Careers Brochure

- A Careers Brochure has been produced to demonstrate the diversity of a career in local government law and to highlight the challenging and rewarding nature of a career in this area to individuals who may not have previously considered such an option. Copies of the Brochure have been sent to all LPC and GDL career advisors.

**SLG wishes to thank the Law Society for their support in the production and distribution of the Trainee Leaflet, Induction Leaflet and the Careers Brochure. SLG is proud to be associated with the Law Society with whom we have had a close working relationship for many years and we are pleased that the leaflets carry both organisations' logos.**

## SIG Convenors Pack

A Special Interest Group Convenor Pack has been developed and approved to assist any member who would like to start their own SIG in whatever legal area they consider appropriate. The Pack is designed to provide support and guidance to the convenor and will soon be available to download from the website.

## National Knowledge Network

The National Knowledge Network follows on from the Lead Professional and Special Interest Group Convenors Roundtable Conference in September 2007 and focuses on a systemised approach to information sharing. This concept will be facilitated greatly by the new website due to be launched shortly. The pilot Lead Professional scheme has now come to a close and it is anticipated that the National Knowledge Network will undertake the functions previously undertaken by the Lead Professionals. SLG has appointed a National Knowledge Network Co-ordinator who leads on this work, including collating and providing, via the network, responses to consultation papers.

## SLG Ball

The SLG Annual Charity Ball was once again held in November in the Chancery Court Hotel, London. In addition to being an enjoyable occasion, tight financial control and a marked increase in sponsorship ensured that it was also a financial success with proceeds going to the British Heart Foundation. Planning is now underway for November 2008.

**Guy Goodman & Helen Bennett, Communications**

*SLG in the press – see Appendix One.*

### **3.3 BRANCHES & SPECIAL INTEREST GROUPS (SIGs):**

- 4,000 members
- 9 Regional Branches [www.slgov.org.uk/branches.asp](http://www.slgov.org.uk/branches.asp)
- Annual Branch Reports for each Branch are set out at Appendix One
- 59 Special Interest Groups (an increase of 9 from 2006/7)

**See Section 4 for detailed activity reports from each Branch**

### **3.4 FINANCE**

- SLG's primary source of funding is by way of grant from the Law Society. This grant is essential in order to finance the activities of SLG and is an extremely cost effective means by which the Law Society can provide support for its members working in local government. Despite this, the Law Society reduced the amount of its grant again this year and the grant no longer covers the full running costs of the Group. As part of a review of future strategy, the National Executive will be considering the need for a medium term financial plan to address these issues.
- SLG continues to form alliances with sponsors from law firms, chambers, education providers, publishers and IT solution companies.
- This sponsorship has been used for and generated by Noter Up, the website and events such as the SLG Ball
- SLG is grateful to all of those organisations who have supported the group this year.

**Peter Rhodes, Treasurer**

### **3.5 TRAINEE SOLICITOR REPRESENTATIVES' REPORT**

#### **Achievements**

- Finalised the trainee induction pack which is to be sent to all new trainees in local government
- Attended Law Fairs and Universities to promote and encourage law students to consider careers in local government
- Promoted and established Trainee SIGs
- Contributed to Noter Up magazine
- Recruited a new trainee representative Katherine Jayne Florance to replace Kemi after the AGM in April

**Leyna Stewart, Lauren Kemple and Kemi Okunnu, Trainee Solicitor Representatives**

### **3.6 LGG TRAINING**

LGG Training (LGG Limited) is the leading local government legal training organisation. It hosts over 100 training courses a year specifically tailored for local government solicitors and trainees, provides value for money courses and this year has developed a programme of courses run outside of London in the Branch regions. [www.lgg.org.uk](http://www.lgg.org.uk)

### **3.7 WEEKEND SCHOOL**

The hugely successful SLG Annual Weekend School, organised by the Local Government Legal Society Trust was held at Churchill College, Cambridge in 2006. This annual conference for local government lawyers offers workshops and lectures on a wide variety of relevant topics together 13 CPD hours training.

The 2008 Weekend School is being held at University of Exeter on 3<sup>rd</sup>-6<sup>th</sup> April 2008. There will be over 200 delegates and 30 exhibitors.

### **3.8 PASTORAL CARE**

The Law Society is keen to support practitioners who may be experiencing difficulties due to the pressures of family life, work pressures or personal addictions. This support activity is provided through the Solicitors Support Network ([www.solicitorsupportnetwork.com](http://www.solicitorsupportnetwork.com) or 0800 328 4203) and SLG contribute to this support activity.

**George Curran, Chairman**

### **3.9 COLLABORATIVE WORKING, CONSULTATION RESPONSES AND PROJECTS**

SLG continues to work with a number of stakeholders on projects related to local government practice. Policy issues are debated in their forum on their website, within branches and SIGs and their National Executive Committee.

#### **SLG works particularly closely with:**

The Law Society  
Local Government Association  
Association of Council Secretaries and Solicitors (ACSeS)  
Ministry of Justice

**Consultation Paper Responses on behalf of SLG** (available from Stephanie Nunn) included:

*March 2008*

Public Law Family Fees Consultation

*January 2008*

Consultation Document on the Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007.

*November 2007*

Consultation Document on the Gambling Act 2005 – Transitional Arrangements by the Department for Culture Media and Sport

Please note: As part of the National Knowledge Network there is a new mechanism for dealing with responses to consultation papers. Experts in local government law and practise are being fully utilised to increase response rates to relevant and varied consultation papers.

Considering responses to:

Guidance on Qualified Lawyers Transfer Regulations  
Local Authority Charges for Property Search Services

**Other policy work and projects include:**

Working with the Law Society on producing:

Practice notes – to provide guidance on relevant practice and professional issues for local government solicitors

Campaign – to lobby the Standards Board about making being a “solicitor” a pre-requisite for the role of monitoring officer

Renewed working relationship with the LGA and ASCeS

### **3.10 EQUALITY & DIVERSITY**

SLG has gone from strength to strength this year in relation to equality and diversity. It has now achieved Level 2 of the Equality Standard for Local Government. Throughout the year it has continued to demonstrate its commitment to and engagement with equality and diversity issues by processing with the impact assessment programme and ensuring that all new policies/guidance etc are impact assessed. It has promoted the use of accessible venues for meetings and included articles in Noter Up highlighting its commitment to equality and diversity.

**Linda Walker, Equality & Diversity Officer**

## **CONCLUSION**

SLG has an increasingly active membership and responds to this with the provision of excellent targeted practice and professional services and support.

Branches and SIGs, the National Executive Committee, LGG Training Unit, Noter Up and the SLG website are all co-ordinated to support, promote and represent local government solicitors.

**George Curran**  
**Chairman**  
**Solicitors in Local Government Limited**  
**2007 – 2008**

## 4. SLG BRANCH SECRETARY REPORTS

### Eastern Branch report – Michael Joyce

#### **Our Officers:**

Chairman	Marc Ronan, Mid Bedfordshire District Council
Treasurer	Jonathan Reed, Forest Heath District Council
Branch Secretary	Michael Joyce, Norfolk County Council

**Special Interest Groups (SIGs) meet regularly to discuss and receive seminars on relevant practice areas. CPD is available for these meetings.**

#### **SIGs:**

Highways	Prosecutions
Debt Collection & information Sharing	Licensing & Public Protection
Contracts	

The Eastern Branch is up and running with our new Chairman Marc Ronan Deputy Head of Legal Services at Mid Bedfordshire District Council at the helm. His aim is to create a "lively invigorated branch with a range of activities including topical legal issues and social events".

His first event was an interesting talk by Richard Ricks of St Albas Chambers on differing approaches to solving issues around antisocial behaviour, including what was proving a successful route by obtaining civil injunctions rather than using the criminal courts.

The event was well attended by solicitors and other legal colleagues from a large part of the Eastern Region. All appreciated the interesting approach taken by Counsel, and the central venue of Cambridgeshire County Council with lunch laid on.

We believe that this is the first of many successful events and should any members in the Eastern Region have any topics or issues they wish to be topics in the future look forward to hearing from you.

### East Midlands Branch report – Guy Goodman

#### **Our Officers:**

Chairman	Michael Samson, North Kesteven District Council
Vice Chairman	Di Matthews, Nottingham City Council
Branch Secretary	Guy Goodman, Fire & Rescue Service, Leicester
Assistant Branch Secretary	Mandeep Virdee, Leicestershire City Council
NEC Rep	Mandeep Virdee

### **Special Interest Groups (SIGs):**

Social Services and Education      Trainees  
Environmental Law                      Debt Recovery

3 Education and Social Services SIG Days were held on 21<sup>st</sup> March, 18<sup>th</sup> July (19 attendees) and 14<sup>th</sup> November (15 attendees).

The Monthly Branch Bulletin is sent out to all solicitors and trainees, of which we are aware, in the Region

Branch meetings held during the year:

On 7<sup>th</sup> March Jim Button gave a Legal Update on Gambling and Criminal Prosecutions at Derbyshire County Council. 21 attendees.

On 4th July Jonathan Goolden and Martin Dolton gave a presentation on Standards including the new Code of Conduct at South Kesteven Council. 10 attendees.

The AGM was held on 19th September at Rushcliffe (Nottingham). The speakers were George Curran and Jonathan Chamberlain, partner with Wragge & Co who gave an Employment Law Update. 17 attendees.

On 7th December at Leicester City Council Laura Roper, Associate at Browne Jacobson Solicitors provided a Local Government Law Update. 22 attendees.

## **London & Home Counties Branch report – Zakir Hussain**

### **Our Officers:**

Chairman	Matt Ginn, London Borough of Richmond upon Thames
Vice Chairman	Zakir Hussain, London Borough of Tower Hamlets
Treasurer	Alex Hallam, Essex County Council
Branch Secretary	Amrina Fakir, London Borough of Haringey

### **Special Interest Groups (SIGs):**

Education	Children
Community	Prosecution
Employment	Environment
Information	Licensing
Planning	Trainee
Housing	Procurement
Highways	Corporate & Governance

November 2007 was the annual charity ball and from this writer's observations, a ball is exactly what everyone had. The band was great and everyone got in to the swing of things boogie-ing away on the dance floor.

It was a busy month for SIGs as well with several SIGs meeting. On the 6<sup>th</sup> November 2007, we had the Education SIG in Camden Town Hall. The agenda was very topical with several recent cases being discussed at the SIG as well as guidance on a couple of areas.

November was also the inaugural meeting of the Corporate and Governance SIG which took place on the 14<sup>th</sup> at the London Borough of Tower Hamlets with the second meeting taking place on 13 February 2008 at the offices of Trowers and Hamlin. This is a new and exciting SIG and anyone interested in this rarely discussed topic should definitely take the time to attend.

Other SIGs that took place in November included the Planning SIG on the 16<sup>th</sup> at City Hall, the Information SIG on the 26<sup>th</sup> at Field Fisher Waterhouse and the Community SIG on the 26<sup>th</sup> at Camden Town Hall.

December, although quieter, still accommodated the Highways SIG on the 7<sup>th</sup> at Bevan Brittan, the Licensing SIG on the 12<sup>th</sup> at Pinsent Mason's offices and the Environment SIG on the 18<sup>th</sup> at the Harrow Civic Centre.

January was quieter still with only one SIG running, that being the Employment SIG on the 22<sup>nd</sup> which was kindly hosted by Henderson Chambers.

Besides the Corporate and Governance SIG previously mentioned, the February 2008 calendar also includes the Education SIG on the 5<sup>th</sup> at Camden Town Hall and the Planning Forum on the 8<sup>th</sup> at City Hall.

Lastly, March 2008 has two SIGs scheduled, the Community SIG at Camden Town Hall and the Information SIG on 19 March at the Guildhall. A further Information SIG will take place in April.

A big thank you to all the SIG convenor's for arranging another successful and very fruitful year of SIGs, and may the success of the SIGs continue.

## North West & North Wales Branch – Richard Lester

### Our Officers:

Chairman	Ian Young, Lancashire County Council
Treasurer & NEC Rep	Graham Cooper, Trafford MBC
Branch Secretary	Richard Lester, Salford City Council

### Special Interest Groups (SIGs):

Anti Social Behaviour	Housing
Commercial	Licensing
Education	Planning & Development
Employment	Benefit Fraud
Highways & Rights of Way	Debt Recovery
Social Services	CPOs/Regeneration

Branch meetings during the year:

The Annual General Meeting was held on 20<sup>th</sup> April at the Law Society's North West

Regional Office in Manchester. Once again, the Branch was grateful to Regional Officer Joanne McLeod and her colleagues for their hospitality. Graham Cooper was re-appointed as Treasurer and NEC Representative; so were David Swallow (Chair), Bev Cullen (Training and Lancashire Area Rep), Jane Kennedy (North Wales Rep) and Richard Lester (Secretary). Guest speaker was Jill Baker, Director of Children's Services, Salford CC, who spoke on recent developments in education and child care law and practice, and issues arising from combining these disciplines in one Directorate. Attendance: 10.

The Branch met again on 29<sup>th</sup> June at County Hall, Preston and welcomed SLG Chair and Lancashire CC "old boy" George Curran. Guest speaker was Ross Griffiths, now of Cobbetts LLP, Solicitors, and formerly with Greater Manchester PTE and GM Buses South Ltd, who delivered a compelling overview of statutory developments in public road transport over the last 40 years.

The meeting appointed Ian Young and Bev Cullen as the new Chair and Vice-Chair. Ian is Lancashire CC's Deputy County Secretary and Solicitor, and Bev is their Assistant County Solicitor (Community Services). The meeting thanked David Swallow for his magnificent contribution to the Branch during his extended spell in the Chair. Attendance: 24.

It was standing room only at the Branch meeting on 28th September at County Hall, Preston. 52 members and friends filled the Main Conference Room in the Christ Church Precinct to hear two topical and informative presentations by counsel from 8 King Street Chambers, Manchester.

Karim Sabry explained the Corporate Manslaughter and Corporate Homicide Act 2007, which comes into force in April 2008 and which should facilitate the prosecution of organisations (including local authorities) whose activities lead to loss of life. Then Andrew Clark examined the relationship between the Freedom of Information Act 2000 and the law of confidence.

After the speakers, the remaining business of the meeting consisted mainly of a discussion on how to encourage participation in the Branch.

All three meetings were preceded by a buffet lunch, generously provided by the respective hosts.

A joint meeting with the ACSeS North-West Branch was held at the Town Hall, Macclesfield on 7th December. A 2-hour training session preceded a buffet lunch, with the business meeting in the afternoon. Attendance: 23, plus 4 at the training only.

Denis Cooper (Eversheds LLP) examined proposals for the development of Comprehensive Area Assessment by the Audit Commission. Graeme Creer (Weightmans LLP) considered ways of achieving a framework for good governance. Denis and Graeme remain in ACSeS and are former members of SLG or LGG as was. Daniel Rudley (Addleshaw Goddard LLP PFI Unit) spoke on Building Schools for the Future.

Alan Eastwood (Bolton MBC), ACSeS Branch Chair and SLG member, chaired the meeting, which sent best wishes to Ian Young (Lancashire CC), the SLG Chair, who faced an imminent cartilage operation and was therefore unable to travel.

Our Branch has 7 currently active Special Interest Groups, covering Benefit Fraud,

Commercial Law, Employment, Housing, Licensing, Planning and Development, and Social Services. There were 16 SIG meetings in total during 2007. For further details, contact [richard.lester@salford.gov.uk](mailto:richard.lester@salford.gov.uk)

## Northern Branch report– Dennis Hall

### Our Officers:

Chairman	Julie Grant, Stockton-on-Tees Borough Council
Treasurer	Stephen Rickitt, Northumberland County Council
Branch Secretary	Dennis Hall, Sedgefield Borough Council
NEC Rep	Pat Holding, Durham County Council

### Special Interest Groups (SIGs):

Housing	Education
Social Services	Environment

Once again, it has been another busy and active year within the Northern Branch... with many challenges ahead in Northumberland and County Durham as a result of the forthcoming reorganisation of Local Government and the creation of new Unitary Councils.

Once again this year, colleagues have been kept up to date via our email service covering planned events, vacancies and events organised by other groups within the region and in particular, this year has been marked by a number of successful events.

Branch meetings during the year:

Our year began with our first meeting in April, 2007 on the Health Act 2006 which took place at Dickinson Dees Offices on the Quayside in Newcastle. The new Employment Law Special Interest Group under the chairmanship of Steve Newton (Redcar and Cleveland Council) held meetings in May and September, 2007 and March 2008, clearly reflecting the immense interest in the impact of implementing Single Status Agreements, and the enormous volume of Equal Pay claims arising from that.

In October, again covering both Local Government Review and employment aspects, a very successful meeting was held on TUPE at the offices of Watson Burton, Newcastle and we attended a talk given by Dr John McMullen, a nationally renowned expert on these matters.

George Curran our National Chair joined us for a convivial evening after the event at Watson Burton.

In November the Group attended an interesting talk of Ward Hadaway, Newcastle on recent developments in PFI. This was followed by a meeting hosted by Dickinson Dees Stockton Office in December and chaired by Julie Grant, our Branch Chair (Stockton-On-Tees Borough Council) on local authority trading powers.

In January, we were invited to a luncheon with the new Vice President of the Law Society, Paul Marsh, hosted by Judith Mason the regional organiser of the Law Society. It was very pleasing to note that the next President of the Law Society has roots in local government and is keen to encourage specialist groups' connections with the Law Society and develop them further. That meeting was also attended by our past Branch Chair, Anna Barker (Wear Valley Council).see photo

In July, 2007, our AGM took place once again at County Hall, Durham when representatives of Eversheds, Newcastle spoke on corporate manslaughter responsibility and the impact of forthcoming legislation.

We rounded off our year back at County Hall, Durham in March 2008 with a talk from Ruth Stockley of Counsel who spoke on the forthcoming new Planning Bill.

I would like to take this opportunity to express thanks to all those who hosted events on behalf of the Branch or assisted in their organisation. Can I particularly express thanks to Durham County Council for their support. Congratulations also goes to them upon their success in the Law Society Awards this year.

I would also like to express thanks to Judith Mason, Law Society Regional Manager, for her continued support to the Branch once again.

Next year, we plan to generate more interest in special interest groups, to develop a wider range of opportunities for learning for our colleagues in accordance with the National Executive's drive to develop this aspect of our activities.

## South & Mid Wales Branch – Laura Mumford

### **Our Officers:**

Chairman	Jonathan Evans, Newport City Council
Vice Chairman	Laura Mumford, Newport City Council
Branch Secretary	Elizabeth Gubbings, Vale of Glamorgan Council

### **Special Interest Groups (SIGs):**

There are no SIGs in this branch

Branch meetings during the year:

The branch's aims were to promote Convenor's SIG Toolkit to encourage setting up of SIG, it is hoped to have SIGs up and running by December 2008. Also to increase membership and attendance at meetings

Branch meetings included:

Held on 6<sup>th</sup> December 2007 at Cardiff City Council. 18 people in attendance. The AGM was held at this meeting. Matt Dunston stepped down as Vice Chair and Laura Mumford stepped down as secretary. Laura Mumford was elected as Vice Chair and Liz Gubbings was elected as secretary.

Speaker: Alexander Greenwood, a barrister at 33 Park Place chambers, Cardiff gave

a talk on "Costs - Regulatory Crime: A guide to recoupment".

## South West Branch – Kevin Hill

### Our Officers:

Chairman	Tim Martin, Poole Borough Council
Vice Chairman	Malcolm Nicholson, North Somerset Council
Treasurer	Nick Brain, North Somerset Council
Branch Secretary	Kevin Hill, Bristol City Council

### Special Interest Groups (SIGs):

Planning  
Education & Community Care  
Information

Branch meetings during the year:

The branch meeting on 18 May 2007 at the offices of Taunton Dean Borough Council was led by Alan Fuller of Albion Chambers who spoke about the Proceeds of Crime Act 2006 and how it will impact on local authorities. This was followed by Ben Daniels of Bevan Brittan Solicitors who spoke about civil action following fraud. The members who attended found the talk very information and were able to relate it to issues that they came across in their daily work.

The summer seminar planned for July 2007 was postponed due to work constraints and the bad weather. However the third meeting for the year was held on 2 November 2007 at the offices of North Somerset Council. This meeting was a joint effort between organisers of the Education and Community Care SIG as well as the branch executive. The speakers were John Lloyd of Rougemont Chambers (Exeter) who spoke about the new sections of the Mental Capacity Act and Lachlan Wilson of 3 Paper Buildings spoke about the new Education Admission Codes. The day was finished with a talk from the Solicitors Regulatory Authority. This was presented by Bronwyn Still and Derek Mitchell who as part of the development team were able to provide an insight into the new Solicitors Code of Conduct and its impact on Local Authority solicitors. The slides they provided as part of their talk are available and the branch secretary will be looking to have this put onto the SLG website so that all members can have access to it.

The Branch Executive is in the process of arranging the 2008 AGM which is due to be held on 18 April 2008. The Location of the meeting is yet to be confirmed however, the proposed speakers are Nick Marcar from Grant Thornton to speak about how to do investigations/ fraud prevention. Nigel Roberts of Gloucester County Council has agreed to talk about the summer floods and how the Local Authority has managed this natural disaster and the last issue for the day is a quick look at the Forced Marriages (Civil Protection) Act 2007 and its impact on Local Authorities in light of the increased media spotlight on this area of predominantly Asian culture.

The branch executive hope that members have been able to obtain what they require from attending these sessions however, the executive are open to new ideas relating to the topics covered and the locations of the meetings. The branch executive hopes that 2008 – 2009 continues to be a good year for the development of the branch.

## West Midlands Branch – Emma Harvey

### Our Officers:

Chairman	Peter Endall, Warwickshire County Council
Vice Chairman	Deborah Wilson, Worcestershire County Council
Treasurer	Nigel Snape, Malvern Hills District Council
Branch Secretary	Emma Harvey, Telford & Wrekin Council

### Special Interest Groups (SIGs):

Court User Group	Employment
Highways	Commercial Law
Planning	Commercial Property
Child & Community Care	Education
Information Law	

Planning SIG – 27<sup>th</sup> June 2007 – a local authority land management seminar entitled “whose land is it and what can we use it for?” This was well-attended and held at the offices of Martineau Johnson Solicitors.

Employment SIG – 20<sup>th</sup> June 2007 – this was a seminar with topics for discussion including statutory dispute regulations, religion and belief followed by a general discussion forum at the end. Again this was fairly well-attended and was held at Wragge & Co’s offices.

Employment SIG – 21<sup>st</sup> September 2007 – a seminar covering conducting disciplinarys, single status and compromise agreements. This was presented by Counsel from No 5 Chambers in Birmingham.

Court User group – 15<sup>th</sup> June 2007 – this was a general criminal law update with a specific focus on the Fraud Act 2006. It was presented by various Counsel from St Phillips Chambers and was enjoyed by all.

Commercial Law – 4<sup>th</sup> July 2007 – this was a general discussion covering topics such as terms and conditions used in the procurement process and a general information sharing session between local authorities on their tendering process. The meeting was held at Walsall MBC.

Planning SIG – 21<sup>st</sup> September 2007 – Planning Enforcement overview including CLU’s, enforcement notices and breach of condition notices. Held at Wright Hassall Solicitors in Leamington Spa.

Highways – 11<sup>th</sup> October 2007 – a general round table discussion regarding various aspects of highways and rights of way law. There was also an information-sharing discussion regarding town and village greens. This meeting was hosted by DLA Piper in Birmingham.

Commercial – 4<sup>th</sup> October 2007 – a general meeting to discuss issues such as a general procurement update, sustainable procurement and outsourcing legal services work, with particular reference to the Legal Services Panel. This was held at the offices of Birmingham City Council.

We also have various meetings arranged for April including the new Education Law SIGs first meeting and the next meeting of the Commercial Law group.

During the next 12 months I intend to encourage new membership by writing to all Heads of Legal within the West Midlands branch. We are hopeful that the new SIGs will be successful and I will try (again!) to revive the Childcare SIG which has been dormant for a year or so now.

Branch meetings during the year:

The Branch AGM was held on 14<sup>th</sup> September at Mills and Reeve's Offices in Birmingham. There was a Local Authority Update seminar and the above people were elected as Chair and Vice-Chair.

Another Branch Meeting is planned for Thursday 17<sup>th</sup> April at Mills & Reeve's Offices in Birmingham. In addition there will be a seminar entitled "Getting Ready for Generation" for which there has been a significant number of places booked.

## Yorkshire & The Humber Branch – Ian Spafford

### Our Officers:

Chairman	Paul Thompson, Hull City Council
Treasurer	Patricia Hannen, Kirklees MBC
Branch Secretary	Ian Spafford, Leeds City Council
NEC Rep	Stephen Turner, Hull City Council

### Special Interest Groups (SIGs):

Licensing	Commercial
Trainees & Newly Qualified	Community Care
Housing	Debt Recovery
Childcare	
Planning & Highways	
Employment	
Education	

It has been said in the past that the real work of the Branch takes place in the SIG's which we would echo. The Branch has currently ten SIG's (one of the largest national networks), which are generally thriving and active.

It was pleasing to note the re-launch of the Commercial SIG this year. Special thanks go to Angela Vodden and Steve Turner for their sterling work in bringing this about.

The SIG's would not flourish without the dedication of their respective convenors to whom thanks are due for all their efforts.

The Branch is represented on the National Executive by Steve Turner, Ian Spafford and Leyna Stewart. Steve has an additional responsibility on the NEC as the newly-appointed National Knowledge Co-ordinator and is actively involved with the

development of a knowledge network with the aim of spreading best practice.

We are especially proud that Habib Aziz from Leeds City Council was judged the winner of the Local Government Young Solicitor of the Year award and also that Sonia Belfield of Hull City Council was commended in this competition. Their success is a feather in the Branch's cap.

In conclusion this has been another enjoyable and productive year for the Yorkshire and the Humber Branch which goes from strength to strength.

Branch meetings during the year:

These are held three times a year, with formal Branch business being kept to a minimum. The focus is essentially a guest speaker, which usually attracts CPD points. Meetings are a useful 'networking' forum for Members and a chance to liaise and meet with colleagues from other authorities.

The Branch Executive is committed to taking Branch Meetings to all areas of the Yorkshire and Humber Region and we are very grateful to those authorities who have hosted meetings in the last year.

The AGM took place at Leeds Civic Hall on 1 March 2007, when 50 Members from 13 authorities attended. Speakers included Rosemary Edwards, the President of Leeds Law Society, Stuart Turnock, Deputy President and Chief Legal Services Officer at Leeds City Council and His Honour Judge Grenfell, the designated Civil Judge for Leeds and North Yorkshire. All were very well received.

The next meeting saw the branch head to the Yorkshire Coast on 18 July 2007, when Scarborough BC provided the venue at the splendid Spa Hall. We were joined by Paul Cape of Counsel (and part-time Chair of the Employment Tribunal) who spoke generally on employment issues. There was an attendance of 31 Members from 12 authorities. The summer's extraordinary weather produced dramatic conditions on the day with severe flooding in nearby Filey, which somewhat tested Members trying to return home but beforehand a good number enjoyed an open-top bus tour and the delights of the seafront.

The final meeting of the year took place in Sheffield on 16 November 2007. This was the first one to be held on a Friday but this did not adversely affect the attendance with 49 Members from 15 different authorities. The meeting was described as something for everyone with the main speaker being Jim Button, who spoke very effectively on the Gambling Act 2005. Isobel Rowley from the SRA faced some difficult questions from the floor, following a short presentation on the Authority's aims and objectives and we were delighted to hear from our National Chair, George Curran and the Director of LGG Limited, Dudley Lewis, who were both clearly impressed by the attendance and interest shown by Members in national issues.

At all the meetings each authority provided a generous buffet – which was much appreciated by Members.

## Fire & Rescue Lawyers Network (FLN) – David Cutting (FLN secretary)

Another busy year for the Fire & Rescue Authority Lawyers Network with some FRA events attracting national attention - such as the tragic fire fighter fatalities in Warwickshire.

There have been a few retirements amongst our number (Chris Grey, Stuart Ballard, Tony Brown, John Heys) and one or two new lawyers have taken on the mantle of Fire & Rescue Authority legal adviser - notably Geraldine Gee (Clerk at Avon); Robin Graham (Clerk at Humberside) and Guy Goodman (Clerk at Leicestershire).

Representative regional lawyers have been meeting with CLG on an almost monthly basis as part of the 'FireControl' project. There are a plethora of legal issues spawned by this project and it has been an almost full time job dealing with just these issues. Stirling work has been done on this front by Sian Stroud (Warwickshire) and Dave Wright (Merseyside).

FireControl has also been the catalyst for increased regional lawyer's activity over the last 12 months with the need to incorporate limited companies to run Regional Control Centres for the fire service at its centre. This has thrown lawyers together under the banner of regional collaboration in ways perhaps unfamiliar in the past. A glimpse of the future? Well, no bad thing in terms of lawyers sharing best practice and working more effectively together.

Since April 2007 the FLN have met in London at LGA House and LFEPA and discussed the issues as indicated below. This does no justice to the other FLN activity undertaken within the email network and regional networking groups.

### Meetings of FLN:

6<sup>th</sup> July 2007, LGA House, London

Speakers: Emma Varley – LGA; Paul Davies – Firebuy; Nick Dobson & Louise Townsend (Pinsent Masons) Legal Aspects of Corporate Governance / Freedom of Information / Data Protection Update;

Member Agenda items: Regional Control Rooms ; HRA Issues in re unwanted fire signals policy; Protocol for dealing with fatalities; Asbestosis claims; Smoking on FRA premises; Recovery of cost for arson or malicious false alarm prosecutions;

10<sup>th</sup> Dec 2007, LFEPA, London

Speakers: Emma Varley – LGA; Paul Davies – Firebuy; Chris Green & Andrew Cooper (Weightmans)  
Fatal Accidents at Work Protocol / Data sharing

Member Agenda Items: Regional Control Rooms ; Securing Premises after incidents; EC Driving Regulations; Contractual parity between WFF and RFFS; Protection of Vulnerable Groups Act 2006 - Application to FRS activities; Centre of Excellence consultation; Firebuy; Ultra vires of joint venture arrangement; Procurement BV; RN5 Artix software problems; RR(FS)O prosecutions; Corporate Manslaughter guidance.

14<sup>th</sup> March 2008, LGA House, London

Speakers: Emma Varley – LGA ; Duncan Astill & Bethan Evans (Bevan Brittan) Corporate Manslaughter / Standards & The New Code of Conduct

Member Agenda Items: RCC Company Secretary's Pre – Meeting; Ill health retirement options; standards committees; Health & Safety operational doctrine; Local Area Agreements / Multi Area Agreements / LSPs; Equal pay issues; Firebuy; Payment to Deceased Firefighter's families; National Firefighter Selection Tests, Emergency Response Support ; Regulatory Enforcement Sanctions Bill- Application to Fire and Rescue Authorities; Automatic Fire Alarms – Response Policies.

## The Law Society's Mental Health and Disability Committee – Angela Reid

The year has been a busy one for the Committee with the primary focus being on mental health and capacity issues. In parallel, significant work had been carried out on the Legal Aid changes that will impact on the availability of legal advice and representation for the most vulnerable in society.

During the course of the year the Mental Capacity Act 2005 together with its Code of Practice has been implemented. The committee had responded throughout to the consultations both on the Bill and the draft Code of Practice and subsequently has been involved in the new guidance issued by the Law Society on Lasting Powers of Attorney.

Similarly the Mental Health Act 2007 was passed and the draft Code of Practice was issued for consultation as was the consultation on the response to the 'Bournewood gap' ( deprivation of liberty). The Committee set up small working parties to consider the responses to the draft Codes of Practice and the Deprivation of Liberty consultation and I have been a member of each of the working parties. This enables me to add a local authority perspective to the Committees work on these consultations.

The membership of the Committee is drawn not only from solicitors but also academics, psychiatrists and representatives from the voluntary sector, all of whom are thoroughly committed to the work of the Committee. This enables a broad spectrum of expertise to be brought to the work of the Committee and for the responses to consultations to be thorough and well informed. The Committee has had the support of Tim Spencer-Lane, a policy advisor at the Law Society, who has been quite outstanding in drawing together the responses to consultations from the working parties.

## The Law Society's Family Law Committee and Children Law Sub Committee – Graham Cole

I have attended all the meetings of the Committee and Sub Committee (bar one) over the past year.

The issue which has dominated the work of these bodies is legal aid. The proposals to change the system of legal aid remuneration from hourly rates to fixed fees has met with widespread opposition from private practice and the Law Society has been lobbying hard against this change. The proposals have also caused concern to local authority child care lawyers as it is feared that they will cause private practitioners to desert this area of work leaving more unrepresented litigants in care proceedings. This could result in longer delays, more court sittings and thus greater expense to local authorities. The local authority representatives on the Committee / Sub Committee have therefore been supportive of our private practitioner colleagues and endorsed their representations on this issue.

The new Public Law Outline (PLO) has been the subject of close scrutiny. Whilst it has been broadly welcomed, there are fears that lack of resources will hamper its effectiveness, in particular the changes to legal aid. The proposals to significantly increase public law court fees are also viewed with alarm. Private practice has supported the arguments against these increases put forward by the local authority representatives and it is hoped that the Government will think again about its proposals.

Changes within the Law Society have meant that the Committee and Sub Committee have had to prepare business plans and make out cases for administrative and policy support. Support has been provided on the following topics :-

- The PLO – further training courses are being planned later this year once the PLO is 'up and running' in all areas
- Unification of the family courts
- Promoting recruitment to the Children Panel

The system for accreditation to the Children Panel was due to be changed, but this has been put on hold pending a review by the Solicitors Regulation Authority. The Committee / Sub Committee are keen to see the Children Panel remain in operation as an effective means of ensuring high standards for child care legal practitioners. At present, applicants will be able to continue to apply for membership on the basis of the current accreditation system and existing members whose membership was extended for over 2 years can now re-apply.

Other issues which the Committee / Sub Committee have considered are :-

- Family Procedure Rules – these will not now be introduced until 2010.
- The Chief Medical Officer's report on arrangements for instruction of expert witnesses (a pilot scheme is to be set up).
- Openness and transparency in public law proceedings – the Government's original proposals were opposed and its revised proposals were supported
- Reform of child maintenance
- Cohabitation – the Law Commission has proposed changes to the law which are undergoing consultation

It has been pleasing to note the increased representation of local authorities on the

Sub Committee, and in particular the appointment of Uma Mehta (Islington LBC) as its Chair.

I myself have found the experience of sitting on the Committee / Sub Committee very rewarding, both personally and professionally and hope that, along with my colleagues, we can continue to raise the profile of local government and ensure that our views are taken into account.

## SLG Childcare Lawyers Group (formerly child care law joint liaison group) – Sherri Holland

The Local Authority Child Care Lawyers Group was originally established by ACSes and LGG pre the Children Act 1989 in 1989. It has continued to work since that time on behalf of Access and LGG (now SLG) in the area of child care law. When the lead professional pilot was developed by SLG, this Group, chaired by myself, was the lead professional for child care.

Members of the Group are involved in various national committees and initiatives. One of our members is on the Law Society Family Law Committee and two of our members are on the Law Society Children Law Subcommittee. One of our members attends the National Family Justice Council Safeguarding Children Subcommittee and another is a child care SIG Convenor for the Eastern branch of SLG.

2007 was an extremely busy year in the light of numerous Government initiatives, consultations and, in particular, the Care Proceedings Review, culminating in the Public Law Outline.

The Group holds four meetings per year, usually in March, June, September and December and additional meetings have been called during 2007 to deal with particular issues, specifically the Care Proceedings Review.

The early part of the year involved the Group in providing an input to the consultation on the Legal Services Commission Funding under the Carter Review, in conjunction with the Law Society.

The Group also responded to the consultation on the Family Procedure Rules and to the second consultation on Transparency in the Family Courts.

A major part of the year has been taken up with the Care Proceedings Review which has been a wholesale review as to the way care proceedings are conducted, the main recommendations from the Review being implemented through revised Statutory Guidance to support local authorities, underpinned by a revised Public Law Protocol (the Public Law Outline) for progressing care cases. The Group was a member of the Stakeholder group for the Care Proceedings Review, the first meeting of which was the Sieff Foundation Conference on 16 and 17 April 2007, which I with another member of the Group attended. Also as part of the Care Proceedings Review, the Group was an on-line member of the steering group for implementation of the Public Law Outline and its attendant guidance.

Three members of the Group work in local authorities in the area where the Public Law Outline is being piloted and have thus been extensively involved in the consultation in those particular areas and instrumental in commenting on various forms and guidance.

The Group also provided comments on the consultation for the new Children Act Guidance Volume 1 and the Public Law Outline itself.

More recently, the Group has been heavily involved in the consultation on Court Fees in Public Law proceedings and has consulted extensively across local authorities prior to submitting a response to SLG and its own response.

The Group has now been designated an SLG specialist committee and will shortly be recruiting new members, some of whom will be local Child Care SIG convenors.

Appendix One

## SLG IN THE PRESS

### Law Society Gazette:

#### Pastoral care push

Thursday 05 April 2007

**Pastoral care for solicitors needs to stay high on the agenda of both the Law Society and the Solicitors Regulation Authority (SRA), the incoming chairman of Solicitors in Local Government (SLG) has said.**

George Curran, a former head of legal services at Walsall Council who is now working as a locum solicitor at West Wiltshire District Council and Harlow Council, warned that work in this area should not be allowed to fall between two stools following the post-Clementi split.

Arguing that the issue needs to be addressed for the future benefit of the whole profession, he said: 'We see a clear link between the two organisations in terms of pastoral care, trying to help people who might be in difficult circumstances, and trying to prevent them from being the subject of regulatory control.'

Mr Curran added that the SLG would continue to maintain its historically strong relationship with the Law Society, having worked together on initiatives such as Lexcel.

However, he called on the Society to give groups the ability to forward plan by indicating how much funding they are likely to receive over a period of three years, rather than the current annual budgeting.

'The groups are active and they do deliver,' said Mr Curran, who added that the SLG also sees it as important to develop a positive relationship with the SRA.

Mr Curran took over as chairman of the group from Nigel Snape of Malvern Hills District Council at the SLG's annual weekend school, held this year in Cambridge, which attracted close to 300 delegates.

Habib Hameed Aziz, a senior lawyer at Leeds City Council, was named the SLG and Trowers & Hamblins local government young solicitor of the year at the weekend school for his innovative work co-ordinating the council's large housing department. Sonia Belfield of Kingston-upon-Hull City Council received a commendation.

*Philip Hoult*

## **Local government lawyers to set up knowledge network**

Thursday 04 October 2007

Local government lawyers are to look at the feasibility of creating a national knowledge network.

The plan – considered at a conference run by Solicitors in Local Government (SLG) last week – would build on SLG's structure of special interest groups and lead professionals. SLG has 51 special interest groups across its nine branches, covering areas such as social services, education and planning.

Guy Goodman, SLG deputy vice-chairman and head of community services law at Leicester City Council, said: 'If a network is to be sustainable, we need to make sure it has the resources.'

Stephen Turner, a commercial lawyer at Hull City Council, said it was important for local government lawyers to get involved in law reform. He added: 'We are the experts in our fields and that pool of knowledge should be capable of being tapped for the benefit of those who are new to their fields and those who are older in their fields, but who may have gone stale.'

## EXECUTIVE COMMITTEE MEMBERS AND DIRECTORS 2007-2008

### **OFFICERS**

Chairman	George Curran, West Wilts DC, Harlow BC
Vice Chairman	Suzanne Bond, London Borough of Hillingdon
Deputy Vice Chairman	Guy Goodman, Leicestershire City Council then Leicestershire Fire & Rescue Service
Hon Treasurer	Peter Rhodes, Retired
Secretary	Philip Thomson, Essex County Council
Noter Up Editor & Press Officer	Helen Bennett, London Borough of Haringey
Noter Up Deputy Editor & Press Officer	Matt Ginn, London Borough of Richmond- upon-Thames
Young Solicitor Representative	Nathalie Birkett, Nottingham County Council
International Officer	Nigel Roberts, Gloucestershire County Council
Equality & Diversity Officer	Linda Walker, Durham County Council
National Network Coordinator	Stephen Turner, Hull City Council

### **BRANCH SECRETARIES**

Eastern	Michael Joyce, Norfolk County Council
East Midlands	Guy Goodman, Leicester City Council
London and Home Counties	Amrina Fakir, London Borough of Haringey
Northern	Dennis Hall, Sedgefield District Council
North West and North Wales	Richard Lester, Salford City Council
South West	Kevin Hill, Bristol City Council
West Midlands	Emma Harvey, Borough of Telford & Wrekin
Yorkshire and the Humber	Ian Spafford, Leeds City Council
South and Mid Wales	Laura Mumford, Cardiff City Council then Elizabeth Gubbings, Vale of Glamorgan Council

### **BRANCH REPRESENTATIVES**

Eastern	Marc Ronan, Mid Bedfordshire District Council
East Midlands	Mandeep Virdee, Leicestershire City Council
London and Home Counties	Zakir Hussain, London Borough of Tower Hamlets Matt Ginn, London Borough of Richmond-upon- Thames
Northern	Pat Holding, Durham County Council
North West and North Wales	Graham Cooper, Trafford MBC
South West	Tim Martin, Poole Borough Council
West Midlands	Deborah Wilson, Worcestershire County Council then Peter Endall, Warwickshire County Council
Yorkshire and the Humber	Stephen Turner, Kingston upon Hull City Council
South and Mid Wales	Jonathan Evans, Newport City Council

**TRAINEE SOLICITOR REPRESENTATIVES**

Kemi Okunnu	North Somerset Council
Leyna Stewart	North Yorkshire County Council
Lauren Kemple	Birmingham City Council

**PAST CHAIRMEN**

Nigel Snape	Malvern Hills District Council
Helen Liddar	Oxford City Council
Maria Memoli	Local Governance Ltd

**ACSeS Representatives**

Maria Memoli	Local Governance Ltd
Stephen Taylor	Swindon Borough Council

**LAW SOCIETY COUNCIL MEMBER**

Maria Memoli	Local Governance Ltd
Dafydd Jones	Gwynedd County Council, then George Curran