



# Public Sector Legal News Update

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## Cases

### LOCAL GOVERNMENT

***R. (on the application of Kingston upon Hull City Council) v Secretary of State for Business, Innovation and Skills.*** [2016] EWHC 1064 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Kerr, J.. April 08, 2016

When considering its first case under the primary authority scheme set out in the Regulatory Enforcement and Sanctions Act 2008, the Better Regulation Delivery Office had erred in finding that advice given to an enforcing authority by a primary authority regarding the provision of customer toilets in food retail outlets was correct. As well as allowing the enforcing authority's claim for judicial review of that decision, the court set out how the primary authority scheme should operate.

Application granted

## Legislation

### ROAD TRAFFIC

#### **Driving Instructors (Registration) Act 2016. c.16**

An Act to make provision about the registration of driving instructors.

[Read full text here](#)

Royal Assent: 12 May 2016



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## Regulatory Development

### PUBLIC PROCUREMENT

**Government contracts to be open to public for the first time.** By Cabinet Office. 12 May 2016

The Cabinet Office has announced that the UK will become the first G7 country to commit to the Open Contracting Data Standard for contracts administered by a central purchasing authority, the Crown Commercial Service. This will mean that the whole process of awarding public sector contracts will be visible to the public for the first time by October 2016. This will be piloted by High Speed Rail 2.

[Read full text here](#)

## News

### LOCAL GOVERNMENT

**Local authorities demand more funding to deal with young migrants.** *Times*, 5 May 2016, 4. By Richard Ford; Greg Hurst; Simon de Bruxelles.

The Home Office is expected to announce a national transfer scheme to disperse unaccompanied child asylum seekers around the UK in an attempt to ease the burden on local authorities located in a small number of areas looking after large numbers of children. Local authorities have called for greater funding, describing the reimbursement for the children's care that they receive, amounting to between £71 and £114 a day per child, as inadequate.

**Legislation referred:** Housing and Planning Bill 2015 (HC Bill 801)

### LOCAL GOVERNMENT

**Local authority charges joggers for use of park.** *Times*, 14 April 2016, 1,2,11. By Simon de Bruxelles. Also Reported in Independent, 14 April 2016 (Online edition); Daily Telegraph, 14 April 2016, 5

Stoke Gifford parish council has become the first in the UK to charge joggers who go for a weekend run in their local park, stating that the number of people taking part has put a strain on facilities. It is the first time that Parkrun, which has organised a free fun run every weekend in Little Stoke, South Gloucestershire, since 2012, and which also organises 850 weekly runs in 12 countries, has been charged to use a public space.

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## Further Reading

### PLANNING

**Mind the housing gap.** *P.L.J.* 2016, 352, 2-5. By *Laura Nation*.

Discusses the National Infrastructure Commission's recommendations for changes to planning policy, set out in its March 2016 report, "Transport for a World City", which will enable the Crossrail 2 infrastructure project to be progressed for housing growth purposes. Outlines proposals for releasing industrial land, increasing housing density levels and releasing green belt land.