cornerstone barristers

Local authorities post COVID-19

All you need to know

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CORNERSTONE BARRISTERS

Public Law Chambers

INTRODUCTION

Local authorities have been instrumental in tackling the COVID-19 crisis and will play a pivotal role in the post-lockdown recovery.

As a result, they are experiencing a surge in duties and responsibilities, whilst they have to continue to provide day-to-day services and their resources are more stretched than ever.

Cornerstone Barristers has been supporting local authorities since the outset of this crisis by producing briefings, timely updates on new regulation and guidance, webinars and training sessions.

The material we have produced can be found in the COVID-19 Unit page on our website.

This briefing considers all the most recent updates across a variety of our practice areas and provides an overview of the challenges that local authorities should be prepared to tackle in the coming months.

About Us

We are a public law set with over 300 local authority clients.

We cover all local government concerns, including:

- Planning
- Housing
- Property
- Licensing
- Information law
- Health and social care
- Regulatory law
- Judicial review
- Policy and strategy

What they say about us

"Absolutely excellent. I always get a first-class service" - *Solicitor*

"Their approach to collaborative working with solicitors is pioneering" - *The Legal 500*

"It is always delightful and a pleasure to work with the barristers. They recognise your needs and ensure that those needs are met" - *Chambers and Partners*

"A great chambers filled with pleasant, experienced and expert barristers. The admin/clerks team is also always helpful and easy to liaise with" - *Solicitor*

PLANNING

While encouraging planning authorities to operate as near normally as possible, the Government has introduced:

- New pd rights for changes of use to takeaways, and for emergency development by local authorities.
- Changes to some procedural requirements, notably publicity, where unable to comply for reasons connected to the effects of coronavirus (Regulations in force 14 May 2020 and expiring 31 December 2020).
- Guidance on matters ranging from CIL to CPOs, published on 13 May 2020.

On 25 June 2020 the Government published its Business and Planning Bill which introduces legislation providing for "pavement licences", as well as changes to construction working hours, permission expiry dates, and appeals procedures, all in line with the announcement three days earlier.

PAVEMENT LICENCES

Part 1 of the Bill provides for a swift consenting process for use of pavements and other non-vehicular highways or parts of highways so that those who use premises or propose to use them as a pub, wine bar, other drinking establishment, restaurant, café or takeaway, can make use of the highway by placing removable furniture on it.

Applications are made by email and the public consultation period is very short (7 days). If no decision is taken within 14 days the licence is deemed granted. The LPA must have regard to any guidance issued under cl.8 of the Bill.

Licences are granted for periods greater than 3 months, but expire on (if not before) 30 September 2021. Otherwise the LPA can impose such conditions as it considers reasonable, and there are provisions for both them and the SoS to "publish" conditions subject to which licences are to be granted – in which case these take effect where the licence is deemed granted under cl.3(8). There are enforcement and revocation provisions in cl.6.

PD RIGHTS

There are obvious challenges for LPAs monitoring sites and enforcing planning control at this time. Less obvious difficulties attend the new permitted development right (Class DA) to use for the provision of takeaway food. This new, temporary, right is:

- Subject to the condition that the developer notifies the LPA.
- Wider in its scope than Class A5.

It's important to keep a record of notification on the planning register – and to bear in mind that the right is not available for changes of use from, for example, business premisesof all kinds or from sites in *sui generis* use; and not available where the use would be contrary to a condition on a planning permission [Article 3(4)]. In such cases, enforcement of any breach of planning control may follow, but only if judged to be expedient.

PROCESSING APPLICATIONS

The update on 13 May confirmed that determination periods will not be relaxed. Meanwhile, the new Regulations give greater flexibility in how certain applications (for which see NPPG 15-036) may be publicised. Main points to note:

- **The test**: existing procedural requirements remain in force unless the LPA "*is not able [to comply] because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.*"
- **The consequences**: for applications publicised under the 2020 Regulations, an additional 7 days is required [Reg 5]; greater reliance is placed on the Council's website, including for the planning register [Reg 6]; obligations are imposed on applicants where EIA development is proposed.
- **The obligation** to "*take reasonable steps to inform persons who are likely to have an interest in the planning application*" of the matters set out in the Regulations, notably the opportunity to inspect the application or ES or both on the website.

PPG guidance on reasonable steps is helpful but is not a statement of the law. The three areas for LPAs to take particular care are (a) justification for reliance on the 2020 Regulations; (b) deciding what reasonable steps to take to publicise the application; (c) recording those decisions.

COLLECTING s106 AND CIL PAYMENTS

On 30 June 2020 the Government laid draft Regulations (not yet available at the time of writing) and published draft amended Guidance as foreshadowed in the planning update on 13 May 2020. This:

- Encourages LPAs to be flexible, where they can, over recovering payments due under s106 and to consider allowing deferral via a deed of variation, while also being "*pragmatic and proportionate*" over enforcement.
- Reminds authorities of their power to adopt an instalment policy which can be brought into effect at any time.
- Suggests discretion is used over enforcement of CIL pending the introduction of amendments to the Regulations for SMEs, defined as "*developers that have an annual turnover of less than £45 million*." It is unclear what the Government recommends for other developers, which may also be in financial difficulty, indeed whether the chosen distinction will survive scrutiny in Parliament.

Particular care will need to be taken on a case by case basis over the exercise of discretion by charging and collecting authorities, and local authorities should put in place a robust set of principles to guide the exercise of discretion over whether to adopt an instalment policy and what it should say / who it should apply to; and other matters relevant to enforcement and engagement with developers.

And then there's the question what impact will all this have on the delivery of the Council's Infrastructure Plan and development in the area? These are difficult questions which will require liaison across and between local authorities and others.

MEDIATION

Many disputes in planning can be resolved, or even avoided altogether, by mediation. Mediation involves the use of an independent third-party skilled mediator to help the parties come to an agreed solution, or to narrow issues.

With the present backlog of appeals at PINS, it is likely that mediation will increasingly be seen as a route to speedier resolution of planning issues, perhaps avoiding expensive and slow appeals to the Inspectorate and beyond.

Mediation is a solution-focused, non-judgmental process in which the intention is to move away from the idea of winning and losing, and towards outcomes that are sufficiently acceptable for all parties to sign up to.

Mediation can be done remotely, using platforms such as Zoom, and can be arranged in relatively quick time, meaning what might otherwise be a long and expensive process of waiting for an appeal can be resolved quickly and collaboratively, and often without leaving home.

The agreed outcome - which is not constrained by the powers on appeal, and can encompass a wide range of matters - is made binding by a formal agreement which can then be ratified in whatever way suits the facts of the case - whether a joint approach to PINS, a resubmitted application, or a withdrawal of certain grounds of appeal.

Mediation has for years played a central (and extremely effective) role in commercial dispute resolution, and is increasingly strongly promoted by central government as a way of resolving otherwise expensive disputes across the board. The COVID-19 crisis means that it is time the planning system, too, began to take better advantage of mediation's ability to resolve difficult disputes.

HOUSING

HOMELESSNESS

According to Crisis, homelessness has risen during the lockdown. Homeless person units have been faced with more people presenting as homeless or threatened with homelessness, more issues surrounding intentionality and the suitability of accommodation provided, and more issues surrounding vulnerability and priority need (see section 1891(b) and (c) of the Housing Act 1996). Those issues will continue even as the lockdown eases.

Part of the increased pressure may come from the position of (former) rough sleepers and those moved from unsuitable accommodation. On 26 March 2020, the Minister for Homelessness and Local Government wrote to local authority leaders about the Government's strategy and funding for keeping rough sleepers off the streets.

Longer term, the Government has announced an intention to provide 6,000 units of housing to eradicate rough sleeping, with the focus being very much on the private sector and encouraging housing associations to assist. On 23 June 2020 it also announced an additional funding package of £105 million "*to support rough sleepers and those at risk of homelessness into tenancies of their own, including through help with deposits for accommodation, and securing thousands of alternative rooms already available and ready for use, such as student accommodation*".

The reality is that many individuals will either fall through the net or not be assisted permanently or quickly enough. Local authorities will need to ensure that they apply their discretion and duties under Part 7 of the Housing Act 1996 in a considered and lawful fashion, and avoid blanket policies and unsafe assumptions.

REPAIRS/INSPECTIONS

Social distancing measures have had an inevitable impact on local authority landlords carrying out repairs to their stock (many effectively stopped all but emergency repairs for those shielding) and necessary gas/electric safety inspections. Non-statutory guidance from the Government holds that landlords are still expected to make every effort to meet inspections and the guidance *Working safely during Coronavirus* (May 2020) addresses issues surrounding working in other people's homes. It would be foolish to believe that this will not impact upon disrepair claims or counterclaims both existing now or in the future.

The HSE has said that landlords should not suspend all gas safety checks and should make reasonable attempts to obtain alternative services. "*Where you cannot and resource has to be prioritised you can do so, considering factors such as (this list is not exhaustive):*

- *The age and type of appliances;*
- *Previous maintenance/work carried out;*
- *Breakdown history;*
- *The presence of CO alarms;*
- *Whether the tenant is considered vulnerable for reasons other than risk from coronavirus (COVID-19).*"

Other things to consider:

(1) Under the Gas Safety (Installation and Use) Regulations 1998/2451, as amended, regulation 36A has the effect that if done earlier than one year the 12 months time limit on the next inspection runs from when the previous one had to be done.

(2) Regulation 39 provides that "*no person shall be guilty of an offence by reason of contravention of regulation …36 of these Regulations in any case in which he can show that he took all reasonable steps to prevent that contravention.*"

RENT ARREARS

Rent arrears have inevitably risen for local authority tenants every bit as much as in the private and wider social housing sector. *Inside Housing* reported on a survey by HouseMark that showed "*rent arrears among social landlords have surged by £100m since the coronavirus pandemic hit the UK*".

Local authority landlords will need to consider why the arrears have accrued, ensure that the pre action protocol is properly observed if possession proceedings are issued and be aware that they will need to justify in most instances why a possession order is reasonable in all the circumstances.

Extra caution is required before court action is contemplated.

POSSESSION CLAIMS STAY

The increase in rent arrears arose at the same time as most possession claims had originally been stayed by means of Practice Direction 51Z until 25 June 2020 (90 days from the day it came into force).

The Government has extended the stay to 23 August 2020. Most statutory notices preceding possession action, such as notices seeking possession, require additional time before a claim can be issued (minimum 3 months) following the enactment of the Coronavirus Act 2020, section 81/Schedule 29.

It is important to note that:

- Possession claims can be issued during the stay period.
- The stay does not impact upon the ability of the courts to hear injunction claims (e.g. re anti-social behaviour).
- The stay prevents the hearing of appeals against possession orders – see *LB Hackney v Okoro* [2020] EWCA Civ 681 - but not hearings on any stay applications following the issuing of a warrant of possession.

The extended stay is now reflected in a new, and temporary, civil procedure rule – 55.29.

VOIDS

On 13 May 2020 the Government amended the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020/350 (regulations 6) and guidance to allow for viewings and sign-ups:

"People are free to move home, however the process of finding and moving into a new home is likely to be different, as those involved in the process will need to adapt practices and procedures to ensure that the risk of spread of coronavirus is reduced as far as possible."

REMOTE MEETINGS

New regulations enabling remote meetings launched local authorities into the digital world overnight, bringing much needed flexibility in these times while also raising new challenges. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April 2020 and are designed to ensure authorities can conduct their business and deliver services during this public health emergency.

While lawful, fair and effective decision-making is certainly possible in this new virtual reality, local authorities will need to be mindful of the common pitfalls associated with remote meetings.

Some of these challenges are highlighted below.

PROTOCOLS AND RULES

A new remote meetings protocol setting out etiquette and good practice for virtual meetings can provide helpful guidance to both members and the public.

Some authorities will need to consider amendments to their constitutional rules, for e.g. those dealing with the recording of votes. The process of adopting a new standing order or amending an existing one will be governed by each constitution; in the absence of delegated powers, full council approval is likely necessary.

TECHNOLOGY

Choosing the right technology for hosting and webcasting the meeting is critical to running an effective meeting online. At a minimum, the chosen technology should allow compliance with the conditions set out in the Regulation (Reg 5(3)). Therefore councillors should be able to hear and be heard by – and where practicable see and be seen by – other councillors as well as any members of the public entitled to speak at the meeting. Councillors must also be heard and, where practicable, be seen by any other members of the public attending the meeting.

Authorities will also need to consider their data protection obligations when choosing technology and devising policies for the recording of meetings and retention periods.

PUBLIC SECTOR EQUALITY DUTY

Due regard must be given to how virtual meetings may impact on those who share protected characteristics.

Authorities may wish to publish information on how to access online meetings and engage in other ways of ensuring participation amongst e.g. the elderly, who may have lower levels of internet literacy.

Authorities will also need to consider how to manage meetings once the restrictions on lockdown ease further, as there will still be those members (both councillors and members of the public) who may need to shield for the foreseeable future.

INFORMATION LAW

ICO GENERAL GUIDANCE

If you are facing a mounting pile of FOI, EIR or Subject Access Requests, it will be a comfort to note that the Information Commissioner's Office (ICO) has set out lots of useful guidance within its data protection and coronavirus information hub.

In particular, its *Regulatory approach during the coronavirus public health emergency* acknowledges that organisations are experiencing staff and operating capacity shortages, redeploying resources to meet new demands and facing acute financial pressures.

The ICO will take into account these circumstances when exercising its enforcement powers.

It is clear therefore that if local authorities are struggling to properly respond to requests within the relevant statutory time limits, the ICO will take account of the current circumstances when considering any complaints.

LEGAL PROCEEDINGS

In relation to legal proceedings, local authorities will have had a welcome reprieve from much of their information rights litigation over the past two months as a result of the general stay imposed by the First-tier Tribunal on all proceedings.

However, that stay has not been continued into June and the Tribunal is currently re-listing adjourned cases. As there will undoubtedly be a significant backlog, the Tribunal is as always asking whether some cases might be suitable for determination on the papers. It has also indicated that cases which are expected to last a half day or less will be suitable for a remote hearing.

LOOKING TOWARDS THE FUTURE

For those local authorities who continue to have staff working at home, the ICO has provided a very basic but nevertheless useful guide. At the same time, many local authorities will now be starting to reopen or consider reopening their offices and the ICO has published some useful guidance on workplace testing.

As part of assisting organisations in reopening, the ICO has also published guidance entitled *Coronavirus recovery - six data protection steps for organisations*. The six key steps are:

- Only collecting and using what is necessary
- Keeping collection to a minimum
- Clarity, honesty and openness with staff about their data
- Treating people fairly
- Securing information
- Ensuring staff can exercise their information rights

Local authorities have also played an important role in dealing with the pandemic, particularly as a result of their social care responsibilities.

The publication of four legal directions under regulation 3(4) of the Health Service Control of Patient Information Regulations 2002 has proved an important legal framework for local authorities and other health organisation to process confidential patient information and other personal data for any 'COVID-19 purpose', a very broad term which includes understanding trends, monitoring, research, planning, supplying services and preventing COVID-19.

The Notices are due to expire on 30 September 2020 but the Secretary of State for Health and Social Care may extend them by further notice before this.

Looking further into the future, the ICO has revised its priorities for 2020-2021 and published this infographic explaining how its six priorities are now:

- Protecting our vulnerable citizens
- Shaping proportionate surveillance
- Enabling good practice in AI
- Enabling transparency
- Maintaining business continuity
- Supporting economic growth and digitalisation

While these priorities are quite high level, many local authorities will again welcome the overarching approach which appears to be rooted in pragmatism and with an aim to supporting sensible and proportionate use of personal data to assist in ensuring protection of public health and a managed economic recovery.

BREXIT

Finally, just in case anyone had forgotten, Brexit still looms large on the horizon as the Government continues to insist that the UK will leave the transition period on 31 December 2020.

As things stand, this will mean the commencement of the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 resulting in various amendments to the Data Protection Act 2018.

While a lot of the changes will only involve technical amendments to the GDPR so that it works in a UK-only context, local authorities will nonetheless need to keep abreast of the changes as the wording of the 2018 Act will change in detail.

This is clear from the Government's Keeling Schedule showing how the 2018 Act will change.

LICENSING

Pubs, clubs, restaurants and cafes shut their doors in March.

Many taxi drivers have continued to work and have provided an important part of the response to the pandemic. Pubs have adapted, for example, supplying take away beer and DIY pizza kits for customers to enjoy at home. Some restaurants have transformed themselves into takeaway operations. Many such businesses have also prepared meals for NHS workers or acted as a support hub for their local community.

As restrictions continue to ease, the licensed trade is preparing for 'the new normal' with many businesses anticipating the return of customers from 4 July.

On 24 June 2020 the Government published guidance for *Keeping workers and customers safe during COVID-19 in restaurants, pubs, bars and takeaway services*. This sets out a framework for the operation of these premises during the pandemic and requires numerous changes to be made to working practices.

Operating conditions will be more challenging and there will be a continued focus on social distancing measures, stricter hygiene measures, and the need to make more use of outdoor space.

The leisure industry will need to adapt to rebuild. Business models and working practices will need to change. New businesses will emerge but, sadly, many will not survive. An agile response to the licensing of such businesses will be an important part of the rebuilding process.

The direction from the Ministry of Housing, Communities and Local Government (MHCLG) is to take a "*pragmatic and more flexible approach*" where there is discretion to do so "*while ensuring the licensing objectives are safeguarded.*" This direction applies to the procedural requirements of the advertising of licensing applications, the consideration of variations to a licence and also to the taking of enforcement action.

Businesses and licensing authorities are likely to need to consider a wide range of such variations: revised hours, additional licensable activities, permission for off sales, increased use of outside space including for tables and chairs and outdoor bars, the list goes on.

In a direct response to these issues, the recently published Business and Planning Bill sets out a speedy new regime for pavement licensing and provides for time-limited modifications of certain on-sales only premises licences to authorise off-sales as well.

It is clear that obtaining new consents such as a street trading licence or tables and chairs consents will be vital for many licensed premises. Philip Kolvin QC has recently made a convincing argument for allowing experienced licence holders to 'reclaim' our streets.

In respect of licensing hearings, the message from MHCLG is that these should continue where at all possible. Cornerstone Barristers held a webinar on conducting licensing hearings remotely which (along with many other resources on virtual hearings) can be found in the COVID-19 Unit page of our website.

As we look to rebuild our licensed trade for a post-COVID era, we also mark another milestone: two years since the GDPR came into effect. This means that data protection compliance should be an increasingly important issue for all licensing practitioners.

Here are the main areas that will need some work in the months and years ahead:

CCTV POLICY

CCTV plays an essential role in licensing enforcement but involves significant data protection implications which have not so far been properly recognised by licensing practitioners.

Both responsible authorities and licence holders should have CCTV policies explaining: the justification for using CCTV, information security measures, requests for disclosure and data sharing and retention periods.

Licensing authorities should also be making public privacy notices explaining how and why CCTV and other personal data is used for licensing enforcement purposes.

BODY-WORN VIDEO

With the encouragement of the police, this technology – with significant potential for invasions of privacy – is now deployed frequently by private security personnel at licensed premises. A clear justification for BWV and a similar policy framework for CCTV to ensure its use complies with data protection law is essential – and licensing authorities should not be afraid to push back against requests for its use without that justification in place.

FACIAL-RECOGNITION TECHNOLOGY

We are not quite at the stage where FRT is deployed at licensed premises – but that day is surely not far off, given that the High Court and Information Commissioner have recently given the green light to its use by police forces across the country. Good data protection compliance in the areas of CCTV and BWV will help ensure that the use of this Orwellian technology is kept in check.

ADULT SOCIAL CARE

Local authority adult social care (ASC) departments have been hard hit and are continuing to face unprecedented challenges as a result of the pandemic. Whilst we are moving from the virus peak, the impact on ASC and those it supports is far from over.

RISKS OF COVID-19 EXPOSURE

Social care staff are more likely to be exposed to COVID-19 than the general population due to the nature of their roles. The obvious risk, to be avoided, is a depleted workforce at a time when demand for social care services is high. Local authorities also owe a duty of care to their employees and should be alive to the possibility of claims under the Health and Safety at Work etc Act 1974.

Many social care staff have been unable to work as normal due to the restrictions e.g. care homes restricting visitors. As the restrictions are eased, there is likely to be an increase in direct contact, thus placing the workforce and service users at greater risk. *The COVID-19: management of staff and exposed patients or residents in health and social care settings* remains relevant and was updated on 14 June 2020 to include a section on 'test and trace'.

Following hot on its heels and hot of the press is the *COVID-19: adult social care risk reduction framework* published by the Department of Health and Social Care (DHSC) on Friday 19 June 2020 which focuses on how employers can support workers who are potentially more vulnerable to infection or adverse outcomes from COVID-19.

Risk assessments are key, as is good communication with staff and adherence to the action plans that are developed in response to risk assessment.

PPE

Adequate supplies of PPE will continue to be a major issue for the foreseeable future, especially with increasing direct contact by ASC staff. The COVID-19 personal protective equipment (PPE) guidance was updated on 18 June 2020 and deals with use of PPE by health and social care workers. It is supported by guidance on specific use of PPE in care homes and in domiciliary care published in April.

Local authorities should ensure they are up to date with the relevant guidance on PPE, which is changing rapidly, and respond appropriately to changes as they develop, including proper training of staff.

CARE ACT DUTIES

The Care Act 'easements' – if strains caused by the pandemic were so great that a local authority could not meet its core duties under the Act. The legislation was accompanied by statutory guidance which was last updated on 20 May 2020. Only a small number of local authorities activated the easements and at least one of those was threatened with a judicial review challenge. Currently only one local authority (Solihull) is still using them.

It is unlikely there will be any new decisions to activate the easements whilst the virus is in retreat. But, if there is a second wave, then local authorities may need to consider again whether to implement these measures.

A more immediate issue is how to meet assessed needs where services (e.g. day centres) are closed or not operating as normal. Where the easements are not activated, the local authority's duties under the Care Act remain and there may be challenges to service provisions failures if the duties are not properly met. Quality of assessments – particularly of those being done remotely – is also a potential area for challenges.

COURT OF PROTECTION AND DoLs

Although there have been no changes to the Mental Capacity Act 2005 (MCA), there have been significant changes in how these cases are managed. Most notable is the use of remote assessments and remote contact with 'P'.

For as long as care homes retain visitor restrictions, remote assessments are likely to continue. Even as restrictions begin to ease, there may be some cases where it will remain appropriate to use remote assessments.

However, the quality and appropriateness of any remote assessment is likely to be subject to scrutiny by representatives of 'P' and the court, and so decisions to undertake them should be carefully documented with reasons.

Court of Protection hearings are, for the most part, continuing to be held remotely. The most recent guidance from the Court of Protection, dated 31 March 2020, can be found here.

Finally, as has been anticipated, the Liberty Protection Safeguards (LPS) are unlikely to be implemented, as planned, in October 2020. There has been no official announcement, but the DHSC has apparently emailed the LPS Implementation Steering Group stating that the timetable is under consideration. A national statement is expected to follow, so watch this space!

ARBITRATION

Arbitration is not new. Many companies and individuals have for many years been using it as an alternative to litigation. However, it is still relatively little used by local authorities. Indeed, in some spheres of work it will not have been considered.

The British Institute of International and Comparative Law (BIICL) predicts a wave of litigation arising out of the COVID-19 pandemic, with parties trying to avoid obligations, by resort to matters of interpretation in contracts or statutes, or bringing new claims as a result of the effects of the pandemic and the emergency shutdown. In addition, because of the closure of courts many of the usual disputes are not at the moment being heard, and following their re-opening there is likely to be an enormous backlog of all types of work, leading to considerable delay and other problems.

As BIICL has said, alternative dispute resolution methods such as arbitration are to be encouraged and the judiciary supports this. The Government also supports the use of arbitration. For example, the Cabinet Office Guidance Note on Responsible Contractual Behaviour of 7 May 2020 recommends the use of fast track dispute resolution of this sort rather than determination by the courts.

Arbitration involves an independent arbitrator deciding the dispute between the parties. Where the dispute is about matters of interpretation, for example in deeds, contracts, or statutes, or applicability in particular situations, this can often be done on paper. Where, however, questions of fact need to be determined, or a hearing is for other reasons required, a speedy hearing can be arranged, and held either in person at a location convenient to the parties or using remote video systems.

Those involved in arbitrating disputes have not generally come from backgrounds involving local authority work. However, in response to the COVID-19 emergency, Cornerstone Barristers has established a speedy arbitration service aimed at resolving disputes from small to large, using an independent judicially-trained arbitrator with experience not only in the commercial and property law fields but also in local government work.

Members of Chambers can also be instructed to represent local authorities engaged in arbitrations, or in settlement negotiations such as mediation, which can be undertaken in advance of or alongside arbitration if appropriate.

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