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David Matthias QC - Planning and Compulsory Purchase and Compensation

Planning

David's planning practice includes planning appeals, planning enforcement, outdoor advertising control, associated judicial review and statutory challenges under Part XII of the TCPA 1990.

He acted for Mitchells and Butler *in R (on application of Blackwood) v Birmingham Magistrates, Birmingham City Council & Mitchells & Butler Retail Leisure Ltd [2006] EWHC 1800 (Admin)* - a case concerning planning conditions and involving an analysis of the interface and tension between the planning and licensing regulatory regimes - and for the local authority in *Eastleigh Borough Council v Town Quay Developments [2008] EWHC 1922 (Ch)* and *[2009] EWCA Civ 1391*, a case involving issues of land law and local authority powers, particularly in the context of planning decisions.

He advises major operators concerning advertising campaigns in the context of the 2007 Regulations and generally, and recently acted for an operator defending successfully a local planning authority prosecution for advertising without consent under section 224 of the TCPA 1990 on the basis that the prosecution was an abuse of process (**Ocean Outdoor UK Ltd v Lambeth Borough Council**).

Compulsory Purchase and Compensation

David is also experienced in compulsory purchase and compensation. He advises both acquiring authorities and landowners and other occupiers affected by compulsory purchase schemes, and appears both in the Lands Chamber ? Upper Tribunal and at compulsory purchase public inquiries, as well as before the courts in CPO disputes.

He is currently engaged in advising a metropolitan borough council engaged in a land assembly exercise, with a view to disposing of the land so acquired to a developer for the comprehensive redevelopment of the town centre. This advice concerns *inter alia* the appropriation of the relevant land including the compulsory purchase of certain land and the compensation implications of so doing.
