

Training Information

JB
James Button & Co
SOLICITORS

PUBLIC HEALTH
LEGAL INFORMATION UNIT

Expert legal assistance and
training to the public sector



www.jamesbutton.co.uk

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Welcome

The Public Health Legal Information Unit

The Public Health Legal Information Unit is a specialist service provided by James Button & Co, to help the NHS and local authorities understand and address many of the legal issues that will arise during their everyday operations. A programme of training courses lies at the heart of this service, driven by a subscription scheme that provides reduced cost training, legal assistance and guidance.

The Public Health Legal Information Unit is a division of James Button & Co, a long-established firm of solicitors based near Bakewell in Derbyshire. **We only act for Local Authorities and NHS bodies; We do not undertake work against councils or the NHS.** The Unit has been in existence for over 17 years having been originally set up and funded by the Department of Health and Welsh Office. Since August 1994, the Unit has been self funding on a subscription basis.

James Button has considerable Local Government and NHS experience gained at Local Authority and Health Authority level, and has written a number of books and articles on relevant topics. He is currently the president of the Institute of Licensing (formerly the Local Government Licensing Forum), an organisation he was instrumental in founding in 1996.

Jayne Foxley is a solicitor who has worked for Local Authorities for 17 years in Dorset and Mid Wales. She has a Diploma in Local Government. She also has experience of working in the Magistrates' Court Service. Until 2008 she was the Shire Solicitor based in Brecon for Powys County Council. Now she is a Consultant for James Button & Co.

Jayne has been working as a Trainer for the Public Health Legal Information Unit for a number of years. She is a knowledgeable, engaging and entertaining speaker who always builds a good rapport with course delegates.



Subscription to the Public Health Legal Information Unit is not intended to and cannot replace an organisation's legal advisers (legal advice is available on a case by case basis from James Button & Co. at an additional cost, with reduced hourly rates for subscribers).

Expert legal advice

Now more than ever before, working in the public sector exposes individuals and organisations to an unprecedented number of legally sensitive situations. From licensing to public health, criminal behaviour to human rights, the legislation involved is weighty and complex, and the responsibilities can be daunting.

James Button & Co. provides expert legal advice on all aspects of licensing, environmental and public health. This includes drafting and advising on all related policies and conditions, with case specific advice and handling committee hearings and Magistrates' Court appeals.

Comprehensive training for the public sector

Public Health Legal Information Unit training falls into 3 main categories, with courses running between half a day and three days. Following consultation, a bespoke syllabus is prepared for each client according to their specific needs and objectives, and training can take place in-house, at Bakewell in Derbyshire, or at Bridgend in Wales. Many training sessions are personally facilitated by James Button, the Principal of James Button & Co. or by Jayne Foxley, Consultant, with others being conducted by specialist lecturers.

Benefits of Subscription

Local Authorities and NHS bodies subscribe on an annual basis, and receive:

1. Unlimited access to the Unit for assistance and guidance on legal queries on all aspects of environmental health law, public health law and local authority licensing law ;
2. Two issues of the “*P. H. Law*” newsletter per year; It is a highly detailed yet ‘user-friendly’ guide to the latest problems affecting the public sector. **P.H.Law newsletter** covers all the areas that the Unit is involved in including environmental health, public health and licensing; as well as administrative and enforcement issues connected with these topics. It also details forthcoming training courses and provides information for delegates and their managers
3. Access to training courses provided by the Unit at a reduced cost.



Comments we have received include:

Client feedback for the Public Health Legal Information Unit

“Excellent training events - professionally and expertly delivered. Always come away with a clearer understanding of the topic”

Russ Howell, Health Protection Manager,
Kettering Borough Council

“The PHLIU consistently provides to a very high standard, both in its courses and published material, concise but wide ranging, practical advice”

David Stewart, Principal Legal Officer,
Chichester District Council

Enquiries

A fundamental part of the work of the Public Health Legal Information Unit is helping subscribers with legal queries.

James will attempt to provide assistance and guidance on any legal problem concerning any aspect of Public Health, Environmental Health or Local Authority Licensing.

James can only provide assistance and guidance. The subscription to the Unit is not intended to and cannot replace your own legal advisers. Only they can give you definitive advice that you can rely on. However, legal advice is available on a case by case basis from James Button & Co. Solicitors, at an additional cost, and as a subscriber, the cost is lower than the usual charge (please see page 6).

This is the protocol for enquiries which the Public Health Legal Information Unit will follow:

1. The Public Health Legal Information Unit provides general legal information and training. Whilst assistance and guidance will be given to any legal query, this will of necessity be fairly brief and will not constitute legal advice upon which you can rely. Advice of that nature can only be obtained from your own legal adviser.
2. We rely on information from subscribers to form the basis of "*P. H. Law*" and accordingly, any contact with the Unit may result in a general item in the newsletter. All such items will be anonymous.
3. If the matter is to be used in "*P. H. Law*", to ensure that the details of any query we propose using in "*P. H. Law*" are correct, we will send the enquirer a letter outlining the query and giving our views.
4. Should the enquirer have any corrections or comments, they should contact the Unit within 14 days of the date of the letter. If no such contact is made, the item will be considered for possible publication.

There is no limit to the number of enquiries that you can make. The only limiting factor is James' time. Please bear in mind that the Unit is small, so there may occasionally be a slight delay before James can give you an answer. We will endeavour to keep any delays to a minimum.

Enquires can be made by telephone, e-mail or letter/fax. If you do write to us, unless you indicate that you want to speak to James, he will reply in writing.

Legal Advice \ Advocacy

It is possible to offer a legal advice service to Subscribers. This is not part of the Subscription, and once again is not intended in any way to replace your own legal advisers or departments.

However, if there is a matter upon which you want legal advice which you can rely on in legal proceedings that can be provided on a case by case basis.

As this is not part of the Subscription, a fee will be payable, but Subscribing Authorities will receive a discount on the normal charging rates.

The legal advice is charged per hour. There is a discount if you have subscribed to the Unit.

This advice is available for the same areas as the Unit, i.e. all aspects of environmental and public health, local authority licensing and related matters. This includes:

- * Case advice on specific matters
- * Advising Licensing Committees
- * Advising Planning Committees
- * Appeals in the magistrates courts
- * Prosecutions
- * Drafting and advising on policies (both licensing & planning)
- * Commenting and advising on any aspect of environmental health, licensing or public health activity.
- * Representation before Committee

P.H.Law

The Units' newsletter, "*P. H. Law*" will be published twice a year and sent electronically to the contact name in all subscribing authorities.

It is now organised by Volume, with each volume running August to July. Please copy and circulate it ***within your authority*** as others may find it interesting. As it forms part of the service that you receive for your subscription, please do not pass it beyond your authority.

It will continue examining queries that have come into the Unit, and occasionally running Supplements dealing with a particular matter in greater depth.

It needs a steady flow of queries to make it work, so please do not hesitate to contact us if there is a matter with which you feel we can assist.

If there is a general matter that you would like us to cover in *P. H. Law*, please let us know.

Training and Subscription

A large portion of the work of the Unit is concerned with training. We have a team of experienced and highly qualified lecturers to facilitate the training.

Courses are available for Officers and Members of authorities in a variety of subjects. The courses are not only aimed at public health professionals and environmental health professionals, but administrators, lawyers, managers, Members, Democratic Services Officers etc., depending on the course. A large number of authorities have taken advantage of this, and held courses in their own premises. This is a most cost effective way of delivering training to officers of your authority.

The courses are accredited for Solicitors Regulation Authority Continuing Professional Development, and also count for Chartered Institute of Environmental Health and Faculty of Public Health Medicine Continuing Professional Development.

Training Costs

From 1st April to 31st March the costs are as follows:

You pay the cost of delivering the training, plus expenses and VAT. Most courses are for a maximum of 20 people per course; we have introduced small courses for up to 10 people, which are ideal for small groups. In addition, we can also facilitate larger events. In either case the cost per person is very reasonable. For this year we are holding the training costs at last years prices. This represents an excellent saving for your authority. We are also introducing a quarterly subscription scheme so you do not have to take out a full year subscription if this is not needed. The Subscription also gives you a reduction on the fees for delegates attending courses that we host in Bakewell, Derbyshire and Bridgend in Wales. These are very useful if you want to send individuals on the courses rather than running your own course with 10 or 20 delegates.

For a course that you organise and we provide the lecturer

As a *Subscriber*

- For a one day course for up to 10 delegates, the cost is £500.00. Extra delegates are charged at a rate of £55.00 each.
- For a one day course for up to 20 delegates, the cost is £825.00 Extra delegates are charged at a rate of £55.00 each.
- A half day course for up to 20 delegates is £700.00. Extra delegates are charged at a rate of £45.00 each.

As a *Non-Subscriber*

- For a one day course for up to 10 delegates, the cost is £1000.00. Extra delegates are charged at a rate of £110.00 each.
- For a one day course for up to 20 delegates, the cost is £1650.00. Extra delegates are charged at a rate of £110.00 each.
- A half day course for up to 20 delegates is £1400.00. Extra delegates are charged at a rate of £90.00 each.

Subscription Costs

Subscription Costs to the P. H. L. I. U.

For the Year- 1st April to 31st March The subscription fees reduce over the year as follows:

Subscription activated between 1 st April to 30 th June	= £580.00 plus vat
Subscription activated between 1 st July to 30 th Sept	= £435.00 plus vat.
Subscription activated between 1 st October to 31 st Dec	= £290.00 plus vat
Subscription activated between 1 st January to 31 st March	= £145.00 plus vat

It is also possible to subscribe for a 3 year period from 1st April 2010 until 31st March 2013 at a cost of £1680.00 plus VAT. This offers a significant saving on the cost of subscribing for 3 individual years.

If you wish to subscribe, the Subscription form is at the back of the booklet.

Training Courses and Dates.

Courses hosted by James Button & Co.

For a course that we host and you send the delegates:

These courses have proved very popular and are currently held at two sites:

- * Agricultural Business Centre, Bakewell, Derbyshire DE45 1AH. Telephone & Fax: +44 (0) 01629 713777, email: abc@derbyshiredales.gov.uk , www.derbyshiredales.gov.uk/Business/AgriculturalBusinessCentre
- * Bryngarw House, Bryngarw Country Park, Brynmenyn, Near Bridgend, South Wales, CF32 8UU. Tel: 01656 729009, Fax: 01656 729007, email: bryngarw.house@bridgend.gov.uk, www.bridgend.gov.uk/Web1/groups/bryngarwhouse/documents/marketing/003622.hcs
- * Liphook Millennium Centre, 2 Ontario Way, Liphook, Hants, GU30 7LD. Tel: 01428 723889. E:liphookmcerntre@tiscali.co.uk

Individual delegates are charged at the following rates for both courses:

- | | |
|---|---------------------|
| * Subscribers to PHLIU - full day fee per delegate | = £160.00 plus vat. |
| * Subscribers to PHLIU - half day fee per delegate | = £ 90.00 plus vat. |
| * Non-Subscribers - full day fee per delegate | = £210.00 plus vat. |
| * Non-Subscribers - half day fee per delegate | = £120.00 plus vat. |

Courses in Bakewell are being held on the following dates:

- * **Monday 4th October. Statutory Nuisance.- Full Day.**
- * **Monday 29th November. Licensing Act 2003. - Full Day.**

Courses in Bridgend are being held on the following dates:

- * **Monday 13th September. Licensing Committees.- Full Day.**
- * **Monday 18th October. Licensing and Gambling.- Full Day.**
- * **Monday 6th December. Taxi Licensing - Advanced for Officers. - Full Day.**

Courses in Liphook are being held on the following dates:

- * **Wednesday 15th September. RIPA Update. - Half Day (a.m. only)**
- * **Wednesday 15th September. PACE Update. - Half Day (p.m. only)**
- * **Thursday 11th October. Taxi Licensing - Advanced For Officers - Full Day**
- * **Thursday 4th November. Gambling Act 2005 - Full Day,**

If you wish to book a place on any of the courses above the booking forms are at the back of the booklet.

List of Courses

3 Day Course

- * Public Health - "Help! It's the Law!"

2 Day Courses

- * Criminal Investigations and Prosecutions

1 Day Courses

- * Consent, Competence, Confidentiality NHS Study Day
- * Council Decision Making
- * Criminal - ASBO's (Anti Social Behaviour Orders)
- * Criminal – Practical Criminal Investigation and Interviewing Skills
- * Criminal - PACE for Local Authority Officers
- * Gambling Act 2005
- * Licensing Act 2003
- * Licensing - Local Authority Licensing Courses for Members
- * Licensing – Update and "Local" Gambling
- * Management - The Essentials of Good Management
- * Media and Communication Skills
- * Planning - An Introduction to Planning Law and Committee Procedure for Members and Officers
- * Planning - An Introduction to Planning Law in Wales for Members and Officers
- * Public Health (Control of Disease) Act 1984
- * Public Health and the Law
- * Regulators Compliance Code and Regulatory Enforcement and Sanctions Act 2008
- * Statutory Nuisance and Noise
- * Taxis - Hackney Carriages and Private Hire Vehicles Outside London.— Introductory
- * Taxis - Hackney Carriages and Private Hire Vehicles Outside London.— Advanced
- * Violence - Dealing with Violence at Work
- * Witness Training—a One Day Course in the art of Giving Evidence

Half Day Courses

- * Criminal - RIPA (Regulation of Investigatory Powers)
- * Gambling Act 2005 – A Half Day Course for Members
- * Licensing Courses
- * Licensing Act 2003 Introduction
- * Planning
- * Police and Crime Act 2009, the Impact on the Licensing Act
- * Regulatory Compliance Code
- * Regulatory Enforcement and Sanctions Act 2008
- * Section 47 Removals
- * Street Trading & Sex establishments
- * Sex Establishment Licensing
- * Taxis
- * Work and the Art of Happiness

Further Courses

Courses are constantly being developed and suggestions for future courses are always welcome, custom courses can be arranged

Thank you for reading this. If you have any questions please call us.

Please return this form if you want your Local Authority or Primary Care Trust to subscribe to the Public Health Legal Information Unit.

Contact name _____

Position _____

Authority or Primary Care Trust _____

Address _____

Postcode _____ Telephone _____

Fax _____ E-Mail _____

The above Local Authority or Primary Care Trust wishes to subscribe to the Public Health Legal Information Unit subject to the terms and conditions printed overleaf -

(PLEASE TICK AS APPROPRIATE)

- 1 year until 31st March 2011 £580.00 plus vat @ 17.5%
- 9 months until 31st March 2011 £435.00 plus vat @ 17.5%
- 6 months until 31st March 2011 £290.00 plus vat @ 17.5%
- 3 months until 31st March 2011 £145.00 plus vat @ 17.5%
- 3 years from 1st April 2010 until 31st March 2013 @ £1680.00 vat @ 17.5%

Please invoice the authority for the subscription immediately

Signed _____


Date _____

Please return to:

Janet Button
Office Manager
James Button & Co. Solicitors
7 Devonshire Drive
Rowsley
Matlock
Derbyshire DE4 2HB
T: 01629735566
F: 01629 735528
E: accounts@jamesbutton.co.uk



www.jamesbutton.co.uk

<p>PARTIES:</p> <p>1. The Public Health Legal Information Unit, part of James Button & Co., Solicitors of 7 Devonshire Drive, Rowsley, Derbyshire, DE4 2HB ("the Unit") and</p> <p>2. The Local Authority or Primary Care Trust or other body named overleaf ("the Subscriber")</p> <p>1 Definitions The following terms shall have the following meanings:</p> <p>1.1 "Commencement date": 1st April 2008</p> <p>1.2 "Conditions": the provisions set out below which shall be incorporated into this agreement in their entirety</p> <p>1.3 "Term": from the Commencement Date until either 31st March 2010 or 31st March 2012 as indicated overleaf</p> <p>2 Appointment 2.1 The Subscriber engages the Unit to provide the services of the Public Health Legal Information Unit</p> <p>3 The Units' Obligations 3.1 During the term the Unit shall unless prevented by the ill-health of the principal James Timothy Hamilton Button provide access for officers of the Subscriber by telephone and fax during weekday office hours (subject to normal and reasonable holidays) to the Unit for assistance and guidance on legal matters relating to public health law, environmental health law and local authority licensing law. The Unit provides general legal information and training. Whilst a brief answer will be given to any legal query, this will not constitute legal advice upon which the Subscriber can rely. The Subscriber must seek legal advice from either their own lawyer or from the Unit under paragraph 3.4 below</p> <p>3.2 Two copies of "P. H. Law" the Units' newsletter per year sent by electronic mail or posted to the Subscriber</p> <p>3.3 Access for officers of the Subscriber to training courses provided by the Unit or other associated providers at a reduced cost</p> <p>3.4 Legal advice on the areas mentioned in paragraph 3.1 above is also available at an additional cost, which will be reduced from the costs charged to non-subscribers</p> <p>4 The Subscriber's obligations 4.1 In consideration of the services to be rendered by the Unit under this agreement the Subscriber shall pay to the Unit the sums indicated overleaf</p> <p>5 VAT 5.1 All sums payable under this agreement unless otherwise stated are exclusive of VAT and all other duties or taxes</p>	<p>5.2 Any VAT or other duties or taxes payable in respect of such sums shall be payable in addition to such sums</p> <p>6 Secrecy 6.1 At all times information given to the Unit by the Subscriber remains confidential, but the outline of such queries after being rendered suitably and satisfactorily anonymous may be used at the sole discretion of the Unit to form an article or articles in the newsletter or other publications of the Unit and additionally used for training purposes within all or any parts of the United Kingdom, the European Union and the remainder of the World</p> <p>6.2 Any information given to or obtained by the Subscriber concerning the business or operation of the Unit other than that used for the purposes of publicity shall not at any time be divulged by an officer or member of the Subscriber without the written consent of the Unit</p> <p>7 Ownership of copyright 7.1 The ownership of and sole right to the copyright of any work undertaken by the Unit for the Subscriber under this agreement shall be vested in and at all times remain the ownership of the Unit</p> <p>8 Status of the Unit 8.1 During the term the Unit will be part of James Button & Co. Solicitors or any amalgamated or merged firm which incorporates all or any of James Button & Co. but the right is reserved by the Unit under the control of James Timothy Hamilton Button to transfer the ownership of the Unit to any other legal owner, such decision to be made at the sole discretion of James Timothy Hamilton Button</p> <p>8.2 The Unit shall not be subject to directions from the Subscriber as to the manner in which any work will be performed</p> <p>9 Miscellaneous 9.1 Warranty Each of the parties warrants its power to enter into this agreement and has obtained all necessary approvals to do so</p> <p>9.2 Interest The Unit reserves the right to charge interest on all sums due from the Subscriber which are not paid on the due date such sums shall bear interest from day to day at the annual rate of 5% over the daily base lending rate of HSBC Bank plc with a minimum rate of 10% per year</p> <p>9.3 Receipt The receipt of money by either of the parties shall not prevent either of them from questioning the correctness of any statement in respect of such money</p> <p>9.4 Force majeure Both parties shall be released from their respective obligations in the event of national emergency war prohibitive governmental regulation death illness or serious injury to James Timothy Hamilton Button or if any other</p>	<p>cause beyond the reasonable control of the parties or either of them renders the performance of this agreement impossible whereupon all money due under this agreement shall be paid and in particular:</p> <p>9.4.1 The Subscriber shall immediately pay to the Unit all arrears of payments</p> <p>9.4.2 No refund of any payments already paid will be made</p> <p>9.4.3 VAT paid will not be refunded in any circumstances</p> <p>Provided that this clause shall have effect only at the discretion of the Unit except when such event renders such performance impossible for a continuous period of not less than 6 calendar months</p> <p>9.5 Severance If any provision of this agreement is declared by any judicial or other competent authority to be void voidable illegal or otherwise unenforceable the remaining provisions of this agreement shall remain in full force and effect</p> <p>9.6 Discretion Any discretion exercise of discretion judgement or opinion or approval of any matter mentioned in this agreement or arising from it shall be binding on a party only if in writing and shall be at its sole discretion unless otherwise expressly provided in this agreement</p> <p>9.7 Change of Address Each of the parties shall give notice to the other of the change or acquisition of any address or telephone electronic mail or similar number at the earliest possible opportunity but in any event within 14 days of such change or acquisition</p> <p>9.8 Headings Headings contained in this agreement are for reference purposes only and should not be incorporated into this agreement and shall not be deemed to be any indication of the meaning of the clauses to which they relate</p> <p>9.9 Joint and several All agreements on the part of either of the parties which comprise more than one person or entity shall be joint and several and the neuter singular gender throughout this agreement shall include all genders and the plural and the successor in title to the parties</p> <p>9.10 Proper law and jurisdiction This agreement shall be governed by English law in every particular including formation and interpretation and shall be deemed to have been made in England</p> 
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Facilitated by:

**James Button BA., Solicitor, MCI Arb,
MIOl.– Principal, or**



**Jayne Foxley, BA,
Solicitor Dip. LG Consultant.**



	Date	Course title	Venue
September	<input type="checkbox"/> 13th	Licensing Committees	Bryngarw
	<input type="checkbox"/> 15th	RIPA Update— Half Day	Liphook
	<input type="checkbox"/> 15th	PACE Update— Half Day	Liphook
October	<input type="checkbox"/> 4th	Statutory Nuisance	Bakewell
	<input type="checkbox"/> 11th	Advanced Taxis for Officers	Liphook
	<input type="checkbox"/> 15th	Introduction to Taxi Licensing	Durham
	<input type="checkbox"/> 18th	Licensing & Gambling	Bryngarw
November	<input type="checkbox"/> 4th	Gambling Act 2005	Liphook
	<input type="checkbox"/> 29th	Licensing Act 2003	Bakewell
December	<input type="checkbox"/> 6th	Advanced Taxi for Officers	Bryngarw

Please tick the box of the course(s) you wish to attend and fill in your details on the next page before returning.

www.jamesbutton.co.uk

Courses Booking Form 2010

Please bookplaces.
Names and job titles.....

Authority.....
Address,.....

Postcode Telephone Number
Emails:



Offer valid for 2nd and further bookings from the same authority per course. Please note that 1st delegate from each authority will be charged the standard rates listed below.

Please tick the correct Cost:

- Full Day** for subscribers to PHLIU: £160.00 plus VAT
- Full Day** for non-subscribers to PHLIU: £210.00 plus VAT
- Half Day** for subscribers to PHLIU: £90.00 plus VAT
- Half Day** for non-subscribers to PHLIU: £120.00 plus VAT

Send this form to the address below or fax to James Button & Co on 01629735528.
 An invoice will be raised on receipt of this form.



Certificate of Attendance will be available and the course carries 4 hours for full day and 2 hours for half day Solicitors Regulation Authority CPD time.

Cancellations: A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less 25% cancellation fee to cover administrative costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of the booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

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Rowsley, Matlock
Derbyshire,
DE4 2HB

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w : www.jamesbutton.co.uk

