



# Public Sector Legal News Update

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## Cases

### PLANNING

**R. (on the application of Campaign to Protect Rural England) v Dover DC.** [2016] EWCA Civ 936. Court of Appeal (Civil Division) (CA (Civ Div)). Laws LJ; Simon LJ. September 14, 2016

The degree of particularity required of a local planning authority's reasons for the grant of planning permission depended on the nature of the issues to be decided. On an application for permission for a large-scale residential development in an area of outstanding natural beauty, where the planning committee departed from the planning officer's recommendations and where there was a statutory duty to give reasons, the reasons should have dealt with the issue of harm in much more detail.

Appeal allowed

## Legislation

### LOCAL GOVERNMENT

**The West Midlands Combined Authority (Election of Mayor) Order 2016. SI 2016/933**

The Local Democracy, Economic Development and Construction Act 2009 Pt 6 provides for the establishment of combined authorities for the areas of two or more local authorities in England. Article 3 of this Order creates the position of mayor for the area of the West Midlands Combined Authority. Article 3 further specifies the term of office for the mayor for the area of the West Midlands Combined Authority, and the dates on which elections for the return of a mayor shall take place and the intervals between elections.

[Read full text here](#)

In Force: In accordance with art.1.

Made under Local Democracy, Economic Development and Construction Act 2009 s.107A, Sch.5B para.3



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## Regulatory Development

### ROAD TRAFFIC

**New THINK! campaign to improve cyclists' safety.** By Department for Transport. 26 September 2016

Following statistics which showed that in 2015 a fifth of crashes where cyclists were killed involved heavy goods vehicles, Parliamentary Under Secretary of State for Transport Andrew Jones has launched a THINK! campaign aimed at improving their safety. Cyclists are being encouraged to "hang back" from lorries and understand the risks created by sharing the limited road space.

[Read full text here](#)

## News

### LANDLORD AND TENANT

**Airbnb accused of underhand lobbying tactics.** *Times*, 17 September 2016, 3. By Andrew Ellson; Dan Newling.

It has been revealed that Airbnb is hiring community organisers to build support for "their right to share their homes" as it fights to protect its business model. Westminster council has launched an investigation into 1,200 homeowners who are allegedly using the site to let their properties illegally, as opposition to the site increases in New York and Berlin, where residents have been forbidden from letting out their entire homes through Airbnb.

Companies referred: Airbnb

## Further Reading

### SOCIAL SECURITY

**Housing benefit and universal credit.** *Welf. R. Bull.* 2016, 253, 5-6. By David Simmons.

Advises on the implications of the phased-roll-out of universal credit as regards whether a claimant living in a "gateway" or "full service" area can claim or retain entitlement to housing benefit or must claim universal credit. Explains the general rules governing the entitlement of such claimants, illustrating their application by reference to example scenarios. Identifies problems that can arise where a claimant transfers from housing benefit to universal credit.

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