



REGULATORY NOTICES AND ENVIRONMENTAL LEGISLATION: JUDICIAL REVIEW CHALLENGES & STATUTORY APPEALS

(2 CPD points)

Speakers: Stephen Hockman QC (Chair), David Travers QC, Gordon Wignall, Richard Banwell and Christopher Badger

Purpose: To identify when a client should commence judicial review proceedings when served with a regulatory notice, in particular any notice/measure concerning the **Environmental Permitting Regulations 2010**, the **Water Resources Act** (works notices), **Environmental Protection Act 1990 Part IIA** (contaminated land) and **Part III** (abatement notices). The presentations will include specific case studies.

Topics:

- The role of the independent inspector on a statutory appeal, evidence & procedure.
- Statutory appeal as an alternative remedy – a complete bar to judicial review?
- Judicial review as urgent interim relief.
- Can the absence of consultation be fatal to the notice?
- Initiating an appeal after the commencement of judicial review proceedings.
- Has the regulator identified the appropriate/responsible person: what is the right test? Can the regulator issue a notice or measure directly on a company officer?
- The application of EU law principles: proportionality, the precautionary principle and the harmonisation of environmental law across the EU.
- EU grounds and intensity of review.
- Legal certainty/particularity: does the notice comply with statutory requirements?
- What is the consequence of internal inconsistencies within an environmental permit?
- 'Rights of defence' and the de-registration of exemptions under the 2010 Regulations: when is de-registration possible and what is the role of judicial review as a remedy?

Date/Venue: Thursday 10th September 2015, 4-6 p.m. at 6 Pump Court Chambers

Contact: bridgettough@6pumpcourt.co.uk 020 7797 8456

There will be a charge of £25 per person, with second and subsequent bookings from your firm/ organisation charged at a reduced rate of £15 per person.

This event is the first in a series of four environmental seminars to be held by Six Pump Court in Sept-Dec 2015. Details on the further seminars are available on our website [here](#)