



Public Sector Legal News Update

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01 July 2017

Cases

GOVERNMENT ADMINISTRATION.

R. (on the application of Palestine Solidarity Campaign Ltd) v Secretary of State for Communities and Local Government. [2017] EWHC 1502 (Admin). Queen's Bench Division (Administrative Court) (QBD (Admin)). Sir Ross Cranston. June 22, 2017

The secretary of state had been wrong to provide, in the statutory guidance governing the investment strategy for the local government pension scheme, that administering authorities should not use pension policies to pursue boycotts, divestment and sanctions against foreign nations. That guidance had been issued for non-pensions purposes and so was outside the secretary of state's powers.

Application granted

Legislation

HOUSING

The Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) Regulations 2017. SI 2017/698 (W.164)

These Regulations amend the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 to reflect changes to Appendix FM of the Immigration Rules, being the rules defined in those Regulations as the rules laid down as mentioned in the Immigration Act 1971 s.3(2). The changes to Appendix FM rendered the application of provisions of the 2014 Regulations at regs 3 and 5(1) out of date.

[Read full text here.](#)

In Force: 22 June 2017

Made under Housing (Wales) Act 2014 Sch.2 para.1(2)(4)

Legislation amended: Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 (SI 2014/2603)

Regulatory Development

REAL PROPERTY

The Park Homes Commission Rate - consultation document. Issued by Welsh Government.

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WG31760 25 May 2017

A Welsh Government consultation seeks views on the reduction or abolition of commission fees on the sale of park homes. In particular, comments are sought on: whether commission fees should be changed; how any changes might affect park business; and how any changes might affect residents. Comments by 17 August 2017.

[Read full text here](#)

News

ENERGY

National Trust facing legal challenge from fracking firm over shale gas extraction. *Times*, 13 June 2017, 15. By Ben Webster.

The National Trust is facing a legal challenge after forcing fracking company Ineos Shale to divert around its land when surveying for shale gas, a process opposed by the charity. Ineos has threatened to use legal powers under the Mines (Working Facilities And Support) Act 1966 to require the charity to grant access. Lynn Calder, commercial director of Ineos Shale, said that if the National Trust continues to refuse access, it will not receive a share of the 6% of total revenues it has pledged to landowners and communities that have shale gas extracted from under their land.

Legislation referred: Mines (Working Facilities and Support) Act 1966
Companies referred: Ineos Shale

Further Reading

HOUSING

Housing: recent developments. *Legal Action* 2017, Jun, 30-35. By Jan Luba; Nic Madge.

Highlights legal developments relating to housing benefit, covering: policy and legislative developments including on private renting, homelessness, housing and mental health, supported housing, and mobile homes; and cases on human rights under ECHR Protocol 1 art.1, possession claims, death and notices to quit, harassment and eviction, long leases, anti-social behaviour, houses in multiple occupation, homelessness, and housing and community care.

Legislation referred: European Convention on Human Rights 1950 Protocol 1 art.1

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