**NWLC Quarterly Legal Update**

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# CASES

## Children’s social care

# Unregulated placements are lawful for young people aged 16 and 17 (R (Article 39) v Secretary of State for Education)

# R (on the application of Article 39) v Secretary of State for Education  [[2022] EWHC 589 (Admin)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6545-23K3-CGX8-02T5-00000-00/linkHandler.faces?psldocinfo=Unregulated_placements_are_lawful_for_young_people_aged_16_and_17__R__Article_39__v_Secretary_of_State_for_Education_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25589%25&A=0.5474832889853848&bct=A&risb=&service=citation&langcountry=GB)

The court held that the regulations permitting a local authority to place a young person aged 16 or 17 in unregulated independent or semi-independent placements were lawful. Until September 2021, it was permissible for a child being looked after by a local authority to be placed in an unregulated setting; typically, this will be accommodation with limited support intended to assist the child to live independently. As a result of concerns about the suitability and quality of this type of accommodation, the government enacted the Care Planning, Placement and Case Review (England) (Amendment) Regulations 2021 (‘the Regulations’), the effect of which was to prohibit a child aged under 16 being placed in this type of accommodation. The claimant contended that the Regulations were unlawful because the difference in treatment between children who were under 16 years old and those who were above was irrational and not based on evidence. Other grounds alleged a failure to comply with the public sector equality duty and deficiencies in the consultation. All grounds were rejected. The court held that while unregulated placements were banned only for children under 16 years old, it did not follow that all young people of 16 or 17 would be placed in such accommodation; that depended on an individual assessment as to whether it was suitable for them. Written by Christine Cooper, barrister at Field Court Chambers.

# See News Analysis: [Unregulated placements are lawful for young people aged 16 and 17 (R (Article 39) v Secretary of State for Education](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6545-23K3-CGX8-02T5-00000-00/Unregulated_placements_are_lawful_for_young_people_aged_16_and_17__R__Article_39__v_Secretary_of_State_for_Education_))

## Education

## A high bar to establish impossibility of complying with legal obligations towards young people with SEND (R (on the application of LB) v Surrey County Council)

**R (on the application of LB (a child, represented by her mother and litigation friend)) v Surrey County Council**[**[2022] EWHC 772 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/659R-6GJ3-GXF6-83RW-00000-00/linkHandler.faces?psldocinfo=A_high_bar_to_establish_impossibility_of_complying_with_legal_obligations_towards_young_people_with_SEND__R__on_the_application_of_LB__v_Surrey_County_Council_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25772%25&A=0.2341823337611889&bct=A&ps=null&risb=&service=citation&langcountry=GB)

LB (acting through her mother and litigation friend, LE), a young person with complex special educational needs and disabilities, sought judicial review of the actions of the defendant local authority, in relation to failings to make suitable educational provision for her, or to arrange suitable accommodation for her. The High Court found in favour of LB on all four grounds and ordered that suitable education and accommodation be secured for LB within 30 days. Written by Hannah Lynch, barrister at St Pauls Chambers.

See News Analysis: [A high bar to establish impossibility of complying with legal obligations towards young people with SEND (R (on the application of LB) v Surrey County Council)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65B4-6FG3-GXF6-80HM-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_28_April_2022&ps=null&bct=A&homeCsi=0&A=0.14695325131587433&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4329065&service=DOC-ID&origdpsi=0S4D).

# Clarity on the timetable for amendments to EHCP following annual review (Re R v Devon County Council)

**R (on the application of L and others) v Devon County Council**[**[2022] EWHC 493 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/650R-8FF3-GXF6-82N1-00000-00/linkHandler.faces?psldocinfo=Clarity_on_the_timetable_for_amendments_to_EHCP_following_annual_review__Re_R_v_Devon_County_Council_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25493%25&A=0.905925999741059&bct=A&risb=&service=citation&langcountry=GB)

### The case clarifies the statutory timeframes relating to the timetable following an annual review of an education, health, care plan (EHCP) where the local authority decides to amend the Plan. Written by Laxmi Patel, partner and Head of Education at Boyes Turner LLP.

### [Clarity on the timetable for amendments to EHCP following annual review (Re R v Devon County Council)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/650R-8FF3-GXF6-82N1-00000-00/Clarity_on_the_timetable_for_amendments_to_EHCP_following_annual_review__Re_R_v_Devon_County_Council_)

## Governance

## Standing, discrimination, bias and the PSED in judicial review of a public appointment

**R (on the application of Good Law Project Ltd and another) v Prime Minister and another**[**[2022] EWHC 298 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/64Y8-56G3-GXF6-8099-00000-00/linkHandler.faces?psldocinfo=Standing__discrimination__bias_and_the_PSED_in_judicial_review_of_a_public_appointment&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25298%25&A=0.22666549301274874&bct=A&ps=null&risb=&service=citation&langcountry=GB)

Two campaigning organisations (the Good Law Project (GLP) and Runnymede Trust (RT)) bought judicial review proceedings against the policies and processes behind three public appointments. The appointments were not subject to open competition and were awarded to individuals known to the decision-maker. The claimants argued this was indirectly discriminatory, because the decision-makers were less likely to know non-white and/or disabled candidates, placing them at a disadvantage. They also alleged breaches of the Public Sector Equality Duty (PSED), and in one instance, apparent bias. The court found neither claimant had standing to bring the indirect discrimination or apparent bias claims. They did not have a particular interest in the decisions nor were representative of an identifiable group in society affected by the decisions. In any event, each appointment process was shaped by its individual circumstances and the urgent need in the context of the pandemic. There were as a matter of fact no potentially discriminatory policies. RT had standing to bring the PSED challenge, and two of the appointment processes breached the PSED (the challenge to the third being time-barred). Written by Jack Castle, barrister at Henderson Chambers.

See News Analysis: [Standing, discrimination, bias and the PSED in judicial review of a public appointment](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/64YN-TB03-GXF6-816Y-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_10_March_2022&ps=null&bct=A&homeCsi=0&A=0.25453695517774233&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4308118&service=DOC-ID&origdpsi=0S4D).

# The contents of this judgment shame Cardiff City Council—Local authority in contempt of court (JS v Cardiff City Council)

**JS (by his litigation friend) v Cardiff City Council**[**[2022] EWHC 707 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/disputeresolution/docfromresult/D-WA-A-ZUE-ZUE-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZZEEDBU-AZCVWYUCBU-VBAWCADWA-U-U/2/linkHandler.faces?psldocinfo=The_contents_of_this_judgment_shame_Cardiff_City_Council_Local_authority_in_contempt_of_court__JS_v_Cardiff_City_Council_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25707%25&A=0.9785680693645252&bct=A&risb=&service=citation&langcountry=GB)**(1 April 2022)**

The Honourable Mrs Justice Steyn DBE found the defendant local authority in contempt of court for its failure to comply with the terms of a mandatory injunction. The defendant had been required to complete future placement planning and produce a care and support plan for the claimant. The breach of the court order came against a background of breached undertakings due to the defendant’s long-standing difficulties in organising a placement suitable for the claimant’s needs. The judgment provides a useful overview of the approach in contempt proceedings when the contemnor is a public body. It includes a discussion of the matters which are relevant when considering breach, those which only go to penalty, and the question of whether a ‘threshold test’ applies. The public admonishment of the defendant also serves as a stark reminder of the importance of compliance with court orders. Written by Owain Rhys James, barrister and Crash Wigley, pupil barrister, both of Civitas Law.

# See News Analysis: [The contents of this judgment shame Cardiff City Council—Local authority in contempt of court (JS v Cardiff City Council)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/656R-12F3-GXF6-80P9-00000-00/The%20contents%20of%20this%20judgment%20shame%20Cardiff%20City%20Council%E2%80%94Local%20authority%20in%20contempt%20of%20court%20(JS%20v%20Cardiff%20City%20Council))

## Highways

## Public Sector Equality Duty—‘due regard’ to section 149 of the Equality Act 2010 and Traffic Regulation Orders—(Experimental Low Traffic Neighbourhood Orders)

**R (oao Sheakh) v London Borough of Lambeth**[**[2022] EWCA Civ 457**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6587-31S3-CGX8-01X5-00000-00/linkHandler.faces?psldocinfo=Public_Sector_Equality_Duty__due_regard__to_section_149_of_the_Equality_Act_2010_and_Traffic_Regulation_Orders__Experimental_Low_Traffic_Neighbourhood_Orders__Road_Traffic_Regulation_Act_1984__adequacy_of_consultation_with__other_relevant_organisations__Local_Authorities__Traffic_Orders__Procedure___England_and_Wales__Regulations_1996__R__oao_Sheakh__v_LB_Lambeth_&linkInfo=F%23GB%23EWCACIV%23sel1%252022%25year%252022%25page%25457%25&A=0.8098373459365306&bct=A&ps=null&risb=&service=citation&langcountry=GB)**)**

The Court of Appeal in this case considered and upheld the Lower Court’s earlier conclusions rejecting two claims for a statutory review and a judicial review in respect of three Experimental Traffic Orders (ETOs) made by the respondent, the London Borough of Lambeth Council, as local traffic authority (LTA), for three Low Traffic Neighbourhoods (LTNs) in its area. The ETOs had been brought forward in the particular context of the coronavirus (COVID-19) lockdown and new government statutory guidance at that time which enjoined local authorities to introduce measures to give more road space to cyclists and pedestrians, including LTNs ‘as swiftly as possible, and in any event within weeks, given the urgent need to change travel habits before the restart takes full effect’. This meant ETOs being introduced promptly and full equality impact assessments (EqIAs) carried out under the [Equality Act 2010](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/658M-GK63-CGX8-0203-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_21_April_2022&linkInfo=F%23GB%23UK_LEG%23num%252010_15a_Title%25&A=0.18169860412133998&bct=A&risb=&service=citation&langcountry=GB) ([EqA 2010](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/658M-GK63-CGX8-0203-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_21_April_2022&linkInfo=F%23GB%23UK_LEG%23num%252010_15a_Title%25&A=0.41722126614975696&bct=A&risb=&service=citation&langcountry=GB" \t "_parent)) but on a ‘rolling basis’, taking into account the further information gained about the measures when in place. The decisions which gave rise to the challenged orders were made by the council’s Strategic Director: Resident Services under delegated powers, on 9 October 2020. The central question in the appeal was whether the LTA had discharged its ‘public sector equality duty’ (PSED) under [EqA 2010, s 149](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/658M-GK63-CGX8-0203-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_21_April_2022&linkInfo=F%23GB%23UK_LEG%23num%252010_15a_SECT_149%25&A=0.04898453048334728&bct=A&risb=&service=citation&langcountry=GB" \t "_parent) and whether what had been done was sufficient to pass the test of having ‘due regard’ to the equality objectives in [EqA 2010, s 149(1)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/658M-GK63-CGX8-0203-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_21_April_2022&linkInfo=F%23GB%23UK_LEG%23num%252010_15a_SECT_149%25&A=0.7805003692559696&bct=A&risb=&service=citation&langcountry=GB" \t "_parent). Written by Celina Colquhoun, barrister at 39 Essex Chambers.

See News Analysis: [Public Sector Equality Duty—‘due regard’ to section 149 of the Equality Act 2010 and Traffic Regulation Orders—(Experimental Low Traffic Neighbourhood Orders)—Road Traffic Regulation Act 1984; adequacy of consultation with ‘other relevant organisations’—Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (R (oao Sheakh) v LB Lambeth)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/658M-GK63-CGX8-0203-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_21_April_2022&ps=null&bct=A&homeCsi=0&A=0.050083804238387764&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4327021&service=DOC-ID&origdpsi=0S4D).

## Housing

## Use a contractual clause to determine a fixed-term secure tenancy (Croydon London Borough Council v Kalonga)

**Croydon London Borough Council (Appellant) v Kalonga (Respondent)**[**[2022] UKSC 7**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652D-R6G3-CGX8-04KR-00000-00/linkHandler.faces?psldocinfo=Use_a_contractual_clause_to_determine_a_fixed_term_secure_tenancy__Croydon_London_Borough_Council_v_Kalonga_&linkInfo=F%23GB%23UKSC%23sel1%252022%25year%252022%25page%257%25&A=0.8589257027633704&bct=A&ps=null&risb=&service=citation&langcountry=GB)

The Supreme Court has held that to obtain a possession order of any secure tenancy during a fixed term under [section 82(1)(b)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.29449894126774867&bct=A&risb=&service=citation&langcountry=GB) of the Housing Act 1985 ([HA 1985](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_Title%25&A=0.9605956410197319&bct=A&risb=&service=citation&langcountry=GB)) there must be a contractual provision enabling an end to the term prior to the agreed duration. It was argued that it was open to the landlord to utilise [HA 1985, s 82(1A)(a)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.31555712445808215&bct=A&risb=&service=citation&langcountry=GB) (the traditional route for periodic secure tenancies) to obtain a possession order, rather than [HA 1985, s 82(1A)(b)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.28253716067390267&bct=A&risb=&service=citation&langcountry=GB) (forfeiture under [HA 1985, s 82(3) and (4)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.8346125803097403&bct=A&risb=&service=citation&langcountry=GB)), and if forfeiture was required, the tenancy agreement included a forfeiture clause. Irrespective of the appeal being allowed in part, the claim for possession was dismissed because the appellant, although having an operative forfeiture clause, had not relied upon it, and had not complied with the requirements of [HA 1985, s 82(3) and (4)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.8480417155076115&bct=A&risb=&service=citation&langcountry=GB). Although not determinative of this appeal, the Supreme Court held that on non-default grounds, a break clause correctly operated would suffice to bring a claim within [HA 1985, s 82(1)(b)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.8944632535130568&bct=A&risb=&service=citation&langcountry=GB) and then [HA 1985, s 82(1A)(a)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&linkInfo=F%23GB%23UK_LEG%23num%251985_68a_SECT_82%25&A=0.221568619886927&bct=A&risb=&service=citation&langcountry=GB) would be applicable. Written by Anneli Robins, barrister at 4-5 Gray’s Inn Square who was instructed by the respondent tenant.

See News Analysis: [Use a contractual clause to determine a fixed-term secure tenancy (Croydon London Borough Council v Kalonga)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/652N-CDY3-CGX8-00C2-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_24_March_2022&ps=null&bct=A&homeCsi=0&A=0.21529529369181755&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4314667&service=DOC-ID&origdpsi=0S4D).

## Homeless applicants, local authority duty to provide suitable accommodation (R (Elkundi) v Birmingham City Council)

**R (on the application of Elkundi and others) v Birmingham City Council; R (on the application of Imam) v Croydon London Borough Council**[**[2022] EWCA Civ 601**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65F3-T9D3-GXF6-842N-00000-00/linkHandler.faces?psldocinfo=Homeless_applicants__local_authority_duty_to_provide_suitable_accommodation__R__Elkundi__v_Birmingham_City_Council_&linkInfo=F%23GB%23EWCACIV%23sel1%252022%25year%252022%25page%25601%25&A=0.793325239025539&bct=A&ps=null&risb=&service=citation&langcountry=GB)

On two joined appeals from the High Court, the Court of Appeal was asked to decide: (i) Whether the local authority’s duty to secure suitable accommodation under [section 193](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65GK-HXW3-CGX8-04GX-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_19_May_2022&linkInfo=F%23GB%23UK_LEG%23num%251996_52a_SECT_193%25&A=0.07016680068037007&bct=A&risb=&service=citation&langcountry=GB) of the Housing Act 1996 was immediate and unqualified; and (ii) Whether the homeless applicant’s accommodation had to be ‘having a serious effect’ on them or be ‘intolerable’ for the court to make a mandatory order. In what is a very significant decision for local authorities with homeless duties, the Court of Appeal found that the section 193 duty was immediate and unqualified, arising as soon as the current accommodation had been found to be unsuitable. The court also found that it was for the local authority to show that it had taken all reasonable steps to secure suitable accommodation to avoid a mandatory order, and financial constraints were not relevant once the duty had arisen. Written by Giles Peaker, partner at Anthony Gold Solicitors LLP.

See News Analysis: [Homeless applicants, local authority duty to provide suitable accommodation (R (Elkundi) v Birmingham City Council)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65GK-HXW3-CGX8-04GX-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_19_May_2022&ps=null&bct=A&homeCsi=0&A=0.7108756156927553&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4338264&service=DOC-ID&origdpsi=0S4D)

## Public Procurement

## Allowing form to triumph over substance? (Good Law Project v DSHC)

**R (on the application of The Good Law Project Ltd) v Secretary of State for Health and Social Care**[**[2022] EWCA Civ 355**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6545-PW23-CGX8-02KD-00000-00/linkHandler.faces?psldocinfo=Allowing_form_to_triumph_over_substance___Good_Law_Project_v_DSHC_&linkInfo=F%23GB%23EWCACIV%23sel1%252022%25year%252022%25page%25355%25&A=0.4682481103718129&bct=A&ps=null&risb=&service=citation&langcountry=GB)

This appeal is an important reminder for all litigators about the need for strict observance of the procedural rules as to the method and timing of service of a claim form. That is particularly so for those representing claimants in claims for judicial review and procurement challenges where timescales for compliance are tight and where defendants will often take any available limitation points in defending such claims and challenges. This appeal upholds the decision of Mrs Justice O'Farrell who declined to extend time for service where the requirements as to service were not met by a single day, or to allow service by alternative method, thereby bringing to a close the proceedings in question. The appeal examines the interplay between the material procedural rules and the key authorities on service by an alternative method and extensions of time. Written by Lucy James, partner at Trowers & Hamlins LLP.

See News Analysis: [Allowing form to triumph over substance? (Good Law Project v DSHC)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6545-01X3-GXF6-83VF-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_31_March_2022&ps=null&bct=A&homeCsi=0&A=0.011738038028461961&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4318573&service=DOC-ID&origdpsi=0S4D).

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## Planning

# Court considers ‘substantial harm’ in applying heritage policy to Holocaust Memorial (London Historic Parks & Gardens)

**London Historic Parks and Gardens Trust v Minister of State for Housing and another**[**[2022] EWHC 829 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/planning/docfromresult/D-WA-A-WVA-WVA-MsSWYWZ-UUW-UZEYAAUUW-U-U-AUUU-U-U-U-AZCZZYDYAB-AZCVWZYZAB-VBWUYUWDE-AUUU-U/100/linkHandler.faces?psldocinfo=Court_considers__substantial_harm__in_applying_heritage_policy_to_Holocaust_Memorial__London_Historic_Parks___Gardens_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25829%25&A=0.9671890824509961&bct=A&risb=&service=citation&langcountry=GB)

All parties in this case supported the principle of providing a compelling memorial to the victims of the Holocaust and all those persecuted by the Nazis. Objections focused on the proposed location in Victoria Tower Gardens, on the basis of the heritage harm it would cause, but the Minister of State for Housing (Minister) nonetheless granted planning permission. The High Court decided that in doing so, the Minister did not apply the wrong test in deciding whether substantial heritage harm would arise, applying the principles settled in the Bedford and Bramshill cases. However, the Victoria Gardens site was found to be the subject of an extant statutory restriction, which meant there was an impediment to delivery in that location. The Minister’s decision gave considerable weight to the deliverability of the proposal, without having taken that matter into account. He also failed to take it into account when comparing the site to alternatives. For those reasons, the decision was quashed. Written by Melissa Murphy QC, Francis Taylor Building.

# See News Analysis: [Court considers ‘substantial harm’ in applying heritage policy to Holocaust Memorial (London Historic Parks & Gardens)](https://www.lexisnexis.com/uk/lexispsl/planning/document/412012/659H-16T3-CGX8-03P2-00000-00/Court%20considers%20%E2%80%98substantial%20harm%E2%80%99%20in%20applying%20heritage%20policy%20to%20Holocaust%20Memorial%20(London%20Historic%20Parks%20&%20Gardens))

# Meaning of 'Classified Road' for purposes of Article 2 of GPDO (Jones v Secretary of State for Housing, Communities)

**Jones and another v Secretary of State for Housing, Communities and another**[**[2022] EWHC 520 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/planning/document/412012/659R-1BN3-GXF6-8056-00000-00/linkHandler.faces?psldocinfo=Meaning_of__Classified_Road__for_purposes_of_Article_2_of_GPDO__Jones_v_Secretary_of_State_for_Housing__Communities_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25520%25&A=0.5102538279540945&bct=A&risb=&service=citation&langcountry=GB)

The case involved a statutory appeal to the High Court under section 289 of the Town and Country Planning Act 1990 (TCPA 1990) against an inspector's decision dismissing two appeals against enforcement notices under TCPA 1990, s 174(2)(c) and (d) by the owners of an agricultural field ('the field'). The owners had created a formal vehicular access to the field by removing 10m of vegetation and creating a crossover onto the highway comprising a 10m x 8m bellmouth surfaced with concrete and compacted material and put up a chain link fence. The LPA had enforced against the creation of the access on the basis that the works required planning permission and were unlawful. The principal issue raised was whether the access works amounted to lawful repair and maintenance of the pre-existing access and were therefore permitted development in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). The inspector rejected this, concluding that the works did not comply with the GPDO because they 'amount to the formation, laying out and construction of a means of access to a highway which is classified road” (ref Class B Part 2 Schedule 2). The appellants argued that the inspector's conclusion that the road was a classified road had been wrong and was unlawful. In addition, they argued that the inspector should have considered lesser enforcement measures despite there being no ground (f) appeal. The court rejected the appeal entirely. Written by Celina Colquhoun, barrister at 39 Essex Chambers.

# See News Analysis: [Meaning of 'Classified Road' for purposes of Article 2 of GPDO (Jones v Secretary of State for Housing, Communities)](https://www.lexisnexis.com/uk/lexispsl/planning/document/412012/659R-1BN3-GXF6-8056-00000-00/Meaning%20of%20'Classified%20Road'%20for%20purposes%20of%20Article%202%20of%20GPDO%20(Jones%20v%20Secretary%20of%20State%20for%20Housing,%20Communities))

## Social Care

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# Care Regulation—Standard of Proof to justify Action (R (Advinia Healthcare Limited) v. Care Quality Commission)

**R (Advinia Healthcare Ltd) v Care Quality Commission**[**[2022] EWHC 965 (Admin)**](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65F4-J6F3-CGX8-0076-00000-00/linkHandler.faces?psldocinfo=Care_Regulation_Standard_of_Proof_to_justify_Action__R__Advinia_Healthcare_Limited__v__Care_Quality_Commission_&linkInfo=F%23GB%23EWHCADMIN%23sel1%252022%25year%252022%25page%25965%25&A=0.3687165553990627&bct=A&risb=&service=citation&langcountry=GB)

In an application for judicial review made by Advinia Health Care Ltd (‘Advinia’), of the revised guidance for providers published by the Defendant, the Care Quality Commission (‘CQC’), in relation to Market Oversight of ‘difficult to replace’ providers of adult social care, the CQC guidance was not unlawful. In section 53(1) of the Care Act 2014 (CA 2014), ‘Likely to become unable to carry on a regulated activity in respect of which it is registered because of business failure…’ means ‘more probable than not’ significantly as opposed to meaning ‘a real possibility’; CA 2014, s 56 does not require the CQC to refer relevant decision making to an independent review. Risk of unfairness in a hypothetical case was not a ground for challenge; the statement that the statutory purposes of CQC are highly likely to outweigh treating providers’ information as confidential was not unlawful. Further, where, as here, the challenge was to a policy set out in guidance the court should proceed on the basis of assessing whether or not the policy could be applied lawfully rather than considering negative examples. The challenge was hypothetical as opposed to in relation to an actual decision. Written by Paul Ridout, managing director, solicitor at Ridouts Professional Services Ltd.

### See News Analysis:  [Care Regulation—Standard of Proof to justify Action (R (Advinia Healthcare Limited) v. Care Quality Commission)](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65F4-J6F3-CGX8-0076-00000-00/Care_Regulation_Standard_of_Proof_to_justify_Action__R__Advinia_Healthcare_Limited__v__Care_Quality_Commission_)



# POLICY PAPERS AND GUIDANCE

**Education**

**DfE publishes updated guidance on safeguarding****children in****education**

**The Department for**Education**(DfE) has published updated statutory guidance for schools and colleges on**safer**recruitment and**keepingchildrensafe in education**, following a consultation on the proposed revisions. The guidance is for teachers and staff at schools, as well as governing bodies, proprietors and management committees. Both the government response to the consultation and the updated guidance cover safeguarding information for staff, the management of safeguarding,**safer**recruitment, allegations made against school staff and**children**on sexual violence and harassment against**children**. The updated guidance comes into force on 1 September 2022 and schools and colleges should continue to use the 2021 guidance until that date.**

See: LNB News 20/05/2022 76 and News Analysis: [Three main changes in draft Keeping Children Safe in Education 2022 guidance](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/64YN-TB03-GXF6-816Y-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_10_March_2022&ps=null&bct=A&homeCsi=0&A=0.4476905561706913&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4306464&service=DOC-ID&origdpsi=0S4D).

**Local Government finance**

**Public Works Loan Board (PWLB) guidance updated for local authority applicants**

HM Treasury has updated its Public Works Loan Board (PWLB) guidance for lending to local authorities. The guidance says that PWLB will not usually advance new loans to local authorities if there is more than a small risk that the loan cannot be repaid without further government support. HM Treasury states that this guidance has been updated due to the high levels of debt and credit risks in some local authorities and is to ensure PWLB can continue to provide accessible, low-cost lending to local authorities. The guidance applies to any loan that was arranged from 26 November 2020.

See: [LNB News 17/05/2022 12](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65GK-HXW3-CGX8-04GX-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_19_May_2022&linkInfo=F%23GB%23LNBNEWS%23sel1%252022%25month%2505%25year%252022%25page%2512%25day%2517%25&A=0.5700741066749823&bct=A&risb=&service=citation&langcountry=GB).

## Public procurement

## Cabinet Office publishes PPN 01/22 on Russian and Belarusian supplier contracts

The Cabinet Office has published the Procurement Policy Note (PPN) 01/22 on contracts with suppliers from Russia and Belarus which sets out how contracting authorities can further cut ties with companies backed by the Russia and Belarus. The PPN applies to all central government departments, executive agencies and non-departmental public bodies. It contains information on identifying contracts, assessing risks, taking action to terminate, managing costs and reporting and record keeping. Alongside the PPN, a frequently asked questions document has also been published.

See: [LNB News 28/03/2022 39](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/6545-01X3-GXF6-83VF-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_31_March_2022&linkInfo=F%23GB%23LNBNEWS%23sel1%252022%25month%2503%25year%252022%25page%2539%25day%2528%25&A=0.970301174004251&bct=A&ps=null&risb=&service=citation&langcountry=GB) and  **News Analysis** [Contracts with Russian and Belarusian suppliers](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/656R-12F3-GXF6-80PC-00000-00/Contracts_with_Russian_and_Belarusian_suppliers)

**Social Care**

**Liberty protection safeguards—a summary of the consultation**

The government has recently published the consultation on the draft MCA code, including the liberty protection safeguards. In this briefing, the first of a series, Andrew Parsons, Julia Appleton, Marianne Frall and Rhys Barton of RadcliffesLeBrasseur LLP comment on the proposed code and consider what is a Deprivation of Liberty (DoL), how the Liberty Protection Safeguards (LPS) process will be triggered, authorisation of the DoL by the relevant Responsible Body, special arrangements for care homes, review and renewal of measures, overlap with the Deprivation of Liberty Safeguards (DoLS) and when the LPS will be implemented.

See News Analysis: [Liberty protection safeguards—a summary of the consultation](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65J3-B373-GXF6-849W-00000-00/linkHandler.faces?psldocinfo=Local_Government_weekly_highlights_26_May_2022&ps=null&bct=A&homeCsi=412012&A=0.4532064352083174&urlEnc=ISO-8859-1&&dpsi=0S4D&remotekey1=DOC-ID&remotekey2=0S4D_4341892&service=DOC-ID&origdpsi=0S4D).

# Legislative Change

A number of significant bills were passed before the 2021- 2022 Parliamentary session came to a close. The key pieces of legislation for local government practitioners are set out below.

[Subsidy Control Act 2022](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/274768/65CV-5RT3-GXF6-81FX-00000-00/Subsidy%20Control%20Act%202022%20(2022%20c%2023))

An Act to make provision regulating the giving of subsidies out of public resources; and for connected purposes.

See News Analysis:[The Subsidy Control Act 2022—Royal Assent granted to create statutory UK State aid regime](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65CM-D9Y3-CGX8-04BX-00000-00/The%20Subsidy%20Control%20Act%202022%E2%80%94Royal%20Assent%20granted%20to%20create%20statutory%20UK%20State%20aid%20regime)

[Health and Care Act 2022](file:///\\atlas\knowhow\Commercial%20and%20Sectors%20Group\Local%20Government\Strategy\2022\exisnexis.com\uk\lexispsl\localgovernment\document\274768\65G5-S7P3-GXF6-84N3-00000-00\Health%20and%20Care%20Act%202022%20(2022%20c%2031))

### An Act to make provision about health and social care.

### See News Analyses: [Health and Care Act 2022—key provisions for clinical negligence practitioners](https://www.lexisnexis.com/uk/lexispsl/personalinjury/docfromresult/D-WA-A-BEZAY-AUUU-MsSAYWZ-UUA-UZEYAAUUW-U-U-U-U-U-U-AZCZZEEWEY-AZCVWYUUEY-VBAWCABAE-U-U/1/412012?lni=65K5-88R3-CGX8-00P4-00000-00), [Queen’s Speech 2022—health and social care](https://www.lexisnexis.com/uk/lexispsl/privateclient/docfromresult/D-WA-A-BEZAY-WUE-MsSAYWC-UUA-UZEYAAUUW-U-U-U-U-U-U-AZCZZEEWEY-AZCVWYUUEY-VBAWCACUU-U-U/6/281955?lni=65DP-M8W3-GXF6-827S-00000-00) and  [Integrated Care Systems: practical steps for 1 July 2022](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/412012/65HW-W4B3-GXF6-82C3-00000-00/Integrated_Care_Systems__practical_steps_for_1_July_2022_)

[Police, Crime and Sentencing 2022](https://www.lexisnexis.com/uk/lexispsl/localgovernment/document/274768/65F9-MJP3-GXF6-80DM-00000-00/Police,%20Crime,%20Sentencing%20and%20Courts%20Act%202022%20(2022%20c%2032))

An Act to make provision about the police and other emergency workers; to make provision about collaboration between authorities to prevent and reduce serious violence; to make provision about offensive weapons homicide reviews; to make provision for new offences and for the modification of existing offences; to make provision about the powers of the police and other authorities for the purposes of preventing, detecting, investigating or prosecuting crime or investigating other matters; to make provision about the maintenance of public order; to make provision about the removal, storage and disposal of vehicles; to make provision in connection with driving offences; to make provision about cautions; to make provision about bail and remand; to make provision about sentencing, detention, release, management and rehabilitation of offenders; to make provision about secure 16 to 19 Academies; to make provision for and inconnection with procedures before courts and tribunals; and for connected purposes.

See: [LNB News 29/04/2022 60](https://www.lexisnexis.com/uk/lexispsl/corporatecrime/docfromresult/D-WA-A-ZDY-ACE-MsSWYWC-UUA-UZEYAAUUW-U-U-U-U-U-U-AZCZDUUUWA-AZCVWYUYWA-VBWAUBVZB-U-U/1/linkHandler.faces?psldocinfo=Corporate_Crime_weekly_highlights_5_May_2022&linkInfo=F%23GB%23LNBNEWS%23sel1%252022%25month%2504%25year%252022%25page%2560%25day%2529%25&A=0.8686342911778404&bct=A&risb=&service=citation&langcountry=GB).

**Future legislative changes**

The Queens speech set **out the government’s priorities and proposed policies for the next parliamentary session at the State Opening of Parliament, which took place on 10 May 2022. The continued recovery from the coronavirus (COVID-19) pandemic, safer streets and the cost-of-living crisis were the predominant themes of the speech, which also announced over 40 legislative proposals that the government intends to pass in the 2022–2023 parliamentary session, including on: media, education, levelling up, housing, trade, Brexit, transport, justice and health and social care.**

**See further:**

### [Queen’s Speech 2022—key themes and proposals](https://www.lexisnexis.com/uk/lexispsl/bankingandfinance/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/18/281955?lni=65DP-2XN3-CGX8-026K-00000-00)

### [Queen’s Speech 2022—levelling up, housing and communities](https://www.lexisnexis.com/uk/lexispsl/planning/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/19/281955?lni=65DP-RP63-GXF6-831F-00000-00)

### [Queen’s Speech 2022—transport](https://www.lexisnexis.com/uk/lexispsl/environment/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/20/281955?lni=65DP-R5W3-CGX8-02DK-00000-00)

### [Queen's Speech 2022—energy and climate change](https://www.lexisnexis.com/uk/lexispsl/environment/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/13/281955?lni=65DP-J0B3-GXF6-82MD-00000-00),

### [Queen's Speech 2022—retained EU law](https://www.lexisnexis.com/uk/lexispsl/arbitration/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/12/281955?lni=65DP-NXK3-CGX8-0150-00000-00)

### [Queen’s Speech 2022—home affairs and justice](https://www.lexisnexis.com/uk/lexispsl/commercial/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/5/281955?lni=65DP-NM53-GXF6-8340-00000-00)

### [Queen's Speech 2022—education](https://www.lexisnexis.com/uk/lexispsl/localgovernment/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/3/281955?lni=65DP-JR23-GXF6-84MM-00000-00)

### [Queen’s Speech 2022—key announcements for employment lawyers](https://www.lexisnexis.com/uk/lexispsl/employment/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/1/412012?lni=65DX-FN53-GXF6-82G3-00000-00),

### [Queen’s Speech 2022—planning announcements](https://www.lexisnexis.com/uk/lexispsl/planning/docfromresult/D-WA-A-AVDV-AUUU-MsSWYWZ-UUW-UZEYAAUUW-U-U-U-U-U-U-AZCZDUADWZ-AZCVWYWCWZ-VBWAUCCVB-U-U/2/412012?lni=65DW-FN33-GXF6-81BW-00000-00)

Further updates will be provided in future quarterly updates.



## Local Authority Insight Series Events

In partnership with Local Government Lawyer, the LexisNexis Local Authority Insight Series hosts a string of events which take a deep dive into topical issues and key legal movements which affect the public sector, particularly those working in local government.

**Neighbourhood Planning- 10 years on**

Since the introduction of the neighbourhood planning system by the Localism Act 2011m, this webinar takes a look at how successful (or otherwise) it has been and what it might look like in future.

Planning specialists Sue Chadwick and Stephen Morgan explore:

* How the courts have interpreted the role of neighbourhood plans against other frameworks and priorities, such as the Housing Delivery Test, local plans and other aspects of the NPPF when challenged.
* What effect the expansion of permitted development rights had on the effectiveness of neighbourhood plans.
* How the approach and effectiveness of neighbourhood forums towards neighbourhood planning has differed between parish and town councils.
* How the approach of examiners has changed over time.
* Where neighbourhood planning fits in the future of planning law. In what ways might it need to change if it is to stay relevant?

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**Making highways fit for future**

Following the agreement at COP26 in Glasgow, councils look set to play an important role in the UK’s efforts to move to net zero.

For local authorities, the biggest single issue within their purview is how to minimise the carbon (and other pollution) created by road traffic and how to encourage less carbon intensive forms of transport.

The panel explores:

* Local Traffic Networks
* Cycle lanes and cycle or pedestrian infrastructure
* Lower speed limits
* Charging infrastructure for EVs
* Clean air zones (CAZs)

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**Effectively tackling Anti-social behaviour (ASB)**

Lockdown has led to a new surge in anti-social behaviour with data from the Housing Ombudsman, Resolve ASB and National Police Chiefs’ Council (NPCC) showing an increase in complaints during the pandemic.

Expert Housing barrister, Kuljit Bhogal – author of Cornerstone on Anti-Social Behaviour (Bloomsbury) - and Susan Taylor, Senior Solicitor at Capsticks outline the latest thinking on effectively tackling ASB.

Together, the panel explore:

* Which ASB tools are most effective for local authorities and landlords?
* In what circumstances can these be used and how can these be deployed most effectively?
* When is possession appropriate and how is this changing as lockdown ends?
* Are the courts being stricter about agreeing to injunctions? How should practitioners approach applications?

[**Watch the webinar →**](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)

**Deprivation of Liberty Safeguards (DoLS)**

Alex Ruck-Keen, barrister at 39 Essex Chambers and author of the Mental Capacity Law and Policy blog and TBA, and Emma Harrison Senior Solicitor from Devon County Council look how the new Liberty Protection Safeguards will work in practice when they replace the Deprivations of Liberty Safeguards (DOLS) next year.

The panel explores:

* The key respects will the LPS regime differ from the DOLS and in which regards will it remain the same?
* The operation of the ‘acid test’ established in the Cheshire West decision of the Supreme Court following the introduction of the LPS.
* Whether the LPS will streamline the process or create more work for lawyers and health and social care professionals?
* What litigation is likely to arise to clarify the operation of the LPS?

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**Intercountry Adoption**

A birds eye view of legal landscape focusing on Local Authority duties in these complex cases.

Ruth Cabeza, barrister and author of the text, International Adoption, from Harcourt chambers and Joy Hopkinson Principal Social Care Lawyer from London Borough of Lambeth host an interactive conversation considering:

* The legal framework for local authorities dealing with overseas placements both in a private and public law context
* Practical steps for legal teams and social workers to consider when an overseas placement is in play
* How to go about ensuring that the process runs smoothly by anticipating and avoiding pitfalls
* How to determine the most effective approach to achieve the desired depending on the options available in that jurisdiction

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**Climate Change Event**

According to Friends of the Earth, there are more than thirty actions that local authorities could and should be taking to help the fight against climate change.

But, in practice, what legal powers can local authorities use to put these plans into action and what legal obstacles do they face?

The panel explores:

* How local authorities can use their own assets to combat climate change.
* The levers available to the local authorities and the potential impact of the Environment Bill
* The obligations that declaring a climate emergency place on a local authority.
* Using the planning system to combat (and deal with the consequences of) climate change.

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**Elections**

Electoral law experts Mark Heath and Emyr Thomas look at the challenges faced by returning officers when running elections and look forward to how the new Elections Bill might change the landscape in future.

They address:

* What are most common – and tricky – issues encountered by local authorities when running an election?
* How changes to electoral law and guidance might affect this year’s elections, especially in Wales.
* Dealing with a crisis: what should returning officers do if things fall apart and who can they turn to?
* The progress of The Elections Bill 2022 and how might this effect the running of future elections.

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**A Balancing Act- Public Sector Employment Post-Covid**

The public sector has been an enthusiastic adopter of remote and hybrid working patterns, but the transition to more permanent hybrid working patterns comes with a number of legal risks.

Employment experts Felicia Epstein and Allison Cook explore:

* In what circumstances can employees request or demand remote or otherwise flexible working?
* In what circumstances can employees be required to return to the office?
* How can employers provide (or refuse) remote/hybrid working while remaining compliant with the Equality Act? Where do the potential pitfalls lie?
* Can the medically vulnerable be required to work at the office?
* Should employment contracts be amended to facilitate remote/hybrid working? How straightforward would it be to change the balance of remote/office-based working if the needs of the employer change in future?
* How much control do public sector employers have over hybrid working and staff employed by contractors?

**[Watch the webinar →](https://www.lexisnexis.co.uk/video/overview.html?segment=public-sector&product=all)**

**The Procurement Bill Explained**

The procurement bill promises some radical – and not-so-radical – changes to the public procurement regime following the UK’s withdrawal from the European Union. Join experienced procurement experts Kieran McGaughey and Andrew Millross as they outline the changes outlined in the Procurement Bill and how they might work in practice for contracting authorities.

They will cover:

* What are the major changes from the EU-derived status quo? What doesn’t change?
* What has changed from the Green Paper published last year?
* What are likely to be the key elements for local authorities (and housing associations)?
* What remains to be revealed in the subordinate legislation or is generally unclear at present?
* Is the Bill likely in practice to provide the greater flexibility the government promises it will?
* What practical steps can authorities take now to get ready for the reforms?

**[Register for the free event →](https://www.lexisnexis.co.uk/event/local-authority-insight.html)**

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