

Public matters - January 2024

26 January 2024

HXA and YXA : Guidance from the Supreme Court on negligence in failure to remove cases

In HXA and YXA, HXA (Respondent) v Surrey County Council the defendants applied to have the claimants' cases struck out on the basis that there was no arguable cause of action. Their applications succeeded at first instance and on appeal to the High Court. However, the Court of Appeal held that the claims should not be struck out because the existence of a duty of care was arguable. The Defendants appealed to the Supreme Court.

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Restrictive covenants – look before you leap

It is not unusual for development land to be affected by covenants that limit or restrict its future use. It is however important to take appropriate action to mitigate against the risk of breach of those covenants before development is commenced.

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Procurement reform: Making poor performance a thing of the past

In this article we explore the impact that the Procurement Act will have on contract performance and the important rules that the public and private sector alike must consider ensuring compliance with the new Act's requirement to measure and report on suppliers' performance. We also look at the introduction of a 'debarment list' that will prevent suppliers on the list from supplying public sector bodies.

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The evolution of sub-contracting under the Procurement Act 2023

With the provisions of the Procurement Act 2023 (Act) set to come into force in October 2024, there are a number of changes to procurement rules relating to sub-contracting that public bodies in the United Kingdom must be aware of. In this article, we outline the key changes and the new requirements public bodies must follow to comply with the new Act.

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Key contact



Peter Ware

Partner

peter.ware@brownejacobson.com

+44 (0)115 976 6242

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