



Press Summary

Judgment – Administrative Court (Mr Justice Eyre)

THE KING
on the application of
COVENTRY CITY COUNCIL (Claimant)
-and-
SECRETARY OF STATE FOR THE HOME DEPARTMENT (Defendant)

[2025] EWHC 2929 (Admin)

14th November 2025

Note: This summary is provided to assist in understanding the decision of the court. It does not form part of the decision or the reasons for the decision. The only authoritative document is the full judgment of the court, which will be published on the National Archives (<https://caselaw.nationalarchives.gov.uk/>).

1. The Claimant sought judicial review of the Defendant's decision to accommodate further asylum seekers in Coventry in addition to those already there. Before the adoption of the Full Dispersal Model in 2022 the Defendant had accommodated asylum seekers only in the areas of those local authorities which had volunteered to agree to them being placed there. Since the introduction of the Full Dispersal Model she has sought to disperse the accommodation for asylum seekers across the country.
2. The Claimant was proud of its record in having agreed voluntarily that asylum seekers should be accommodated in its area at a time when other authorities had not done so. However, it brought the claim asserting that the number of asylum seekers being accommodated in its area was greater than had been agreed to be appropriate. It claimed that the Home Secretary's actions breached both substantive and procedural legitimate expectations; contravened the Defendant's own policy; undermined the statutory purpose of the Immigration and Asylum Act 1999; failed to comply with the Public Sector Equality Duty under section 149 of the Equality Act 2010; and were irrational.

3. The Defendant accepted that the number of asylum seekers accommodated in Coventry should be reduced and emphasised that she was moving to implement a policy under which asylum seekers are accommodated more widely throughout the United Kingdom. However, she denied that there was any unlawfulness in the action she had taken thus far and pointed out that she had a statutory duty to provide accommodation for destitute asylum seekers under the Immigration and Asylum Act 1999 (“the 1999 Act”).
4. **Grounds 1 and 6** of the claim concerned alleged breaches of substantive legitimate expectations and policy. The Claimant contended that the Defendant had agreed not to procure accommodation for asylum seekers in excess of the numbers identified in the 1:200 Ratio (one asylum seeker per 200 residents calculated by reference to the 2021 census figures), the Service User Demand Plan (SUDP) and the Bedspace Demand Plan (BDP), and that she would not procure new accommodation while those figures were exceeded. The court rejected this contention. It found that the SUDP and BDP figures were planning tools, not binding limits. The representations which had been made about the 1:200 ratio were to be interpreted in context. When account was taken of the Defendant’s duty under the 1999 Act to accommodate destitute asylum seekers and of the fluctuating numbers of asylum seekers the representations did not give rise to the legitimate expectation for which the Claimant contended.
5. **Ground 2** concerned an alleged breach of a procedural legitimate expectation. The Claimant asserted that the Home Secretary had a duty to consult it before procuring accommodation which would mean that more asylum seekers would be accommodated than provided for by the 1:200 ratio or by the SUDP and BDP. This ground was focused on the decision in November 2024 to use the Ibis Hotel to accommodate asylum seekers where the Claimant was given less than 48 hours’ notice that the accommodation was to be used. The Court held that the issue was now academic as the use of the Ibis Hotel had ended and the Defendant had explained that it was her policy to seek to give local authorities an opportunity to comment in advance of the placement of asylum seekers.

6. **Ground 3** invoked the *Padfield* Principle under which a statutory power must be used so as to promote and not defeat the purpose of the legislation giving that power. The Claimant contended that the Defendant's actions were unlawful as thwarting the purpose of the 1999 Act. The Claimant said that purpose was to ensure the dispersal of accommodation for asylum seekers nationally. The Court rejected this submission. It found that the purpose of the Act was to provide for asylum seekers who were destitute or at risk of becoming destitute. The Defendant's actions were not, therefore, contrary to the purpose of the Act.
7. **Ground 4** concerned Public Sector Equality Duty under the Equality Act 2010. The Claimant asserted that the Home Secretary had failed to assess the equality impacts of failing to disperse asylum seekers more widely. The Defendant had conducted an Equality Impact Assessment when adopting the Full Dispersal Policy in 2022. The Court accepted that repeated assessments were not required and rejected this ground.
8. **Ground 5** asserted that the Defendant had acted irrationally in two respects. First, by accommodating asylum seekers in Coventry in excess of the 1:200 ratio and the SUDP figure. Second, by using the Ibis Hotel to accommodate asylum seekers when, the Claimant said, that hotel had previously been found to be unsuitable for such use. The court dismissed this ground. In respect of the first limb it found that the Defendant's actions were rational given her statutory duty to house asylum seekers, the unpredictable and urgent nature of asylum accommodation needs, and the limited availability of suitable accommodation. It concluded that the second limb was academic as the hotel was no longer in use and so made no ruling on that aspect.
9. The Defendant had submitted that the bulk of the claim was academic as the Ibis Hotel as no longer in use; no new accommodation for asylum seekers had been procured in Coventry since October 2023; and the number of asylum seekers accommodated there had decreased. The Claimant maintained that certain issues remained live. In particular, it pointed out that the number of asylum seekers accommodated remained above the SUDP figure and that the Defendant had declined to commit herself to maintaining placements below the 1:200 Ratio figure.

10. The court accepted that some issues, such as the use of the Ibis Hotel, were academic and declined to address those. However, other issues including the status of the 1:200 ratio and of the SUDP and BDP figures were not academic and fell to be determined.
11. The court dismissed the claim in its entirety. It found that the Defendant had not breached any legitimate expectations or policies and that the approach which had been adopted was not unlawful on the basis of irrationality.