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John Jolliffe

Practice Profile



Year of call 2005

John Jolliffe practises across a range of planning, environmental 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, following a competitive application process. His practice is a broad one, and he is regularly instructed by clients in other jurisdictions, for example inquests.

Testimonials

"Very focused and a bright individual" The Legal 500, 2014

"Engaging and authoritative" The Legal 500, 2013

Experience

Planning and infrastructure

John is 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 QC, James Strachan QC and Justine Thornton QC. He has 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 has a particular interest in enforcement challenges, for example in the area of listed building control. 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.

Environmental Law

He is regularly instructed in nuisance (e.g. noise, vibrations, anti-social behaviour, odour from landfill etc) and damage to property claims. He has been instructed as junior counsel on 2 substantial group actions under the Group Litigation Order regime brought against landfill operators. He has particular experience of contaminated land issues under part IIA of the EPA 1990, and often acts in 'toxic tort' cases. He is instructed on behalf of companies charged with regulatory criminal offences, and is familiar with the civil sanctions regime. He has acted in statutory nuisance proceedings. He has been appointed as a member of the council of the United Kingdom Environmental Law Association (UKELA). His government clients include DEFRA and the EA. Reported cases include: *R (ota Crest Nicholson) v DEFRA and others* (with David Hart QC). He is rated as a leading junior in environmental law, and described as "particularly knowledgeable about parliamentary processes." He is a contributor to Burnett-Hall on Environmental Law (chapters on air pollution and environmental permitting).

Rating and Council Tax

He acts for a range of public and private sector clients in rating matters including the Valuation Office Agency. He also undertakes advisory work on rating. His reported cases include *Branwell v Valuation Office Agency*.

Professional Negligence and Regulation

He is instructed in professional negligence claims against solicitors, valuers, surveyors, architects and engineers. He has a wide range of insurer clients. He has experience of the overlap between professional indemnity work and professional disciplinary bodies, e.g. the Architects Registration Board. His professional negligence work often involves claims with underlying environmental and planning law content. He was recently instructed with leading counsel on behalf of solicitors whose former clients made allegations of negligence against them regarding their advice and representation in environmental proceedings concerning waste. Reported cases include: *D Morgan Plc v (1) Mace & Jones (2) John Hoggett QC and R (ota Compton) v GMC [2008] 2868 (Admin)*

Licensing

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

Judicial Review

He acts for claimants and defendants in public law challenges before the Administrative Court and statutory tribunals. His public sector clients include central and local government, as well as government agencies. Having spent 3 years on the Attorney General's C panel and then been promoted to the B panel, he has an unusually high level of experience of public law advocacy, and is comfortable arguing new or unusual points. He has a particular interest in environmental and planning JR.

Education Law

John's education law practice includes Special Educational Needs decision making. He is comfortable with complex medico-legal evidence. He has experience of discrimination law under the Equalities Act 2010 and the various predecessor statutes, and is familiar with admissions and exclusion appeals. He has acted in numerous civil claims concerning educational negligence, breach of contract, claims for fees etc. He has advised and represented clients before disciplinary tribunals, and in public law challenges in the High Court. Recent highlights of his education law work include advising a Russell Group university on its statutes and governance procedures, with sensitive issues concerning trade union consultation.

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 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

- Junior Counsel to the Crown C Panel (2010-2013);
- B Panel (2013-2018);
- A Panel (2018 -)
- Council member of UKELA (2014-2022).
- Member of PEBA

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