

CITY OF LONDON LAW SOCIETY – CONSTRUCTION LAW COMMITTEE
Minutes of meeting held on Wednesday 24 March 2021
via video conference

In attendance: Matthew Jones (Chair) Francis Ho (Vice-Chair) Eleanor Milne (Secretary) Paul Cowan David Metzger John Woolley Louise Mercer Alistair McGrigor Richard Ceeney Ben Patton Kevin Hart (CLLS) Alex Cunliffe Richard Hill James Pratt Paul Starkey Stephanie Canham Fiona Edmond Victoria Peckett Angus Dawson Drew Norman Julia Court Marc Hanson	Apologies for absence Nicholas Downing
---	--

Minutes of last meeting

The minutes of the meeting held on 13 January 2021 were approved and will be uploaded to the CLLS website

Membership of the Committee

No changes to the membership of the Committee were reported.

CLLS Update

The Chair reported that the Chairs of Committees meeting was well attended and the overall impression was that the CLLS was very pleased with the levels of work being carried out by the various committees. The CLLS is focusing on engagement with younger lawyers and is considering a number of new initiatives to promote ESG, social mobility and D&I. The Committee will also consider this in further detail, giving particular attention to further training initiatives and associate forums. K Hart will look into the options for conducting a survey amongst member firms for feedback on training options/ideas.

Update on current activities

Standardisation of CLLS Documentation: Angus Dawson, Richard Hill and Fiona Edmond are liaising with the Land Law Committee on the need to include construction disclosures as

part of the development of the 8th Edition of the Certificate of Title. This work stream is on going.

Update to Novation Agreement: The sub-group is meeting on 13 April to finalise the updated agreement and guidance.

Land Committee Guidance on Insurance for Tenants Rights: The Chair is liaising with the Land Law Committee to find out the current status of the note and will report back in the next meeting.

Funders and third party rights: The note has been updated and the working group are arranging another meeting to discuss the impact of the Corporate Insolvency and Governance Act 2020.

Update to Letter of Intent: The sub-group reported that this work stream was progressing and that the revised draft of the LOI should be ready for review shortly.

Update to Borrower Reporting: The Chair reported that the note is in final form and will be shared shortly.

Foundation Level Training Programme: The 2021 Programme will be circulated shortly for review by members. K Hart will engage with the CLLS publicity team to discuss promotion for the training.

Innovation Working Group: Members will consider on an ongoing basis if there are any new areas that should be considered by the Committee. Potential areas for consideration are (i) fire safety and building regulation issues, (ii) issues arising from the implementation of the Construction Play Book and (iii) procurement law driven changes to insurance solutions.

Other business

Insurance market update: Louise Mercer advised that the PI market continues to be very difficult and the cost of PI cover continues to increase. The nature and extent of cyber exclusions is evolving and markets are looking for clarity on this issue. Insurance for timber clad projects is available but it is very expensive. Latent defects insurance is limited on the residential side, but it is possible to get this type of coverage.

VAT Reverse Charge: No changes have been made to JCT forms to deal with this issue.

Date of next meeting

The next meeting will be held via video conference on at a date to be agreed in June 2021 and if there are any issues with the date circulated please let the Chair know.