

Public matters - January 2020

This month includes construction and the environment, clean air, legal privilege, dissipation of assets to avoid care home fees, state aid, Freedom of Information Act 2000, Part 36 case update.

21 January 2020

Welcome to our Public Matters Newsletter.

This month we have:

[Construction and the environment: building green contracts to meet your carbon-neutral commitments](#)

James Harwood provides a summary of the short and longer-term environmental issues in construction projects.

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[Clean air - where we are and what we may expect in the future](#)

Sophie Hoffman looks at current clean air legislation, recent developments and the role of local authorities going forwards.

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[Local authority ordered to disclose legally privileged material under the Environmental Information Regulations 2004](#)

Natasha Stay provides an update on legal privilege in light of the recent decision in *Brooksbank v Information Commissioner* and another.

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[Dissipation of assets to avoid care home fees](#)

We have seen an increase in local authorities contacting us for advice about dissipation of assets in the context of care homes/nursing homes fees. Amba Griffin-Booth provides an overview of the considerations that local authorities should take into account.

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[State aid in loans to wholly owned subsidiaries](#)

Alex Kynoch reviews decision 2019/1712 on a public loan granted by Slovakia to Železničná Spoločnosť Cargo Slovakia [ZSSK Cargo], and its impact on public bodies.

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[FOIA and data protection: the difficult balancing exercise for public authorities when a request is made for third party personal data](#)

Matthew Alderton looks at the principle behind the Freedom of Information Act 2000, and exceptions for public authorities.

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[A claimant's Part 36 offer – just beat it](#)

Emma Marshall summarises the recent case of Hochtief (UK) Construction Limited, Volkerfitzpatrick Limited v Atkins Limited, and the effectiveness of Part 36 offers.

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Contact



Peter Ware

Partner

peter.ware@brownejacobson.com

+44 (0)115 976 6242

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