**GORDON WIGNALL**

 **PLANNING & ENVIRONMENTAL CV**

**Year of Call**: 1987

**Contact**
Email: gordonwignall@6pumpcourt.co.uk
Tel: 020 7797 8400

**Education**
MA (University of Oxford); Diploma in EU Law (merit) (King’s College London)
Karmel Scholarship prizewinner (commercial law), Gray’s Inn
Norman Tapp memorial prizewinner (mooting), Gray’s Inn

**Appointments**CEDR trained mediator

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**RECOMMENDATIONS**

*“An experienced junior who has an extensive planning and environmental practice. The majority of his environmental work involves regulatory disputes with local authorities, planning authorities and the Environment Agency… He's a very experienced and knowledgeable barrister, and has a very pleasant manner*."

**Chambers UK Bar Directory 2015**

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| **PLANNING & ENVIRONMENTAL PROFILE** |

Gordon Wignall has a specialist understanding of all aspects of planning and environmental work which involve, in particular, the waste and recycling industry (including regulatory aspects), environmental permitting and the trans-frontier shipment of waste.

The subject-matter of his work is likely to have an aspect of pollution prevention or remediation about it (including contaminated land issues). He practices in all areas relevant to his specialist experience including tribunals and civil and criminal courts, and he has a detailed knowledge of the necessary procedural rules.

Gordon has acted for Sims Recycling UK, EMR, Squibb & Co, Ward & Co and many other waste and recycling operators. His environmental work includes judicial review and Planning Inspectorate appeals concerning suspension notices, enforcement notices and Works Notices, as well as waste exemptions and the IED Directive. He has been involved in several cases involving fragmentisers including cases where explosions have sent projectiles from the site.

Gordon has successfully presented judicial review applications in the High Court in respect of permitting exemptions in which it has been alleged that the UK has not transposed the exemption provisions of the Waste Framework Directive correctly.

Planning appeal work for waste and recycling clients has included issues relating to noise, applications to introduce machinery, agricultural waste, spoil and landfill sites and WEEE. His planning work includes PINS appeals against enforcement notices.

He is currently involved in permitting applications and appeals which include appeals under the Water Resources Act (works notices in respect of liquid fertiliser operations) and issues involving habitats.

Criminal cases in which he has appeared have been concerned with various offences arising out of the management and handling of waste, breaches of abatement notices contrary to the statutory nuisance regime and offences contrary to the Control of Pollution Act. He was instructed in the Crown Court in the first major prosecution by the Environment Agency concerning the transfrontier shipment of waste.

The types of operators who instruct him or find him either on the other side of the courtroom or tribunal include scrap yards, plastics recyclers, WEEE operators, poultry and bovine renderers, aluminium foundries, racing circuits, food producers, smelting plants, iron foundries and gypsum producers. Not surprisingly he is especially pleased to be able to assist in claims where complex expert evidence needs to be considered and challenged.

His waste and recycling work overlaps with a civil practice for and against those allegedly polluting neighbouring land, whether by noise, odours, dust or other matters, or alternatively by causing physical damage by spillage of oil, kerosene, diesel, or by the physical interference with land. He undertakes flooding and subsidence claims and was instructed in respect of several high-profile group litigation proceedings which followed the floods in 2007.

Whilst residential planning appeals form part of his practice these too tend to include issues relating to the Aarhus convention and EU-related matters such as Environmental Impact Assessments. He was instructed in a recent High Court challenge involving the effect of the Localism Act and the Aarhus Convention on the proper application of the prematurity principle.

Gordon is accustomed to working under pressure and on an urgent basis to obtain injunctive relief. He has also obtained injunctions on behalf of local authorities where statutory nuisance proceedings have provided inadequate remedies, as well as in the context of private law proceedings. He is particularly proud of his use of EU principles of judicial review.