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Professor Pavlos Eleftheriadis



Year of call 2006

Practice Profile

- Barrister in England and Wales.
- Called 2006 (Lincoln's Inn)
- Areas of Practice: Public Law, European Union Law, Public Procurement, State Aid, Planning Law.
- Member of the Bar European Group, Planning and Environmental Bar Association, State Aid Lawyers Association, Procurement Lawyers' Association, Constitutional and Administrative Law Bar Association.

Academic Profile

- Professor of Public Law at the Faculty of Law, University of Oxford
- Fellow and Tutor in Law, Mansfield College, Oxford
- Areas of expertise: EU law, public law, planning law, jurisprudence

Testimonials

"Brilliant on paper too, he is an accomplished advocate." Legal 500, 2019

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Cases of Note

Public Law

- *R (on the application of Wilson) v the Prime Minister* [2019] EWCA Civ 304, [2019] 3 All ER 230, [2019] WLR(D) 125, [2019] 1 WLR 4174], The Times, Wikipedia.
- *R (on the application of an Academy Trust v Medway Council* [2019] EWHC 156 (Admin) (High Court, Special Educational Needs) Local Government Lawyer.
- *R (on the application of Wilson) v the Prime Minister* [2018] EWHC 3520 (Admin) The Guardian.
- *Cityside Primary Trust v Secretary of State for Education*, [2016] UKFTT 0587 (HESC), (removal of school from register of independent schools and Article 9 ECHR), judgment is available here.
- *LW (Jamaica) v Secretary of State*, Upper Tribunal (deportation of foreign criminal and Article 8 ECHR).

Planning Law

- *Smith v Basildon*, [2017] EWHC 2696 (Admin) (Planning Court, judicial review of refusal to examine application for planning permission under s. 70C of the TCPA 1990).
- *R (on the application of Dr Anna Hoare) v Vale of White Horse District Council* [2017] EWHC 1711 (Admin); [2017] WLR(D) 465 , judicial review of the making of a neighbourhood plan (BAILLI)
- *Basildon v Tidd*, [2017] EWHC 1849 (QB) (variation of an injunction regarding gypsy and traveller site), Case Comment JPL (2017) pp. 1192-1193
- *Arulchelvan v Secretary of State for Communities and Local Government*, 25 January 2017, High Court, (a news item is here).
- *Harris v Broads Authority, Court of Appeal*, with Gregory Jones QC and Charles Streeten) (National Parks, principle of the rule of law) May 2016.

Pavlos Eleftheriadis is regularly instructed on planning issues, especially on matters touching on EU law. He has advised on several types of planning applications, Green Belt developments, rights of way, development agreements, rights to light, CPOs, Environmental and Strategic Impact Assessments, the Habitats Directive, neighbourhood planning and other aspects of the planning process.

He is the author of planning aid's case notes on neighbourhood planning.

Public Procurement

He is regularly instructed by contracting authorities and private clients to advise on issues

related to the application of the public contracts regulations and on associated remedies. He has developed particular expertise on the way in which the public procurement framework applies to Development Agreements.

Some recent cases include:

- *A Transportation firm challenging a regional airport at the High Court (settled).*
- *R (Hersi & Co) v Lord Chancellor [2017] EWHC 2667 (Technology and Construction Court); junior to Martin Westgate QC.*
- Advising a developer on a major central London residential project on issues arising out of the public procurement framework.
- Advising a local authority regarding a contract for the supply of goods.
- Advising a major developer on a CPO Inquiry on issues of both state aid and public procurement.
- Advising a local authority on its own Public Contracts guidelines and procedures.
- Advising a local authority on a Development and Commercial Agreement involving 300 housing units and a public park.

Other work has included framework agreements, NHS services, as well as many issues arising out of s.106 Agreements.

He is a regular speaker on public procurement law seminars and events.

State Aid

He is regularly instructed to advise on issues of the law of state aid. Some instructions include: He has advised on the application of the law of state aid to a Development Agreements in the aviation industry, on Business Rates Relief and the law of state aid.

Recent work includes a written Opinion on the law of State Aid and natural disasters, advice on business rates and state aid as well as on the application of s.237 Town and Country Planning Act 1990.

He has experience of cases before the European Court of Human Rights in Strasbourg on issues of property, freedom of religion and free speech. Cases include

Khudados v United Kingdom, European Court of Human Rights, September 2010. Application to the Strasbourg Court on the basis of an Article 6 complaint (with Robert McCracken QC).

He has advocacy experience in High Court, the Upper Tribunal and the First Tier Tribunal. He is also a volunteer with Bail for Immigration Detainees and appears on a pro bono basis to the First Tier Tribunal on bail applications.

EU Law

He is regularly instructed to advise on general aspects of EU trade law and institutional law. Over the past few months he has been a regular commentator on the relations between the European Union and the United Kingdom and he has been quoted by the Financial Times and the Guardian.

He has been an active commentator on the legal issues of Brexit. He has been interviewed by the Today programme on the legal aspects of the new settlement between the EU and the UK. His argument on the second referendum was reported and discussed by the BBC [here](#).

He was from 2007 to 2014 the managing editor of the leading encyclopedia EU law in English: David Vaughan QC and Aidan Robertson QC (eds.), *The Law of the EU*, vols. 1-6 looseleaf (Oxford: Oxford University Press, 2007-2015). He is also the author of the section on 'The Institutions?', 2nd ed.(2016).

A representative case before the ECJ involved issues arising out of Strategic Environmental Assessment: Case C-182/09 *Seaport v Department of the Environment*, European Court of Justice (Junior to Gregory Jones QC, instructed by Carson & McDowell).

Degrees, Appointments and Prizes

- MA, University of Oxford, 2003
 - PhD, University of Cambridge, 1995
 - LLM, University of Cambridge, 1991
 - BA, University of Athens, 1990

 - Visiting Professor in European Economic Law, Columbia Law School, 2001
 - Bodossaki Prize for Law 2005 (20,500 Euros), Bodossaki Prizes in the sciences and the social sciences are awarded every few years to an academic under 40 years of age, of Greek nationality or descent, 'for exceptional achievements in his/her field.'
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Languages

Fluent in Greek, working knowledge of German and French.

Privacy Notice

Selected Publications

- 'The European Union's Relationship to International Law: Lessons from Brexit' in Davies & Avbelj (ed), *Research Handbook on Pluralism and EU law* (Edward Elgar 2018)
 - 'In Defence of Constitutional Law '81 *Modern Law Review* (2018). 154-178
 - 'Two Doctrines of the Unwritten Constitution' 13 *European Review of Constitutional Law* (forthcoming, 2017) (pp. 1-26)
 - 'Constitutional Illegitimacy over Brexit' (2017) 88 *Political Quarterly* 183
 - 'Constitutional Instability After the Referendum' (2017) *Public Law* 347-354
 - 'How to Make a Transitional Brexit Arrangement' (2017) *Oxford Business Law Blog*
 - 'A New Referendum is a Constitutional Requirement' *Oxford Business Law Blog* 2016
 - 'The Institutions', 2nd ed. in David Vaughan QC and Aidan Robertson QC (eds.), *The Law of the EU*, vols. 1-6, looseleaf (Oxford: Oxford University Press, 2016)
 - 'The United Kingdom and the Eurozone after the Referendum' (2016) *Oxford Legal Studies Research Paper* 36/2016
 - 'The Euro and the German Courts' *Law Quarterly Review* (2012)
 - 'Planning Agreements as Public Contracts under the EU Public Procurement Rules' 20 *Public Procurement Law Review* (2011)
 - 'On Rights and Responsibilities' (2010) *Public Law* 31-43
 - 'Environmental Rights in the EC Legal Order' 27 *Yearbook of European Law* 2007
 - 'The Idea of a European Constitution', 27 *Oxford Journal of Legal Studies* (2007) 1-21.
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