



## John Jolliffe

Call: 2005 [Public Access](#)

### Practice areas:

**Environment, Public Law, Planning, Licensing, Major Infrastructure Projects, Local Government, Rating**



## Practice Profile

John Jolliffe practises across a range of environmental, planning and public law. His clients include central and local government, landowners, developers and individuals. He appears regularly in the High Court and at inquiries. In July 2018 he was appointed to the Attorney General's A Panel of Counsel to the Crown, and in 2020 he was appointed as a Deputy Judge of the Upper Tribunal.

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## Environment

John was a council member of the UK Environmental Law Association for 4 years, and is regularly instructed in environmental matters across different sectors.

His water industry clients include the utility companies, and regulators such as the Drinking Water Inspectorate, and he has a particular interest in water resource management planning. He represents individuals and companies in statutory appeals and prosecutions under the Water Resources Act and other statutes.

His waste sector clients include regulated businesses such as landfill and recycling operators as well as local authorities, DEFRA and the Environment Agency. He has acted in several group claims alleging nuisance, and has advised on waste charging issues. He acted in the first judicial review concerning the contaminated land regime under Part IIA of the Environmental Protection Act – see *R (ota Crest Nicholson) v DEFRA* and others. He has been instructed in complex and high value statutory nuisance cases and civil litigation with environmental law content.

Recent instructions include:

- *Sokol v (1) Caudwell Properties (2) Cantillon* – 6 day statutory nuisance trial concerning the high value redevelopment of a car park in Mayfair (led by James Pereira KC, instructed by Bryan

Johnston of Dentons LLP)

- *S v M* – claim in nuisance and negligence by UK subsidiary of multi-national against former contractor concerning contamination of land (instructed by Andrew Sanderson of Fieldfisher LLP – ongoing)
  - *B v C* – claim against a landfill operator by 168 claimants alleging odour nuisance (instructed by Aidan Thomson of BCLP – settled confidentially)
  - *Re M LLP* – advising a well-known global professional services firm on its obligation to produce an energy and carbon report
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## Public Law

John has been appointed to the Attorney-General's A Panel of Counsel, and to the Equality and Human Rights Commission's Panel of Counsel. He acts for claimants and defendants in public law challenges before the Administrative Court and tribunals. His public sector clients include central and local government, government agencies, companies and individuals. He is comfortable dealing with urgent cases and applications for interim relief. He has particular knowledge of immigration and asylum law, having acted for the SSHD for over a decade and having been appointed as a Deputy Judge of the Upper Tribunal in 2020. He has extensive knowledge of prison law, having acted for the SSJ in judicial review claims, inquests, parole board hearings, civil claims and other matters.

Recent cases include:

- *Smith v SSJ* [2020] EWHC 2712 Admin – (reasons; procedural fairness)
  - *UT (Sri Lanka) v SSHD* [2019] EWCA Civ 1091 (error of law)
  - *Mustafa v Kent CC* [2018] EWHC 2021 (statutory housing and support for asylum seekers)
  - *Pun (Nepal) v SSHD* [2017] EWCA Civ 2106 (ILR; Gurkhas; Article 8).
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## Planning

John was part of the team of counsel acting for HS2 Ltd in promoting the proposed high speed line between London and Birmingham, led by Tim Mould KC, James Strachan KC and Justine Thornton KC. He advised on a very wide range of issues, including air quality; compulsory purchase, land compensation and blight; environmental impact assessment; land contamination; land drainage; listed buildings and heritage; noise and vibration; public consultation and community relations; public rights of way; utilities and statutory undertakings (water, gas, electricity etc); waste management; water resources.

He regularly appears for the Secretary of State for Communities and Local Government in judicial review and statutory challenges. He is member of the Planning and Environmental Bar Association, and of the UK Environmental Law Association.

He has experience in housing matters, and has acted for local authorities in challenges concerning the Housing Act 1996. He has acted in various professional negligence claims which alleged inadequate advice and representation on planning issues, for example concerning flood risk, landfill and waste. Reported cases include: *LB Tower Hamlets v SSCLG* [2019] 2219 Admin (enforcement; conservations areas; materiality; NPPF para 196)

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## Licensing

He has experience before licensing committees and the Magistrates Court, and is keen to develop his licensing practice.

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## Major Infrastructure Projects

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## Local Government

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## Rating

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## Professional Negligence & Regulation

John is instructed in professional negligence claims against a wide range of professionals, often in claims with underlying environmental and planning law issues. He has advised a wide range of insurer clients. He has experience of the overlap between professional indemnity work and professional disciplinary bodies. Recent instructions include:

- Acting for a property developer in a claim for damages against geotechnical engineers in relation to a survey of contaminated land – settled confidentially through mediation;
- Acting for the insurers of solicitors accused by former clients of negligence regarding their advice and representation in environmental law proceedings concerning waste – claim withdrawn on advantageous and confidential terms;

Reported cases include: *D Morgan Plc v (1) Mace & Jones (2) John Hoggett KC* (solicitors negligence; waste and landfill; procedure).

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## Qualifications

- Inns of Court School of Law (BVC)
- City University (CPE Diploma in Law)
- Trinity College, Dublin (First Class Honours in Classics)

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## Publications

Case notes for Lawtel and <http://www.humanrights.org.uk>  
Contributor to Burnett-Hall, Environmental Law  
Contributor to Insurance Day, Environmental Liability and other specialist publications.

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## Appointments

- Deputy Judge of the Upper Tribunal (IAC);
  - Deputy Judge of the First Tier Tribunal (SEC);
  - Junior Counsel to the Crown A Panel (2018ff);
  - B Panel (2013-2018);
  - C Panel (2010-2013)
  - Council member of UKELA (2014-2018).
  - Member of PEBA, ILPA and Parliamentary Bar Mess
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## Quotes

*"Strong on regulatory enforcement matters"*  
Chambers and Partners

*"Engaging and authoritative"*  
The Legal 500

*"Very focused and a bright individual"*  
The Legal 500