

## Public matters – April 2024

29 April 2024  Kassra Powles

We have a bumper edition this month, covering a wide range of topics including a series of procurement updates.

### **Browne Jacobson to advise East London Waste Authority on major waste programme**

Browne Jacobson is supporting one of the UK's largest waste authorities to plan how it will manage its recycling and waste treatment and disposal services for the next few decades.

The UK and Ireland law firm has been appointed by the East London Waste Authority (ELWA) as a legal adviser to its procurement and contract expiry programme.

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### **Traffic Regulation Orders**

This article discusses the intricacies of TROs, shedding light on their significance in maintaining road network integrity and catering to the evolving needs of both local authorities and road users. With technological advancements like pay-by-phone parking and electric vehicle charging stations shaping modern transportation, the importance of keeping TROs updated becomes increasingly evident.

[Read more](#) →

### **The Air Quality and Soundscapes (Wales) Act 2024: How might the Act affect local authorities in Wales?**

In this article, we delve into the key provisions of the Act, shedding light on its substantial implications for local authorities and communities across Wales. From redefining active travel promotion to overhauling local air quality management, the Act emerges as a potent tool for catalysing tangible environmental change.

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### **Understanding the ICO's new fining guidance**

This article explores the intricate process by which the ICO issues fines, emphasising the necessity for organisations to uphold stringent data protection measures and swiftly respond to breaches. Non-compliance carries substantial risks, including hefty fines and reputational harm, underlining the imperative for organisations to align with the ICO's guidance, fortify data protection measures, and fortify breach response protocols.

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### **Subsidy control guidance update - welcome guidance on 'small subsidies' introduced**

In December 2023 the Department for Business and Trade, with relatively little fanfare, updated the statutory guidance (Guidance) which accompanies the Subsidy Control Act 2022 (SCA 2022).

One of the most notable changes, and which will likely assist many local authorities giving out smaller subsidies, is the introduction of a new Annex 2 to the Guidance which gives additional guidance on the award of 'small subsidies'.

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## **Fixing local government standards regime would help us to do our jobs, say monitoring officers at Browne Jacobson and LGiU roundtable**

In a recent roundtable discussion hosted by Browne Jacobson, the Local Government Information Unit (LGiU), and Lawyers in Local Government (LLG), the spotlight fell on the evolving role of monitoring officers within local government.

These officers, charged with the legal governance of local authorities, find themselves increasingly bogged down in firefighting duties related to councillor code of conduct, rather than playing a pivotal role in major decision-making processes.

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## **Procurement updates**

### **Landmark judgment in OCS Group UK Limited v Community Health Partnerships Limited**

In a landmark ruling on 14 December 2023, HHJ Pearce KC of the High Court delivered a judgment with far-reaching implications for public procurement practices in England.

This article looks into the implications of the judgment, highlighting the significance of providing adequate reasoning in procurement evaluations and the potential impact on future procurement disputes.

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### **PPN 01/24: Carbon reduction contract schedule**

The recent publication of Procurement Policy Note (PPN) 01/24 by the Cabinet Office on March 18, 2024, marks a significant step forward in the UK government's commitment to sustainability.

This article explores the key components of the Schedule and offers guidance on its application, underscoring the importance of aligning carbon reduction initiatives with contract specifics and supplier capabilities.

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### **Provider Selection Regime - how will it work in practice?**

This article explores the essential aspects of the PSR, including its implementation, contracting options, challenges, and transitional arrangements. As authorities navigate the complexities of both the PSR and the forthcoming Procurement Act, understanding these regulatory shifts becomes crucial for effective adaptation.

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