

Monthly E-Briefing (Issue 51 – June to September 2015)

The latest submissions from the City of London Law Society's Specialist Committees are listed below.

All of our response papers are announced on Twitter as soon as they are published – stay up to date by following us @TheCLLS

The **Company Law Committee** responded to BIS Consultation on the Register of People with Significant Control ([read paper](#)).

The CLLS **Company Law** & LSEW Company Law Committee Joint Listing Rules Working Party responded to the FCA CP 15/19 – Quarterly Consultation Paper No 9 ([read paper](#)).

The **Professional Rules & Regulation Committee** responded to the SRA on the Regulation of Consumer Credit – the SRA's Regulatory Arrangements ([read paper](#)).

A sub-group of the **Land Law Committee** met on 1st July to continue discussion and drafting a **wayleave precedent document**. Work continues on the precedent document and it will be circulated to a wider working group in the next couple of weeks.

The importance of the wayleave project was emphasised during a debate in the House of Commons on the issue of broadband connection in Westminster Hall on 24th June. Mark Field, MP for the Cities of London and Westminster, spoke about the work being carried out by London local authorities and Central London Forward in drafting a standardised agreement for permission to install broadband infrastructure ([see report](#)).

General Issues

British Bill of Rights and the Human Rights Act

The Government has announced that it intended to bring forward proposals on a Bill of Rights this autumn. The proposals would be subject to full consultation. At a recent debate on the Convention and whether Britain could reasonably withdraw from it, between Sir Keir Starmer QC and Martin Howe QC, Mr Howe confirmed that the Bill has been drafted and is likely to be presented to Parliament during the course of 2016: he thought that it might have to be put through Parliament under the provisions of the Parliament Act.

Labour Leadership election

Jeremy Corbyn has been elected as leader of the Labour Party with 59.5% of the votes and Tom Watson was elected as his deputy with 39.4% of the votes.

Key members of the Shadow Cabinet are:-

Deputy leader: Tom Watson

Shadow first secretary of state and shadow business secretary: Angela Eagle

Shadow chancellor: John McDonnell

Shadow chief secretary to the Treasury: Seema Malhotra

Shadow home secretary: Andy Burnham

Shadow foreign secretary: Hilary Benn

Opposition chief whip: Rosie Winterton

Shadow education secretary: Lucy Powell

Shadow work and pensions secretary: Owen Smith

Shadow Lord Chancellor and shadow justice secretary: Lord Falconer of Thoroton

Shadow communities and local government secretary, and shadow constitutional convention minister: Jon Trickett

Shadow energy and climate change secretary: Lisa Nandy

Shadow Leader of the House of Commons leader: Chris Bryant

Shadow transport secretary: Lilian Greenwood

Shadow environment minister: Kerry McCarthy

Shadow women and equalities minister: Kate Green

Shadow Leader of the House of Lords: Baroness Smith of Basildon

Lords chief whip: Lord Bassam of Brighton

Shadow Attorney General: Catherine McKinnell

Shadow housing and planning minister: John Healey

Business reaction to the election result has been varied.

The **Institute of Directors'** director general, Simon Walker, said: "It is no secret that business has not always seen eye-to-eye with the new leader of the opposition. From renationalising the railways, to raising taxes on businesses and increasing government spending, Mr Corbyn has proposed some policies in the leadership campaign that we believe would undermine our open and competitive economy.

"When Jeremy Corbyn outlined his vision for the future in The Economy in 2020, he said that 'wealth creation is a good thing'. We agree, and hope to work with him on the big economic challenges the UK faces, such as improving the productivity and skills of the workforce. There are important ongoing debates on state investment in infrastructure, how to tackle examples of excessive pay at big companies, and how to increase diversity in senior management. Businesses will make their case sincerely on these issues, and we very much hope the Labour party will be prepared to listen."

The **Confederation of British Industry** said that "The country needs a strong opposition, and businesses will want to see the new Labour leader supporting a pro-enterprise agenda that will spur growth and create jobs across the UK. We look forward to working with Mr Corbyn in his new role."

The **Federation for Small Businesses** said: "The FSB works with all major political parties to tackle the challenges small businesses face, and we will be representing our members at each of the key party conferences in the coming months. We will watch with anticipation to hear how the Labour Party plans to go on backing the UK's 5.2 million small businesses and the many millions of people they employ."

The **British Chambers of Commerce's** director general, said: "We will be looking for the opposition to take a pragmatic and practical approach to business, recognising that wealth creation is the necessary prerequisite for the delivery of any political objectives. The role of business and economic growth in British society must be front and centre as the new Labour leadership develops its policy priorities."

Britain's businesses are the engines of job creation and economic growth. It is important that all governments and opposition parties recognise this fact if they want to achieve lasting results and change. We look forward to beginning a dialogue with the new leader of the opposition and his team in the weeks ahead. Firms will be encouraged by recent statements favouring much-needed investment in the UK's inadequate infrastructure and skills."

Court Fees

The issue of **increased fees** in the criminal and civil courts has continued as a source of contention. Thousands of criminal defence lawyers carried out a nationwide legal aid boycott from 1st July to the end of August. The boycott ended with talks between the Lord Chancellor and the profession which are currently ongoing. Meanwhile criminal court fees are said to have caused resignations of magistrates and criticism by senior judicial figures about the imposition of fees on those who cannot afford to pay and the pressure they are supposed to be putting on innocent people to plead guilty in order to avoid considerable percentage increases in fees.

On 8th September, Michael Gove advised the House of Commons that he was aware of widespread concern about the operation of the criminal courts charge, but stressed that the charge is levied or taken from the offender only after other fines have been paid. He advised that the government would review the criminal courts charge, but that it would not rush to judgment and would have to make sure the charge is given time to bed in, before making any final judgments.

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