



Public Sector Legal News Update

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01 August 2016

Cases

PLANNING

Pressland v Hammersmith and Fulham LBC. [2016] EWHC 1763 (*Admin*). Queen's Bench Division (Administrative Court) (QBD (Admin)). John Howell QC. July 15, 2016

Where a development order required a local authority's approval before development permitted by the order could begin, and the local authority made its approval subject to conditions, the permission for the development was itself subject to those conditions.

Application granted

Legislation

ROAD TRAFFIC

Highway Works (Weekend Working and Traffic Management Measures) Bill 2016 (HC Bill 33).

A Bill to regulate works on certain highways in England by making provision about weekend and bank holiday working and provision about removal of traffic lights and other traffic management measures after the completion of works.

[Read full text here](#)

Commons 1st Reading: 4/7/2016; 2nd Reading: 20/1/2017 provisional

Regulatory Development

SOCIAL WELFARE

Putting children first: Delivering our vision for excellent children's social care. Issued by Department for Education. 4 July 2016

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A Department for Education policy paper sets out the Government's reform programme for children's social care in England, focusing on: putting children first; people and leadership; practice and systems; and governance and accountability. In a speech on the plan, the Secretary of State for Education announced that Norfolk children's services will begin working with Barnado's to establish a joint-looked after children service, the first in the country, and the piloting of a new scheme, "staying close", allowing young people leaving children's homes to live nearby and retain links with those who have cared for them.

[Read full text here](#)

Legislation referred: Children and Social Work Bill 2016 (HL Bill 1)

News

ROAD TRAFFIC

Motorists put at risk by legal loophole that allows cars to be clocked. *Times*, 16 July 2016, 34. By Andrew Ellson.

The Local Government Association has called for a ban on "mileage correction" services after official figures reveal that car clocking increased by 10% between March and October 2015. A legal loophole means that, while knowingly selling a clocked car without disclosing it to the buyer is fraudulent, it is legal to alter the number of miles.

Further Reading

HOUSING

Housing benefit: update 2016. *Legal Action 2016, Jul/Aug*, 36-40. By Bethan Harris; Desmond Rutledge; Kevin Gannon.

Highlights legal developments relating to housing benefit (HB), covering: (1) policy and legislative developments including the reduction of the maximum period for backdating HB claims, restrictions on HB in the social rented sector, and proposals to reduce HB entitlement during temporary absence from Great Britain; and (2) cases on calculation of rent arrears where set-off claimed, deductions from recoverable overpayments, and the "bedroom tax".

Cases referred: Secretary of State for Work and Pensions v SFF~ [2015] UKUT 502 (AAC) (UT (AAC))

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