

# Civil news: tender opportunity for housing and debt work

News story

A tender has opened to deliver housing and debt services in Staffordshire and will close in June 2021.



We are inviting tenders for housing and debt services in the Staffordshire procurement area. There is no limit on the number of contracts that can be awarded in this procurement area.

This opportunity is open to any interested party that can meet the minimum tender requirements.

Applicants do not need to be a current legal aid provider to submit a tender, enabling organisations new to legal aid to bid to deliver this work.

## **Length of contracts**

Housing and debt contracts will be offered from 28 June 2021 and run until 31 August 2022, subject to the LAA's right to extend for up to a further 12 months.

## **How do I tender?**

Tenders must be submitted using the LAA's e-Tendering system.

## **Tender deadline**

The tender opens on 13 May 2021 and closes at 5pm on 7 June 2021.

## **Further information**

[Civil tender activity 2021](#) – to find out more and download the 'Information For Applicants' document [e-Tendering system](#) – to submit your tender

## [Expert group to help homeowners gain more control over their homes](#)

Homeowners are set to benefit from greater control over their home and building, as an advisory panel prepares them and the market for the widespread uptake of a collective form of homeownership, known as commonhold.

As part of the biggest reforms to English property law for 40 years, Housing Secretary Robert Jenrick has today (13 May 2021) launched the Commonhold Council – an advisory panel of leasehold groups and industry experts who will inform the government on the future of this type of homeownership.

The commonhold model is used widely around the world and provides a structure for homeowners to collectively own the building their flat is in, with a greater say on their building's management, shared facilities and related costs. There are no hidden costs or charges, preventing some of the egregious practices currently seen in some leaseholds.

The Commonhold Council, chaired by Building Safety Minister Lord Greenhalgh, will form a partnership of leasehold groups and industry representatives. These members – including Leasehold Knowledge Partnership, the National Leasehold Campaign, UK Finance and the British Property Federation – will bring their expertise on the consumer needs and market readiness for commonhold within the housing sector.

Commonhold gives homeowners more autonomy over the decisions that are made. They are in control of their building in what is known as the building's 'commonhold association'.

The newly formed Commonhold Council will help to make this a reality for more homeowners – as the government takes action to make home ownership fairer and more secure.

The move follows recommendations made by the Law Commission to simplify the commonhold system and expand its use for both new homes and existing leasehold buildings. The government will respond to these recommendations in due course.

Housing Secretary Robert Jenrick said:

We want to give homeowners across the country the autonomy they deserve.

The new Commonhold Council launched today will – together with

leasehold groups and industry experts – pave the way for homeowners in England to access the benefits that come with greater control over your home.

We are taking forward the biggest reforms to English property law for 40 years – and the widespread introduction of commonhold builds on our work to provide more security for millions of existing leaseholders across England, putting an end to rip-off charges and creating a fairer system.

Professor Nick Hopkins, Commissioner for Property Law at the Law Commission said:

The Commonhold Council will help to reinvigorate commonhold, complementing our recommendations for a reformed legal framework.

I am delighted to be able to support the Council's work, which will pave the way for commonhold to be used widely, ensuring homeowners will be able to call their homes their own.

This builds on the announcement in the Queen's Speech, where government set out its intention to restrict ground rents for new residential long leases to a peppercorn. Earlier this year, the government also announced changes that will mean that any leaseholder who chooses to can extend the lease on their home by 990 years, on payment of a premium, and will no longer pay any ground rent to the freeholder.

These changes will enable those who dream of fully owning their home to do so without cumbersome bureaucracy and additional, unnecessary and unfair expenses.

A Law Commission report said last year the leasehold system was not working for home owners. These changes will make the leasehold system fairer, cheaper and simpler. Today's announcement is a positive step to ensuring that homeowners have equal opportunity to manage their properties with fairness and dignity.

The newly appointed members of the Commonhold Council are:

- Damian Greenish, British Property Federation
- Paul Broadhead, Building Societies Association
- Bob Smytherman, Federation of Private Residents' Associations
- Kate Faulkner, Home Buying & Selling Group
- David O'Leary, Home Builders Federation
- Andrew Bulmer, Institute of Residential Property Management
- Philip Freedman CBE, QC (Hon), Law Society
- Sebastian O'Kelly, Leasehold Knowledge Partnership
- Katie Kendrick, National Leasehold Campaign
- Professor Chris Hodges, University of Oxford
- Charles Roe, UK Finance

A Technical Support Group will also be established to offer practical, legal and analytical expertise to the council. This will be provided by:

- Tim Collins, Barratt Developments PLC
- Professor Nick Hopkins, Law Commission
- Anthony Essien, LEASE
- Rob Stevens, Nationwide Building Society
- Mairead Carroll, RICS
- Philip Rainey QC, Tanfield Chambers
- Professor David Clarke, University of Bristol
- Professor Hazel Easthope, University of New South Wales
- Dr Sarah Payne, University of Sheffield

The Commonhold Council will consider the practical steps to implement a reinvigorated commonhold system. Find more information on the [Terms of Reference for the Commonhold Council](#).

Commonhold is a form of freehold home ownership, largely for use in flats or other interdependent buildings – and provides a structure to manage any shared parts of the building.

There is no third-party landlord – homeowners themselves have shared control and responsibility over the management of the building, shared facilities and their associated charges. Homeowners may choose to employ a professional managing agent to look after the building, but they remain in control.

Like other forms of freehold ownership, commonhold comes with shared responsibilities for homeowners to repair, maintain and insure buildings – or employ professionals to do so on their behalf. The Council will provide advice on how to support homeowners in taking on greater responsibilities for their building and will also help to ensure services, such as lending, property management and conveyancing, are ready to provide for widespread take up.

Forms of commonhold are found in many other parts of the world, including Australia, New Zealand, Canada and the USA, and many parts of Europe. Commonhold currently exists as a form of homeownership in this country and legislation came into force for England and Wales in 2004.

The government is also working to improve the leasehold system and set out plans in the Queen's Speech for the Ground Rent Bill that will free future leaseholders of additional costs associated with a lease in a building, known as 'ground rent' – by preventing building owners from charging this on new leases.

This is the first step in a series of ambitious leasehold reforms, which will give millions of leaseholders the right to extend the length of their lease to 990 years, on payment of a premium, with future ground rent set at zero. The government's reforms will also simplify the process and reduce the premium payment required for many leaseholders, when extending their lease or becoming a freeholder. Find [more information](#) on GOV.UK.

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## [Called-in decision: The Bell Foundry, 32-34 Whitechapel Road, 2 Fieldgate Street, London \(ref: 3245430 & 3245432 – 13 May 2021\)](#)

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## [Deadline Net Zero](#)

Two weeks ago, Germany's constitutional court said the country's 2019 climate law is inadequate because the largest share of decarbonisation needed for its 2050 climate goals won't be met until after 2030.

While Germany had targeted to lower greenhouse gas emissions 55 percent by 2030, compared to 1990 levels, the court ordered the government to revise the law by the end of the year.

The case brought by nine young climate activists, supported by a coalition of environmental groups, successfully argued that the planned transition offloaded burdens into the future and so violates the rights of younger generations.

Last week, the German government proposed a new goal to slash emissions 65 per cent against 1990 levels by 2030.

In global markets that are acutely aware of climate liability risks and quick to promote their net zero targets, this case gives us pause to hold up a mirror and ask "are we acting fast enough?"

Earlier this year, the National Trust published a map plotting some of its most loved sites alongside possible "worst case" climate related events, like extreme heat and humidity, flooding, landslides, coastal erosion, soil heave and high winds.

That the National Trust can say what will happen to Giant's Causeway or Ham House as a result of storms and heatwaves is pretty scary.

We live in a world where insurance companies fail in the face of Californian wildfires and yet many pension funds are invested in infrastructure that is not built with new climate extremes in mind.

A decade on from the financial crisis, and many investors still do not fully understand the esoteric financial products that their money is tied up in, let alone how their investments connect to the real world environmental problems we can see all around us.

This hinders a thorough public discussion of the systemic economic risks that climate change represents.

Which brings us back to deadlines.

How many construction projects will be invested in before 2050 that are not currently subject to the rigour demanded by our net zero goals?

The UK Government should be applauded for its leadership in setting a 2050 date, but to achieve success, everyone in the public and private sectors needs a clearer understanding of how capital is deployed – right now – to manage the transition to net zero, prepare for climate shocks, and restore nature.

If construction does not take into account mounting floods and extreme heat, the low-carbon infrastructure we need could itself become the stranded asset of the future.

The power outages in Texas as a result of freezing wind-turbines and electricity supplies were more than a vision of what is to come, they are where we are now.

Tens of millions of people sensibly saving for a pension are investing their money in the world as it was before the Texas power cuts, not as it is today, or will be in ten years' time.

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Four years ago, the Church of England National Investing Bodies and the Environment Agency Pension Fund set up the Transition Pathway Initiative.

Every year, the TPI reviews the progress made by the world's highest-emitting public companies.

This year, the report finds that no sector is reducing emissions fast enough to meet the UK's 2050 target.

Although an increasing number of companies now have net zero commitments, these pledges, in the oil and gas sector for example, only sometimes include operational emissions, not the emissions from the point of use.

Most companies now have a policy commitment to act on climate change and disclose their operational emissions.

But, measuring current and future emissions, it finds:

- only 15 percent of companies are on track to be below 2°C by 2050;
- 16 percent provide insufficient disclosure;
- And, 47 percent do not align with any of the benchmarks.

Demanding more action does not always mean divestment.

Shareholders can use their power to see companies, including fossil fuel companies, align with the Paris Agreement.

Your “Say on Climate” needs to be louder, supported by rigorous analysis undertaken by initiatives like the TPI.

Do you remember the Academy Awards when Frances McDormand won her second best actress Oscar for Three Billboards Outside Ebbing, Missouri?

She proposed actors and actresses should demand an “inclusion rider”.

I propose everybody should demand a “climate emergency rider”.

If you are investing in any industry you should ask how they are actively reducing carbon emissions and preparing for coming shocks.

Environment Agency Pension Fund members recently did this when 92 percent of responders said they thought it was important the Fund had a net zero target.

Last month, the fund committed to net zero and can show it is five years ahead of meeting its 2045 target... but we also focus on building a climate-resilient future because we cannot insulate our investments from a world where the wider economy is contributing to climate change.

The famous investor in coronavirus vaccines, Dolly Parton, once said: “If your actions create a legacy that inspires others to dream more, learn more, do more and become more, then, you are an excellent leader.”

The popularity of the Transition Pathway Initiative suggests many people want to learn more and do more.

It is now supported by over 100 investors, representing over \$25 trillion combined assets under management and advice, and is a reference point for sustainable bonds as well.

I would like to see it working alongside the Coalition for Climate Resilient Investment – whose members now have over 11 trillion dollars in assets – which aims to include climate-risks in upfront financial decision-making.

Embedding resilience and net zero in both long and short-term plans presents huge opportunities for the economy, but they need to be underpinned with strong regulation.

Environmental regulation needs levelling up so that it has the same clout as economic and financial regulation.

Without significant penalties for polluters and unscrupulous developers, the boards of such organisations will continue to deprioritise environmental leadership, and best practice will be undermined.

This year, the Bank of England's Prudential Regulation Authority plans to run a stress test to explore climate risks to the financial system.

Banks and insurers will be asked to quantify their financial exposure to risks in three climate scenarios, as well as the actions they would take to mitigate these, and how they would respond to corresponding business opportunities.

The three scenarios will have implications on flood defence funding and impact, which the Environment Agency is supporting the Bank in modelling.

It's a step in the right direction.

As we approach the G7 in Cornwall and the COP26 climate meetings in Glasgow, people need to recognise that economy-wide climate shocks are not just something that happen in the Global South.

International trade will increasingly rely on everyone recognising that global warming causes harm and presents opportunities beyond regulatory, provincial or even national boundaries.

The UN's global race to net zero and race to resilience, for which I am a Global Ambassador, need public and private support.

We know climate impacts pose a systemic risk to the global economy.

Trillions of pounds of assets are at risk from climate shocks.

We can't leave our response up until the deadline.

We need to deploy capital in a way that is alive to the reality of our situation now.

Thank you.

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## [Fishing vessel Nicola Faith to be raised](#)

News story



MAIB investigation update following the location and identification of the wreck of Nicola Faith.



Since [locating and identifying Nicola Faith in April](#), the MAIB has gathered and analysed dive survey data from the vessel. We now intend to raise the vessel so that an in-depth examination and stability analysis can be carried out.

The vessel will be raised using a specially designed barge crane that has been chartered by MAIB. The operation will be undertaken when weather and tidal conditions are suitable. It will then be taken ashore to a secure location for further examination before being prepared for a stability assessment.

The Chief Inspector's notice to [prohibit access to the wreck remains in place](#). The families of the crew members have been notified of the plans.

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