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## Gregory Jones QC, Administrative and Local Government Law

Gregory has a wide public law judicial review practice with heavy emphasis on local government practice and all aspects of planning, education and environmental law. Many of his cases have an EU law element. In addition he has a pure local government practice.

### Directories

Gregory was named as a top junior by *The Lawyer* in its survey of the Administrative Law Bar.

Recommended as leading junior in administrative law, public law and local government law by *Legal 500* and *Legal Experts*.

"Gregory Jones has an excellent reputation" *Legal 500* (2010)

Gregory has "an "extremely busy and successful practice" and advises local authorities on all aspects of planning and environmental law, including statutory nuisance." *Chambers & Partners* (2011)

"Another of the set's local government stars" *Chambers & Partners* (2010)

"Particularly impressive in court" *Chambers and Partners* (2009)

### Memberships

- Member of the Constitutional and Administrative Law Bar Association (ALBA)
- Member of the Administrative Court Users Group

### Selected Administrative and Local Government Law Cases

Many planning, environmental, ecclesiastical and education law cases are also properly regarded as coming within the category of administrative or local government law for details of those cases see the respective sections.

## **Protective Costs Orders in Judicial Review**

- *Keith Garner v Elmbridge Borough Council* [2010] EWHC 567 (Admin); [2010] WL 606065. Approach to protective costs order and Aarhus Convention.

## **Public Procurement**

- Acting for claimant in *Indigo (UK) Limited v Colchester institute* - challenge to procurement process in relation to award of cleaning contract (2010 ongoing)
- Acting for Sunderland City Council in respect of challenges to development agreements in relation to the redevelopment of top centre concerning issues of public procurement and competition law (2009- onwards).
- Acted for Southampton City Council in major procurement infrastructure tender exercise (2004).

## **Ombudsman**

- *R(Turpin) v Commissioner for Local Administration* [2001] EWHC Admin 503. [2003] B.L.G.R. 133; [2002] J.P.L. 326; [2001] A.C.D. 90. Acted for successful claimant where Ombudsman adjudged to have acted unfairly in refusing to disclose interview notes.
- *R v Commissioner for Local Administration in England ex parte Smith* (CO/2877/96) (1998). Acted for successful claimant against decision of Local Government Ombudsman.

## **Highways and Public Open Space**

- *Henner Properties Ltd v Westminster CC* (High Court, Chancery Division) (ongoing). Acting for Henner in dispute with Westminster concerning powers of Westminster CC to charge for vehicular access across Pimlico Shrubberies. Case involves consideration of various Local Acts of Parliament.
- Acted for celebrity chef, Richard Corrigan of Bentley's, Swallow Street, London W1 regarding proposed stopping up order under the Highways Act 1980 by Westminster CC (2008).
- *R(Manchester City Council) v Secretary of State for Environment, Food and Rural Affairs* [2007] EWHC 3167 (Admin). A judicial review of the Secretary of State's decision not to confirm an order by the Council to extinguish a public right of way along a crime-troubled street. Discusses a public law decision-maker's approach to mandatory considerations.
- Acting for internationally famous blues venue *Ain't Nothin But the Blues* regarding gating order by Westminster City Council.
- Acting for Eclipse Bar, South Kensington regarding dispute as to extend of highways against Kensington and Chelsea LBC (ongoing)
- *R v Secretary of State ex parte Slot* (Case No: LTA 96/7776/D). Successful judicial review challenge to refusal of footpath diversion order.
- *Torbay BC v Cross* (1995) 159 J.P. 682 application of the *de minimis* principle to obstruction of the highway under Highways Act 1980 s.137

## **Housing**

- *R (on the application of Glen International Ltd) v Southwark LBC* (CO-1169-2000). Housing authority empowered by the Housing Grants, Construction and Regeneration

Act 1996 s.42 to withhold the grants but had no power to withdraw them, and a housing authority had no power to apply policy considerations, such as the convictions of the applicant, when deciding whether or not to withhold a grant.

- *R v Greenwich LBC Ex p. Glen International Ltd* [2000] E.H.L.R. 382; (2001) 33 H.L.R. 87; (2000) 97(17) L.S.G. 34; [2000] N.P.C. 29; *Times*, March 29, 2000 Local authorities powers and duties under Housing Act 1985 in respect of renovation grants and repairs notices
- *Westminster v Glen International Ltd* (HQ04X00425) Acted for the successful landowner in resisting a claim by Westminster City Council to recover substantial costs for works carried in default of compliance with enforcement notices issued under Housing Act 1985. The Council's claim was declared to be statute barred.

### **Residential Care**

- *R v Buckinghamshire CC ex parte Tillson Phillips*: Judicial review of decision by local authority to impose charge for residential care of elderly person who had been sectioned under Mental Health Act
- *R v Somerset CC Ex p. Harcombe* (1997) 37 B.M.L.R. 1; [1998] C.O.D. 71; *Times*, May 7, 1997. Judicial review of a decision to take into account the value of an old person's home when calculating her contribution towards the cost of residential nursing accommodation under the National Assistance Act 1948 s.22 and s.26, with enforcement suspended while her son lived there.

### **Immigration**

- *R v Immigration Appeal Tribunal ex parte Jinadu* (CO/2195/1999) (high court). Appeared for the Home Secretary to defend successfully judicial review against deportation order in respect of duty to give reasons and quality of evidence.
- *R v Immigration Appeal Tribunal ex parte Svilpa (Jonas)* (FC3 99/8017/C). (Court of Appeal) Appeared for Home Secretary regarding claim of persecution on grounds of sexuality.

Gregory was appointed to the Attorney General's Panel of advocates to appear before Special Adjudicators on behalf of the Home Office.

### **Publications on Administrative and Local Government Law Include:**

- Jones: 'Some Practical Impacts of European Union Law upon the Procedure for Judicial Review' [2010] JR 139'
- Jones & Rabinowicz: 'Acknowledgement of service: when a week is a long time in judicial review'[2005] J.R 121.
- Petchey & Jones: 'Judicial Review Costs': S.J. 2003, 147(48), 1451-1452
- McCracken and Jones: 'Leach and Permission Costs' [2002] JR 4 cited in (*R on the application of Mount Cook*) v Westminster City Council [2003] EWCA Civ 1346 per Auld LJ at paras 13 and 31).
- Jones & Chapman: 'The end of public law estoppel?' S.J. 2002, 146(25), 580-581.
- Jones & Grekos: 'Great expectations? The Ombudsman and the meaning of "injustice"' [2001] J.R. 20
- Jones & Patry: 'Appealing from adverse reasoning' [2000] J.R. 15.
- George & Jones: 'Legal aid: the legal merits test in judicial review'[1999] J.R. 14.
- Jones & Pretorius: 'Respondents evidence: the 56-day rule' [1998] J.R. 1998 71

- Jones: "Remedies in English law for breaches of EC Public Procurement Rules" - dissertation successfully submitted as part of award of masters' degree by University College, London University.

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