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Andrew Tait QC



QC 2003
Year of call 1981

Andrew Tait QC is Head of Chambers.

Andrew's main areas of work are in planning and environmental law, in particular major infrastructure work, highways, compulsory purchase and compensation.

He is recommended as a Leading Silk in Chambers & Partners and the Legal 500 guides, and in recent years has been described as follows:

Testimonials

"He has the experience to see the long game and how an Inspector or a Committee or Tribunal would look the case. So he is strategically excellent and know where and how to develop a case. Also tremendously good with clients. Polite but firm, quietly spoken and understated but commands the room."

"He is incredibly responsive, very calm, very clear in his guidance and creates an instant

rapport with the client."

"He is a very capable leader, hard-working, calm and always measured in his advice. he is a pleasure to work with." "He advises in a way the client will respect what he says, even if it is not what they want to hear."

"He has a very good manner with clients. He is very thorough, very experienced and very good at transport matters." "His reputation precedes him and he is worthy of it."

"He is calm and collected, and a force to be reckoned with." "A top practitioner who is technically brilliant and wonderful to work with."

"A calm authority... an absolutely clinical mind and a devastating ability to dissect cases." "Specialises in handling complex infrastructure planning matters." "he fits in as part of a team and is excellent at public inquiries."

"He is incredibly thorough and detailed, clients hugely respect his input and he is excellent on his feet...He is extremely good at handling the largest cases and making them seem more straightforward than they are."

"Well-prepared and thorough... Though widely experienced, he is particularly well regarded for his promotion of major infrastructure proposals, such as large waste facilities, railways and roads."

"Impressive experience in railway work." "He is sounds, steady and gets the results."

"Exudes calm confidence - an extremely able advocate - well prepared."

"impressive... with a wealth of experience in highways, regeneration, compulsory purchase and compensation-related work." "Deemed diligent and hard-working with a calm authority about him."

"Opponents should not be deceived by Andrew Tait QC's 'friendly, approachable demeanour'; his 'dedication, thoroughness and willingness to get stuck in ' make him a formidable adversary."

"An authority on compulsory purchase compensation cases and the environment." "He takes a very thorough approach and is incredibly client friendly."

"A very able and effective advocate, especially when handling inquiries".

"Highly regarded for his very quick grasp of a case and his sound and sensible advocacy."

Experience

Infrastructure

He has been involved in numerous major infrastructure projects at public inquiry, DCO hearings and in Parliament. He is also a member of the DCLG's Nationally Significant Infrastructure Planning Sounding Board.

Railways: He has in recent years successfully promoted at public inquiries on behalf of TfL the Northern Line Extension, the Bank Station Upgrade, the Victoria Station Upgrade and the Barking Riverside Extension. He also successfully promoted the Greater Nottingham LRT and the Dockland Light Railway 5 car scheme. He acted for BAA in respect of the Airtrack proposals.

He represented BAA on the Crossrail Bill and BAA, BMW, Royal Mail and several other petitioners to the HS2 Bill. He also acted for the City of London in the Thameslink Inquiry.

He has extensive experience in railway matters generally, including obtaining powers for new railway stations. He is currently acting in respect of various new major railway projects.

Roads and bridges: He recently successfully promoted the A14/A1 Cambridge to Huntingdon scheme, the largest road scheme pursued by DCO, as well as the Weymouth Relief Road (for Dorset CC), the South Devon Link Road (for Devon CC), the South Bristol Link Road (for North Somerset Council and Bristol CC) and the East Leeds Orbital Road. In earlier years he promoted numerous other road schemes, including rerouting the A303, A30 and A35 and widening the M20.

He successfully opposed the Torbay Ring Road Stage 3. He acted for ABP in opposing the Welsh Government's proposals to reroute the M4 through the port of Newport.

He acted for Poole BC in promoting the Poole Twin Sails Bridge. He advised the City of London in respect of the Millennium Bridge. On behalf of the Garden Bridge Trust he successfully resisted two judicial reviews relating respectively to the grant of planning permission and the effect of registration as an asset of community value.

He is currently advising on several proposed major road schemes.

Ports, airports and other infrastructure: He promoted the Tees and Hartlepool Bill and the Llanelli and Burry Port Bill through Parliament. He is acting for ABP in respect of the Welsh Government's M4 proposals.

He has advised in respect of various airport projects, including at Heathrow and at Stansted. He has also acted for BAA in resisting compensation claims under the Land Compensation Act 1973.

He acted for a coalition of local authorities in respect of the Hinkley Point C nuclear power station proposals. He advised the Olympic Delivery Authority on obtaining the planning permissions for the 2012 Games. He also acted for Southern Water in successfully promoting the Brighton and Hove WWTW and in judicial review proceedings concerning the Hastings and Bexhill WWTW.

He is currently advising on the promotion of major water infrastructure proposals, including new pipelines and dams, and on a number of port and airport-related matters.

Planning and Environment

His experience, at public inquiries and in the courts, encompasses major infrastructure (referred to above) as well as minerals, waste, housing and retail proposals, at public inquiries, Local Plan hearings and in the courts.

Built development: He has acted in the last few years for various housebuilders, including Countryside Properties, Persimmon Homes, Bloor Homes and Linden Homes, in promoting substantial housing and mixed use proposals both on appeal and at Local Plan hearings. This encompasses major new developments in Chelmsford, Maldon, Bishops Cleeve, South Cambridgeshire, Taunton, South Hams and Truro. He has also promoted major regeneration proposals of housing estates such as the Roundshaw redevelopment affecting Metropolitan Open Land in south London as well as various retail schemes.

He has advised on a wide range of associated matters including CIL and planning obligations, village green and ACV issues, restrictive covenants, drainage and access issues.

Minerals and waste: His wide and recent experience in this field includes securing planning permission, following a public inquiry for the extraction of ragstone from 30 hectares of ancient woodland at Hermitage Quarry, Kent and obtaining planning

permission on appeal for an extension of a minerals site in the South Downs National Park. He is currently advising in respect of various other minerals proposals both through the application and local plan processes, including in national parks. He has successfully promoted large-scale waste proposals in the south-west of England, as well as the major wastewater treatment works at Brighton and Hove.

Other: He appeared at the New Forest National Park Inquiry on behalf of three opposing Dorset authorities and at the South Downs National Park Inquiry on behalf of Southern Water, in each case resulting in the objection being upheld. He advised the Olympic Delivery Authority as applicant on obtaining the planning permissions for the 2012 Games. He acted for LB Barnet in the TfL Bill. He has advised extensively on European and domestic law issues as they affect the water industry.

Judicial review: Within the last few years, he has successfully resisted judicial review applications relating to the Northern Line Extension, the Garden Bridge, a major minerals planning permission and two major residential planning permissions. He acted for the Secretary of State for Transport in resisting a challenge relating to SEA and HRA in connection with the proposed Oxford-Cambridge Expressway: *R(Berks, Bucks and Oxon Wildlife Trust v Secretary of State for Transport* [2019] EWHC 1786 (Admin). He appeared for the Secretary of State for Business, Energy and Industrial Strategy in *R (Client Earth) v SSBEIS* [2020] EWHC 1303(Admin), in which issues of need and climate change arose in the context of the Secretary of State's decision to grant a development consent order for the construction of two gas-fired units at Drax power station; the Secretary of State's decision was upheld by the Court of Appeal: [2021] EWCA Civ 43. He also appeared for East Suffolk Council in *Girling v East Suffolk Council* [2020] EWHC 2579 (Admin), a challenge to the grant of planning permission for the relocation of facilities for Sizewell B nuclear power station, where the issues concerned exceptional circumstances for development in the AONB and the obligations for environmental information under Regulation 26 of the EIA Regulations.

Land compensation

He has extensive experience of land compensation and is currently advising on a number of references to the Lands Chamber. Reported cases include:

- *BP Oil UK Ltd v. Kent County Council* in the Court of Appeal - concerning limitation periods in compulsory purchase claims
- *Brunt v. Southampton International Airport Ltd* in the Court of Appeal - concerning the scope of claims under Part 1 of the Land Compensation Act 1973
- *Clemdell v Dorset CC* - concerning claims for underpayment of advance payments and the subsequent substantive hearing
- *Bond v Dorset CC* - concerning the scope of entitlement to compensation for modification of planning permissions

He has promoted numerous compulsory purchase orders, including for Devon CC, Dorset CC, Kent CC, LB Sutton, LB Lewisham, Bristol CC, North Somerset CC, Leeds CC, Southern Water and central government. Much of the experience listed under infrastructure above has involved the justification of the use of compulsory purchase powers. He acted for the successful objector landowner in opposing the Harlow London

Road North CPO at inquiry; by a decision in June 2019 the CPO was not confirmed. Most recently in early 2020 he successfully promoted a regeneration CPO on behalf of LB Wandsworth.

He has been involved in arbitration proceedings in Bermuda concerning the valuation of harbourside land in Hamilton.

Qualifications & Appointments

- MA Hertford College, Oxford (Open Exhibitioner)
- QC 2003
- Assistant Parliamentary Boundary Commissioner for England (Fifth Review)
- Bencher of the Inner Temple
- Member of the Planning and Environment Bar Association (PEBA; Chairman 2016-2019), the Administrative Law Bar Association, the Parliamentary Bar, the Compulsory Purchase Association, the Association for Real Property and Infrastructure (ARPI) and the National Infrastructure Planning Association (NIPA)
- Member of the MHCLG's Nationally Significant Infrastructure Planning Sounding Board
- Head of Chambers 2012-

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