



Spotlight on Three Local Authority Legal Cases & Key Takeaways

From May and June 2026

Sean Hylton, R (on the application of) v Medway Council [2026] EWHC 1537 (Admin): judicial review and procedural compliance when dealing with a LiP.

- Thomas Raphael KC handed down judgment on 23 June 2026. The claim centred on duties owed to Mr Hylton under the Care Act 2014 and specifically, failures to make lawful decisions about interim support under s 19(3) of the Care Act 2014.
- The judge quashed the Council's previous decisions on interim support and remitted the matter back to them for reconsideration.
- Medway was found **not** to have filed an acknowledgement of service (in non-compliance of CPR 54.8). A letter stating that the Council considered the matter to be premature was not strictly compliant. Councils should note that an "acknowledgement" of a matter is potentially different to an "acknowledgment of service".

- The Council's non-compliance attracted judicial commentary: "it is particularly important that the public body files its documents [in] a timely fashion and co-operates with the claimant" where the claimant is a litigant in person [paragraph 22].
- The Council compounded the issue by filing late arguments and evidence which curtailed the Claimant's ability to serve reply evidence.
- The judgment considered the law on relevant considerations (*Davey v Oxfordshire CC [2017] EWHC 354 (Admin)*) and required reasons must be intelligible and adequate (*South Buckinghamshire DC v Porter [2004] UKHL 33*).
- **Key takeaway for Councils on procedure: comply with time limits, particularly when dealing with a LiP as the impact of procedural unfairness is likely to be a relevant factor for the court even before the merits are considered.**

Kensington and Chelsea Council, Westminster Council and the Metropolitan Police: Anti-social behaviour injunction

- Under the Public Space Protection Order (PSPOs) powers – a tool to help local authorities manage anti-social behaviour under the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCPA 2014), the councils and the police were successful in their application to the High Court for an order which includes Exhibition Road in the Brompton and Hans Town ward. The area has experienced nuisance driving.
- The order applies between 6pm and 7am. Note: PSPOs are not available to parish and town councils but s71 of ASBCPA 2014 does allow for bodies other than local authorities to make PSPOs by order of the Secretary of State. The City of London Corporation manages several public spaces with such permission.
- **Key takeaway for Councils: this injunction allowed retrospective enforcement for breaches using evidence from CCTV, social media and/or witness statements.**

Parkingeye Limited v Velindre University NHS Trust & Anor: Procurement Act 2023

- High Court case from 1 May 2026 under the Procurement Act 2023 to determine what, if any change, to the previous rules under the Public Contracts Regulations 2015 applied when an unsuccessful bidder challenged the award in the standstill period.
- The assumption that financial compensation was adequate recompense if a stay was lifted and the re-procurement proceeded with the “successful” bidder has been removed.
- **Key takeaway for Councils on procurement: be aware that if the services are being provided under an existing contract, it is now more likely that the suspension will be maintained pending determination.**