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Charles Forrest



Year of call 2014

Charles welcomes instructions to advise and represent clients across all of Chambers' practice areas. His main areas of interest include:

- Planning and Environment
- Public law, Human Rights and EU
- Highways and Traffic
- Infrastructure
- Compulsory Purchase and Compensation
- Local Government including Council Tax and Rating
- Licensing, Police and Anti-social Behaviour

Charles has appeared as sole counsel before the High Court, planning inquiries, enforcement inquiries, traffic inquiries, DCO issue specific hearings, the Valuation Tribunal, Crown Court, County Court, Magistrates' Court, and Council sub-committees. He has acted for a number and range of different private and public clients.

Recent work includes:

- *R (Newton Longville Parish Council) v Aylesbury Vale District Council* [2019] CO/5165/2018, acting on behalf of the Council
- *R (Khala) v Kingston Crown Court, Commissioner of Police of the Metropolis* [2019] CO/15/2019, acted on behalf of the successful Commissioner in a challenge which included allegations of disability discrimination and failure to have regard to the public

sector equality duty, both under the Equality Act 2010

- *Hornsea Project Three Offshore Windfarm DCO* (up to 300 turbines), acting on behalf of Natural England including in a number of issue specific hearings
- *Parklands, Wokingham* (APP/X0360/W/18/3204133), acted (as junior to Morag Ellis QC) for the successful appellant in a four day inquiry arising from the Council's refusal of permission for up to 55 dwellings.
- *Various Claimants v Secretary of State for Transport* (Heathrow Runway 3) [2018] EWHC CO/2760; [2018] CO/3071; [2018] 3089/2018; [2018] 3147/2018; [2018] 3149/2018, instructed as junior counsel to assist with resisting various judicial review challenges to the Government's Airport National Policy Statement (preferring Heathrow Runway 3).
- *Kenton Lane Farm, Harrow* (APP/M5450/W/17/3167162), acted on behalf of the Council in this appeal which related to enabling development

Charles is able to accept instructions directly from members of the public in appropriate cases.

Experience

Planning

Judicial and Statutory reviews- Charles has experience drafting pre-action letters, pleadings, and appearing as sole counsel in the High Court in a range of town and country planning matters including:

- *R (Newton Longville Parish Council) v Aylesbury Vale District Council* [2019] CO/5165/2018, acting on behalf of the Council
- a grant of a planning permission which impinged on a neighbour's private rights and its Article 1 Protocol 1 ECHR implications
- the revocation of a CLOPUD on the grounds of material falsehood in the application
- the grant of planning permission in heritage and undeveloped coastline
- the legality of s.106 agreements which provide for the payment to local authorities of monitoring fees
- the duty on local planning authorities to co-operate

Planning/enforcement inquiries:

- *Parklands, Wokingham* (APP/X0360/W/18/3204133), acted (as junior to Morag Ellis QC) for the successful appellant in a four day inquiry arising from the Council's refusal of permission for up to 55 dwellings.
- *Kenton Lane Farm, Harrow* (APP/M5450/W/17/3167162), acted on behalf of the Council in this appeal which related to enabling development.
- Appeared as sole counsel on behalf of appellants and Councils in a number of enforcement inquiries

Regulatory/crime

- Prosecuting in Kingston Crown Court an alleged demolition of a building in a conservation area without planning permission
- Acted on behalf of both Councils and Defendants in breach of enforcement notice prosecutions
- Acted on behalf of a Council prosecuting for breach of TPO regulations

Charles has also advised on and has experience of a number of other matters including:

- a range of permitted development issues
- CLEUDs/CLOPUDs
- enforcement including enforcement notices, breach of condition notices, s.187B injunctions
- five year housing land supply
- conditions, s.106 obligations and CIL
- heritage
- advertising consent
- neighbourhood plans
- assets of community value
- calling in planning applications by the Secretary of State (Charles successfully obtained such a call in for a scheme to replace the existing Newcombe House in Notting Hill)

Environment

Hornsea Project Three Offshore Windfarm DCO (up to 300 turbines), acting on behalf of Natural England including in a number of issue specific hearings. Key issues include: SPAs, SACs, SSSIs, MCZs, EPS licences, and marine licensing.

Charles has also advised on and has experience of a number of other matters including EIR, EIA, SEA, and the Aarhus Convention

Judicial and Statutory reviews- Charles has experience drafting pre-action letters, pleadings and skeleton arguments in matters including:

- the assessment of the cumulative impact of broiler houses under the EIA and Habitats regimes
- European Protected Species Licences

Highways and Traffic

R (Ramblers Association) v Secretary of State for Environment and Ors [2017] EWHC 716 (Admin), appeared (as junior to Juan Lopez) on behalf of the successful Second Interested Party Network Rail in a case which concerned incapacity to dedicate arising from statutory incompatibility under s.31 Highways Act 1980

Appeared on behalf of the Licensed Tax Drivers? Association in a four week traffic inquiry in relation to the Torrington Place to Tavistock Place corridor in Camden (The Camden (Torrington Place to Tavistock Place) (Prescribed Routes, Waiting and Loading Restrictions and Loading Places) Traffic Order [2017]). The LTDA and others succeeded

in persuading the inspector to recommend making a traffic order in a different form from that proposed by the Council

Charles has also advised on and has experience of:

- s.278 Highways Act 1980 agreements
- s.37 Highways Act 1980 notices
- traffic orders (including temporary orders) and speed limit orders
- abandoned vehicles on the highway
- private street works
- resisting the confirmation of a modification order

Infrastructure

Hornsea Project Three Offshore Windfarm DCO (up to 300 turbines), acting on behalf of Natural England including in a number of issue specific hearings

As a first six pupil to Meyric Lewis, Charles assisted with a number of petitions to the House of Commons from residents and businesses directly and specially affected by the construction and operation of High Speed Rail 2. He attended the House of Commons Select Committee hearings on a number of occasions.

Charles has also assisted in advising:

- a major energy company in relation to the replacement under existing planning consents of plant for the purposes of electricity generation
- a public transport body in respect of the legality of its consultation which considered a number of proposed routes
- a business in relation to the heads and quantum of a claim for compensation for land which will be temporarily possessed under a DCO

Compulsory Purchase and Compensation

Charles appeared (as junior to Guy Roots QC) on behalf of a business park landowner in a compensation claim under the Electricity Act 1989, sched. 4, para 7, following the grant of a necessary wayleave.

He has assisted in advising a landowner in relation to advance payments compensating for HS2 and a public body on the means by which the property register of land compulsorily acquired under the London Underground (East London Line Extension) Order 1997 could be discharged.

Local Government including Council Tax and Rating

Council tax and rating experience includes:

- *Property on Camberwell Road*, appeared on behalf of an appellant in the Valuation Tribunal for England
- advising a Council in relation to student disregards, single person discounts and

discretionary reductions

- advising an individual in relation to council tax premiums in Wales

Other local government experience includes:

- advising a Council in relation to policies aimed at tackling anti-Semitism
- advising a Council in relation to letting properties without granting any interests or rights including right to buy
- advising a Council in relation to the transfer of land from a maintained school to an academy trust in preparation of the conversion of that school into an academy
- he has acted as a legal clerk to a Standards Committee in relation to breaches of the code of conduct by Parish Councillors

Licensing, Police and Anti-social Behaviour

Cases on behalf of the Police include:

R (Khala) v Kingston Crown Court, Commissioner of Police of the Metropolis [2019] CO/15/2019, acted on behalf of the successful Commissioner in a challenge relating to the application for and grant of a closure order

R (Hitchens) v Thames Magistrates' Court, Commissioner of Police of the Metropolis [2017] CO/4077/2017, acted on behalf of the successful Commissioner in a challenge relating to the legality of a Community Protection Notice

acting in the Crown, County and Magistrates' Courts in respect of proceeds of crime, committal, closure order, community protection notice, sexual civil order, Part 1 injunction, gang injunction, shotgun certificate appeal and return of property proceedings.

Licensing experience includes:

- appearing frequently before the Magistrates' Court and Licensing Sub-Committees on behalf of licence holders, Councils, and the Police in relation to e.g. alcohol, late night refreshment, regulated entertainment, taxi and shotgun licensing
- advising on street trading and also how it interacts with the planning and advertising control regimes

Other

Charles is eager to broaden his practice areas and his previous work includes:

- Ecclesiastical- appeared (as junior to Gregory Jones QC) in Consistory Court proceedings concerning a substantial extension of a church in the Diocese of Chester, which raised issues in relation to the relationship between the planning and faculty jurisdictions and of lawful consultation requirements.
- Occupiers' liability - assisted in advising a local authority in respect of liability for disused mines within their ownership but of unknown location.
- Immigration- has drafted pleadings on behalf of the Secretary of State for the Home Department resisting applications for judicial review.

Qualifications, Achievements & Other Experience

Qualifications

- University College London, BA (Hons) History (First Class)
- BPP University, GDL (Distinction)
- BPP University, BPTC (Very Competent)

Scholarships, awards and prizes

- Major Scholarship, Inner Temple
- Duke of Edinburgh Scholarship, Inner Temple
- Internship Award, Inner Temple
- GDL Exhibition, Inner Temple
- Winner of the Senior UKELA Lord Slynn Mooting Competition (2016) judged by The Hon Mrs Justice Patterson DBE

Other experience

Prior to starting pupillage Charles spent three months at *The Advocates for Human Rights* in Minnesota, USA where he helped to draft laws for the Somali Constitution. Through Reprieve in Houston, USA he was part of a legal team which secured a life sentence with parole for one of the longest serving death row prisoners in Texas history. He also taught law for the *African Prisons Project* to inmates in a maximum security prison in Kampala, Uganda as part of their rehabilitation and education.

Professional Memberships

Charles is a member of the following professional associations:

- Planning and Environmental Bar Association (PEBA)
- United Kingdom Environmental Law Association (UKELA)
- Education Law Association (ELAS)

Publications

Recent publications include:

- Statutory nuisance, Lexis Nexis PSL Practice Note (subscription required)
- Appealing an abatement notice, Lexis Nexis PSL Practice Note (subscription required)
- Noise nuisance offences, Lexis Nexis PSL Practice Note (subscription required)
- Wildlife Crime, Lexis Nexis PSL Practice Note (subscription required)
- Anti-social behaviour- environmental breaches, Lexis Nexis PSL Practice Note (subscription required)
- Environmental Liability - environmental offences, Lexis Nexis PSL Practice Note (subscription required)

Privacy Notice

- A new age of reason? Solicitors Journal, 13 December 2016 (SJ 160/47). **Available here**
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