



Public Sector Legal News Update

Provided by Westlaw UK (www.westlaw.co.uk), a product of Thomson Reuters Sweet & Maxwell

11 January 2013

Cases

Social Welfare

R. (on the application of Chatting) v Viridian Housing. 2012 WL 6151764.

Queen's Bench Division (Administrative Court) (QBD (Admin)). Nicholas Paines Q.C., 13 December 2012

On the proper construction of a compromise agreement, a charity's transfer to another organisation of the provision of accommodation and care to an elderly woman, paid for by the local authority under the National Assistance Act 1948 s.26, was lawful and compliant with the European Convention on Human Rights 1950 art.8, so long as those services were provided until nursing care was needed. There was no requirement that the legal identity of the organisation providing or managing that care and accommodation had to be maintained.

Application refused.

Legislation

Planning

The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012 (SI 2012/3109)

This Order amends art.4 of the Development Management Procedure Order.

[Read the full text here](#)

In Force: 31 January 2013

Made under: Town and Country Planning Act 1990 s.59, s.62, s.333(7)

Legislation amended: Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184)

Official Publications

Local Government

Circular 02/2012: The Building Act 1984, Building (Amendment) Regulations 2012.

Issued by Department for Communities and Local Government, 19 December 2012

A Department for Communities and Local Government circular details changes to the Building Regulations 2010, the Building (Approved Inspectors etc) Regulations 2010, the Building (Local Authority Charges) Regulations 2010 and various Local Acts

[Read the full text here](#)

The content for this legal update has been provided by Westlaw UK which is a product of Thomson Reuters Sweet & Maxwell. If you are a current subscriber then you can simply log in to the service to find the full text documents of the above. If you are not a subscriber to Westlaw UK but would like to find out more, please contact customer.service@westlaw.co.uk, ring 0800 028 2200 or visit www.westlaw.co.uk.



Public Sector Legal News Update

News and Press

Charities

Gift Aid Small Donations Scheme becomes law

By HM Revenue & Custom, 20 December 2012

The Small Charitable Donations Bill received Royal Assent on 19 December 2012 becoming the Small Charitable Donations Act 2012. The Act legislated the Gift Aid Small Donations Scheme and will be implemented from April 6, 2013.

[Read the article here](#)

Legislation referred: Small Charitable Donations Act 2012

Further Reading

Charities

Grants, charities and VAT. *Ir. T.R. 2012, 25(4), 26-27*

By Frank Carr

Reviews the First-tier Tribunal decision in *Hope in the Community Ltd v Revenue and Customs Commissioners* on whether monies paid to a charity by a public authority amounted, for VAT purposes, to "consideration" for supplies made or, alternatively, grants made to the charity.

Cases referred: *Hope in the Community Ltd v Revenue and Customs Commissioners*~ [2012] UKFTT 498 (TC) (FTT (Tax))

Administrative Law

Confidential bid information disclosable following Tribunal ruling. *F.O.I. 2012, 9(2), 1,17*

Notes the First-tier Tribunal decision in *Newham LBC v Information Commissioner* on whether the confidentiality of information supplied as part of a tender bid lasted indefinitely, preventing it being the subject of a freedom of information request.

Cases referred: *Newham LBC v Information Commissioner*~ Unreported 2012 (FTT)

The content for this legal update has been provided by Westlaw UK which is a product of Thomson Reuters Sweet & Maxwell. If you are a current subscriber then you can simply log in to the service to find the full text documents of the above. If you are not a subscriber to Westlaw UK but would like to find out more, please contact customer.service@westlaw.co.uk, ring 0800 028 2200 or visit www.westlaw.co.uk.