



Public Sector Legal News Update

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12 April 2016

Cases

FAMILY LAW

JL (Babies Relinquished for Adoption), Re. [2016] EWHC 440 (Fam). Family Division (Fam Div).
Baker, J.. March 03, 2016

The court considered jurisdictional issues and procedural duties and obligations arising in cases involving babies born in the UK to foreign nationals and relinquished at birth for adoption. It particularly considered whether the authorities indicating that adoption was a last resort applied where mothers wanted the child's existence to be concealed from family members, and the application of the reporting requirements in the Vienna Convention on Consular Relations 1963 art.36 and art.37.

Application granted in parts

FAMILY LAW

Nottingham City Council v LM. [2016] EWHC 11 (Fam). Family Division (Fam Div). *Keehan, J..*
February 19, 2016

The court gave guidance on good practice and fundamental steps to be taken in local authority care proceedings in respect of newborns. Save in the most unusual and exceptional circumstances, local authorities must make applications for public law proceedings in respect of newborns timeously and within five days of the child's birth at most.

Judgment accordingly

Legislation

CRIMINAL LAW

Clean Neighbourhoods and Environment (Amendment) Bill 2016 (HL Bill 108).

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A Bill to raise the penalty for littering offences; to provide for an offence that relates to allowing a dog to foul the land; and to require local authorities to provide appropriate and convenient litter disposal points.

[Read full text here](#)

Lords 1st Reading: 17/3/2016

Regulatory Development

LOCAL GOVERNMENT

The local government counter fraud and corruption strategy 2016-2019. Issued by Department for Communities and Local Government. 23 March 2016

A Department for Communities and Local Government strategy for fighting fraud and corruption locally sets out the approach local authorities should take and the main areas of focus over the next three years in order to transform counter fraud and corruption performance.

[Read full text here](#)

News

NEGLIGENCE

Boys win right to sue council for council estate harassment. *Daily Telegraph*, 16 March 2016 (Online edition).

Two children who argue they suffered harassment and threats from a "delinquent" family whilst living on a council estate have won the right to sue Poole Borough Council for compensation. The council, the family's landlord on the estate, faces claims it negligently failed to protect the two boys from a foreseeable risk of harm. In 2015 a High Court official ruled the council owed no duty of care, but a High Court judge has now ruled this decision wrong.

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Further Reading

ENVIRONMENT

NO2 limits. *Env. L.M. 2016, Feb, 8-9.*

Notes criticisms by the Chartered Institute of Environmental Health of the Department for Environment, Food and Rural Affairs' (DEFRA) plan for "Improving Air Quality in the UK: Tackling Nitrogen Dioxide in our Towns and Cities", published in December 2015. Highlights concerns regarding the requirements on local authorities to implement Clean Air Zones and whether there will be sufficient guidance, funding and planning control available to them.

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