



James Maurici QC

Call: 1996 Silk: 2013

Email: clerks@landmarkchambers.co.uk

Practice Manager

Ben Connor

Email: bconnor@landmarkchambers.co.uk

Phone: **020 7421 2483**

Neil Perry

Email: nperry@landmarkchambers.co.uk

Phone: **0207 421 1303**

Jonathan Barley

Email: jbarley@landmarkchambers.co.uk

Phone: **0207 421 2480**

Expertise

Planning, Public, Environment, Public Procurement, International, European Law

Overview

James Maurici was called to the Bar of England & Wales in 1996. He was appointed Queen's Counsel in 2013. He practices in planning; environmental law; and public law. His practice regularly encompasses EU and international law. He was called to the Bar of Northern Ireland in 2009 and practises in that jurisdiction also.

James was a member of the Attorney-General's London Panels of Junior Counsel to the Crown from 1999-2013. He also served on the Welsh Assembly Government's Junior Counsel Panel from 2009 to 2013.

Planning: James' planning practice encompasses all aspects of planning including: advisory, advocacy at inquiries and hearings and advocacy in the Higher Courts. He has considerable experience of Development Plan examination hearings. His practice also encompasses compulsory purchase and compensation, harbours, highways, rights of way, commons registration and village greens (both inquiries and in the Higher Courts). James chairs the Planning Steering Group at Landmark Chambers. His recent cases high-profile include:

- **Compton Parish Council & Others v Guildford BC** [2019] EWHC 3242 (Admin);
- **R (Spurrier) v Secretary of State for Transport and others** [2019] EWHC 1070 (Admin) and **R (Plan B) v Secretary of State for Transport** [2020] EWCA Civ 214 multiple judicial review challenges to the Airports NPS favouring Heathrow expansion and raising issues related to SEA, air quality, climate change, bias, reasons and habitats;
- **R (Shirley) v Secretary of State for Housing, Communities and Local Government** [2019] 2 C.M.L.R. 14 on the interpretation of the air quality directive;
- **R (Royal Society for the Protection of Birds) v Secretary of State for Justice** [2017] 5 Costs L.O. 691 on the challenge to the revised Aarhus costs rules;

Environment: James' environmental law practice is wide-ranging, covering matters such as habitats and species protection, contaminated land, air quality, waste, access to environmental information, statutory and common law nuisance and all aspects of environment impact assessment, strategic environmental assessment and environmental permitting. He has considerable expertise on climate change issues, and especially emissions trading: see below. He has also been involved in a number of cases concerning marine environmental issues: see below. He regularly advises and is involved in cases concerning access to environmental information. He has also appeared a number of times before the UNECE Aarhus Compliance Committee in Geneva. He has made many appearances before the Court of Justice of the European Union and the General Court of the European Union (formerly the European Court of First Instance) in environmental cases.

Public law: His public law practice is very wide ranging and has included housing (see e.g. **Yemshaw v Hounslow LBC** [2011] 1 W.L.R. 433), social security (including national insurance) (see e.g. **Zalewska v Department for Social Development** [2008] UKHL 67), tax matters, education (James was a governor at two state primary schools for 13 years in total and a Chair of Governors for 5 years), regulatory, local government including local government finance (see e.g. **R (Cheshire East BC) v Secretary of State for the Environment Queen's Bench** [2011] EWHC 1975 (Admin)); and all aspects of human rights law. He has appeared in a number of high-profile public law cases including:

- **R (Sharon Shoemith) v Ofsted and Others** [2011] P.T.S.R. 1459;
- **R (Bradley and others) v Secretary of State for Work & Pensions** [2009] Q.B. 114;
- **Ken Livingstone v Adjudication Panel for England** [2006] H.R.L.R. 45;
- **R v. Bow Street Magistrate, ex p. Pinochet Ugarte (No. 2)** [2000] 1 A.C. 119 and;
- the **Alconbury** litigation [2003] 2 A.C. 295.

James has advised and acted on a number of cases involving the Parliamentary and Health Service Ombudsman the Local Government Ombudsman and the Public Service Ombudsman for Wales.

European: He has regularly appeared in the Court of Justice of the European Union and the General Court of the European Union (formerly the European Court of First Instance) on environmental matters. Cases include:

- Case C-71-14 **East Sussex County Council v Information Commissioner** [2016] P.T.S.R. 179 (property searches and the Environmental Information Directive);
- Case C 279/12 **Fish Legal & Emily Shirley v The Information Commissioner, United Utilities, Yorkshire Water and Southern Water** [2014] 2 W.L.R. 568 (the meaning of public authority under the Environmental Information Directive);
- Case C-43/12 **Commission v European Parliament and Council** (cross-border exchange of on road safety related traffic offences);
- Case C 530/11 **Commission v United Kingdom** and Case C-260/11 **Edwards v Environment Agency** (costs and environmental judicial reviews);
- Case C-567/10 **Inter-Environnement Bruxelles ASBL**, (strategic environmental assessment) 22/3/2012;
- Case C-504/09 P **Commission v Poland** (EU Emissions Trading) 29/03/2012;
- Case C-474/10 **Seaport (NI) Ltd, Magherafelt District Council and Others v Department of the Environment for Northern Ireland** (strategic environmental assessment) 20/10/2011 and;
- Case T-369/07 **Latvia v Commission** (EU Emissions Trading) 22/03/2011.

International: In addition to his extensive European Court practice (see above) James has made several appearances before the UNECE Aarhus Compliance Committee in Geneva. He has acted in cases going to the European Court of Human Rights in Strasbourg. His international practice also includes cases in the Isle of Man (including before the Staff of Government see e.g. **Penfolds v The Treasury**).

James works for a wide range of public sector clients, private clients and public interest groups. In 2010 James was awarded Junior of the Year in the Planning & Environment category of the Chambers & Partners Bar Awards.

Professional Memberships

He is a member of the:

- Administrative Law Bar Association;
- United Kingdom Environmental Law Association ('UKELA');
- Planning and Environment Bar Association ("PEBA");
- Human Rights Lawyers Association;
- United Kingdom Association for European Law;
- Compulsory Purchase Association;
- Bar European Group;
- National Infrastructure Planning Association ("NIPA") and
- UK State Aid Law Association.

Between June 2008 and June 2016 he was on the Council of UKELA and was also on the Executive Committee of UKELA for much of that time.

Planning

James' planning practice encompasses all aspects of planning both at inquiries and hearings and in the Higher Courts. His practice also encompasses compulsory purchase and compensation, harbours, highways, rights of way, commons registration and village greens (both inquiries and in the Higher Courts). James regularly advises on the EU public procurement and state aid issues arising in the planning and compulsory purchase context. James chairs the Planning Steering Group at Landmark Chambers.

Planning Inquiries and Hearings

James' planning inquiry experience, for both appellants and local authorities, is wide ranging and includes:

- Housing schemes:
 - acting for the Homes and Communities Agency in its recovered appeal for a 1000 home sustainable urban extension in Northampton;
 - acting on a successful appeal for 500 plus homes in the Ribble Valley;
 - acting for St William on an appeal in respect of a mixed use scheme including 375 new homes on land east of Marshgate Drive, Marshgate Drive, Hertford;
 - acting for the Trustees of the Royal Botanic Gardens Kew as a rule 6 party at inquiries in respect of the Chiswick Curve and Citroen (one was a recovered appeal and the other a call-in);
 - James appeared for Wisley Properties Investments Limited, instructed by Herbert Smith Freehills, on a recovered appeal for a sustainable new settlements of up to 2068 homes on the former Wisley Airfield in Guildford. The inquiry lasted 5 weeks in 2017;
 - Acting for West Lancashire Borough Council in opposing a number of appeals on land to the east of Prescott Road, Aughton, Ormskirk, Lancashire
- A range of other proposals including:
 - the Transport and Works Act inquiry in respect of the Morlais tidal energy project;
 - the called-in inquiry relating to an application made by the Science; Museum for a very large solar farm at Wroughton Airfield (acting for the Science Museum);
 - the Keypoint Energy from Waste Plant, Swindon (acting for Swindon Borough Council);
 - a scheme for 61,400m² of light and general industrial uses together with storage and distribution at Plot 5, Andover Business Park, Pioneer Road, Andover (acting for Goodman)

James has considerable experience of appearing at appeal hearings.

He also has recent experience of very complex enforcement notice appeals.

James has particular expertise in advising and acting in respect of development affecting National Parks and AONBs (see James' major developments in National Parks presentation here) and in relation to habitats and air quality issues.

Examinations in public

James has appeared at several Local Plan examination hearings for developers and plan making authorities; he is advising promoters in respect of a number of proposals in emerging Local Plans. He has also advised a number of local planning authorities on issues related to preparation of Development Plans.

Experience includes:

- Successfully promoting the South Downs National Park Local Plan for the National Park Authority;
- Acting for Tarmac on Birchall Garden Suburb, a site currently in the Green Belt, and proposed for 2550 new homes in the Welwyn Garden City Borough Council and East Hertfordshire District Council Local Plans.
- Acting for Oxford University, Merton College & Others on Begbroke, currently in the Green Belt, and proposed for 1950 homes in the Cherwell Local Plan Partial Review.
- Acting for Wisley Property Investments Limited on Wisley Airfield in Guildford, a site that was in the Green Belt and which was allocated for c. 2,000 homes in the Guildford Local Plan. James is currently acting for the same clients in the three s. 113 challenges brought to that Plan: see **Compton Parish Council & Others v Guildford BC** [2019] EWHC 3242 (Admin).
- Advising and acting for the Defence Infrastructure Organisation promoting large sites for housing in the Aylesbury Vale Local Plan, the Central Bedfordshire Local Plan and the York Local Plan.

James also has experience appearing for developers at Neighbourhood Plan examinations. For, example, he acted for Wates in relation to the Farnham Neighbourhood Plan Review.

Higher Courts planning work

His recent high-profile planning cases include appearing in:

- **Compton Parish Council & Others v Guildford BC** [2019] EWHC 3242 (Admin) (s. 113 challenge to the Guildford Local Plan);
- **R (Spurrier) v Secretary of State for Transport and others** [2019] EWHC 1070 (Admin) and **R (Plan B) v Secretary of State for Transport** [2020] EWCA Civ 214 multiple judicial review challenges to the Airports NPS favouring Heathrow expansion and raising issues related to SEA, air quality, climate change, bias, reasons and habitats;
- **R (Shirley) v Secretary of State for Housing, Communities and Local Government** [2019] 2 C.M.L.R. 14 on the interpretation of the air quality directive;
- **R (Royal Society for the Protection of Birds) v Secretary of State for Justice** [2017] 5 Costs L.O. 691 on the challenge to the revised Aarhus costs rules;
- **Hillingdon LBC v Secretary of State for Transport** [2017] EWHC 121(Admin) (Airports expansion policy strike out case); and
- **Redhill v Secretary of State for Communities and Local Government** [2015] P.T.S.R. 274 (on the meaning of “any other harm” in Green Belt policy in the NPPF).

He also acted for the Government on challenges to:

- High Speed 2 (**Buckinghamshire & Others v Secretary of State for Transport** [2014] 1 W.L.R. 324);
- the revocation of Regional Strategies (**R (Cala Homes) v Secretary of State for Communities & Local Government** 1 and 2 [2011] B.L.G.R. 204 and [2011] 2 E.G.L.R. 75); and
- the proposed previous scheme for a Heathrow Runway 3 **R (Hillingdon) v Secretary of State for Transport** [2010] J.P.L. 976).

James has huge experience of dealing with EIA, SEA and habitats cases in the Higher Courts. See also:

- **Wealden DC v Secretary of State for Communities and Local Government** [2017] J.P.L. 625;
- **R (Birchall Gardens LLP) v Hertfordshire CC** [2017] Env. L.R. 17;
- **Bloor Homes East Midlands Ltd v Secretary of State for Communities and Local Government** [2017] P.T.S.R. 1283;
- **R (Smech Properties Ltd) v Runnymede BC** [2016] EWCA Civ 42;
- **Stoke Poges Parish Council v Secretary of State for Communities and Local Government** [2016] EWHC 1772 (Admin) (noise and permitted development challenge in relation to free school);
- **R (Skelmersdale Ltd Partnership) v West Lancashire BC** [2016] EWCA Civ 1260 (retail permission and conditions);
- **R (Nicholson) v Allerdale BC** [2015] EWHC 2510 (Admin);
- **Smyth v Secretary of State for Communities and Local Government** [2015] P.T.S.R. 141;
- **R (Midcounties Co-operative Ltd) v Forest of Dean DC** [2015] B.L.G.R. 829;

- **R. (FCC Environment (UK) Ltd) v Secretary of State for Energy and Climate Change** [2015] Env. L.R.;
 - **R. (Frack Free Balcombe Residents Association) v West Sussex** [2014] EWHC 4108 (Admin)
 - **Stratford on Avon DC v Secretary of State for Communities and Local Government** [2014] J.P.L. 104;
 - **William Davis Ltd v Secretary of State for Communities and Local Government** [2013] EWHC 3058 (Admin);
 - **Jaytee (Rainton) LLP v Secretary of State for Communities and Local Government** [2013] EWHC 2835 (Admin);
 - **R (Prideaux) v Buckinghamshire CC** [2013] Env. L.R. 32; and
 - **Tewkesbury BC v Secretary of State for Communities and Local Government** [2013] B.L.G.R. 399.
-

Planning Act 2008 and Transport and Works Act

James has considerable experience in advising and acting on nationally significant infrastructure projects, especially in relation to airports.

He was lead counsel in **R (Spurrier) v Secretary of State for Transport** [2019] EWHC 1070 (Admin) and **R (Plan B) v Secretary of State for Transport** [2020] EWCA Civ 214 which involved 5 judicial review challenges to the designation of the Airports NPS and is now one of the leading cases on the operation of the 2008 Act. He has been advising for the Department of Transport in relation to the response to the Airports Commission final report and the Airports NPS since 2012. His experience in relation to airports litigation also includes: **Barbone v Secretary of State for Transport** [2009] EWHC 463 (Admin) (Stanstead expansion challenge) and **R. (Hillingdon LBC) v Secretary of State for Transport** [2010] EWHC 626 (Admin) and **R (Hillingdon LBC) v Secretary of State for Transport** [2017] 1 W.L.R. 2166 (Heathrow expansion judicial review).

James was part of the Counsel team in relation to the HS2 litigation.

James acted for FCC Environment in their legal challenge under the Planning Act 2008 to the Rookery South (Resource Recovery Facility) Order 2011: **R. (FCC Environment (UK) Ltd) v Secretary of State for Energy and Climate Change** [2015] Env. L.R.

He acted for the Secretary of State in a legal challenge to the Able Marine Energy Park DCO.

James is acting for Menter Môn on the Morlais project, which aims to be one of the largest tidal stream energy sites in the world with a generating capacity of up to 240MW of electricity. A Transport and Works Act order is being sought.

He regularly advises on matters under the 2008 Act, and has particular expertise in relation to airports and ports.

Village greens and commons

James has appeared at a number of village green inquiries for both applicants and objectors.

His Higher Court cases in this area include

- **R. (Laing Homes Ltd) v Buckinghamshire CC** [2004] 1 P. & C.R. 36;
- **Oxfordshire CC v Oxford City Council** [2006] 2 A.C. 674; and
- **R. (SDR) v Bristol City Council** [2012] EWHC 859 (Admin).

He also regularly acts in commons related work advising on commons consent and related issues.

CPO

He has promoted a number of CPOs.

- He acted for Hounslow Borough Council at the inquiry into the Hounslow (Lionel Road South) Compulsory Purchase Order 2014 concerning Brentford Football Club's new stadium.
- He was part of the legal team acting on the Tottenham Hotspur stadium CPO.
- He acted for Highways England and Walsall Borough Council on the inquiry into the Highways England Company Limited (M6 Junction 10) (Slip Roads, Special Roads) Scheme 2018; the Highways England Company Limited (M6 Junction 10) (Slip Roads, Special Roads) (Side Roads) Order 2018; the Highways England Company Limited (M6 Junction 10) (Slip Roads, Special Roads) Compulsory Purchase Order 2018 and the Walsall Metropolitan Borough Council (M6 Junction 10) Compulsory Purchase Order 2018 - which involve a scheme for highway alterations and improvements at Junction 10 of the M6.
- James has defended a number of High Court challenges to CPO orders including:

- the Olympic CPO challenges: **Sole v Secretary of State for Trade and Industry** [2007] EWHC 1527 (Admin); **Neptune Wharf Ltd v Secretary of State for Trade and Industry** [2007] 3 All E.R. 676 and **Smith v Secretary of State for Trade and Industry** [2008] 1 W.L.R. 394; and
- a number of challenges to Pathfinder CPOs: **Pascoe v First Secretary of State (No. 1)** [2007] 1 W.L.R. 885 and **(No. 2)** [2009] EWHC 881 (Admin); **McCabe v Secretary of State for Communities and Local Government** [2007] EWHC 959 (Admin)).

He also acts in compensation matters.

Rights of way and highways

James has acted in a number of rights of way inquiries and regularly advises on highways issues including highways orders under the Highways Act 1980. Clients have included local authorities, objectors and applicants for diversion and stopping up orders.

Ports, harbours and marine licensing

James has considerable experience acting in respect of harbour orders. By way of example he acted for the Folkestone Harbour Company in promoting the Folkestone Harbour Revision Order 2017. He has provided advice on ports issues in the context of Nationally Significant Infrastructure Projects. He acted for the Secretary of State in a challenge to the Able Marine DCO. He has advised and acted on judicial reviews related to the governance of ports.

James successfully defended the first judicial review brought of the Marine Management Organisation: see **R. (Humber Oil Terminals Trustee Ltd) v Marine Management Organisation** [2012] EWHC 3058 (QB).

He has acted in a number of Harbours Act 1964 cases and marine licensing cases, see e.g.

- **R (Great Yarmouth Port Co Ltd) v Marine Management Organisation (No. 1)** [2013] EWHC 3052 (Admin); and
- **R (Great Yarmouth Port Co Ltd) v Marine Management Organisation (No. 2)** [2014] EWHC 833 (Admin).

He regularly advises on harbour related issues and also has particular experience of nature conservation issues in a ports context: see e.g.

- **R (Lymington River Association) v Secretary Of State For Communities & Local Government** [2013] EWHC 2810 (Admin); and
 - **Humber Sea Terminal Ltd v Secretary of State for Transport** [2006] Env. L.R. 4.
 - He acted for the Secretary of State in a challenge to the Able Marine DCO.
-

Environment

James' environmental law practice is wide-ranging, covering matters such as habitats and species protection, contaminated land, air quality, waste, access to environmental information, statutory and common law nuisance and all aspects of environment impact assessment, strategic environmental assessment and environmental permitting. He has particular expertise on climate change issues, and especially emissions trading. He has also been involved in a number of cases concerning marine environmental issues. He regularly advises and is involved in cases concerning access to environmental information. James co-chaired (with David Elvin QC) the Environmental Steering Group at Landmark Chambers for a number of years.

He regularly appears in the Court of Justice of the European Union, and the General Court of the European Union (formerly the European Court of First Instance) on environmental matters.

He has also appeared a number of times before the UNECE Aarhus Compliance Committee in Geneva: cases include: ACCC/C/2010/45; ACCC/C/2010/53 (Edinburgh Tram) ACCC/C/2011/60; ACCC/C/2011/61 (Crossrail); ACCC/C/2012/77 (Nuclear NPS); and ACCC/C/2014/100 and 101 (High Speed 2). He is currently acting for the UK Government on the Brexit communication to the Compliance Committee - ACCC/C/2017/150.

He is on the LexisPSL Environment Consulting Editorial Board and on the editorial board of Garner's Environmental Law.

Between June 2008 and June 2016 we was on the Council of UKELA and was also on the Executive Committee of UKELA for much of that time.

Access to environmental information

He is regularly involved in advising in cases involving freedom of information and in particular the Environmental Information Regulations.

He was previously a member of the Treasury Solicitor's Freedom of Information list of Panel Counsel. He has acted in a number of cases in the tribunals on these issues.

He is the co-author (with Jacqueline Lean) of the chapters on Environmental Information in the P. Coppell *Information Rights Law and Practice* 5th edition (2020).

Cases include:

- Case C-71-14 **East Sussex County Council v Information Commissioner** [2016] P.T.S.R. 179 (property searches and the Environmental Information Directive);
- Case C 279/12 **Fish Legal & Emily Shirley v The Information Commissioner, United Utilities, Yorkshire Water and Southern Water** [2014] 2 W.L.R. 568 (the meaning of public authority under the Environmental Information Directive).

Aarhus costs

James has been in many of the leading cases on Aarhus costs including:

- **R (Royal Society for the Protection of Birds) v Secretary of State for Justice** [2017] 5 Costs L.O. 691 (challenge to the revised Aarhus costs rules);
- Case C 530/11 **Commission v United Kingdom**
- Case C-260/11 **Edwards v Environment Agency** (costs and environmental judicial review cases before the CJEU);
- **R (Edwards) v Environment Agency (No.2)** [2011] 1 Costs L.R. 70 and [2013] UKSC 78; and
- **R (Edwards) v Environment Agency** [2011] 1 W.L.R. 79.

He has also appeared a number of times before the UNECE Aarhus Compliance Committee in Geneva, cases include: ACCC/C/2010/45; ACCC/C/2010/53 (Edinburgh Tram) ACCC/C/2011/60; ACCC/C/2011/61 (Crossrail); ACCC/C/2012/77 (Nuclear NPS); and ACCC/C/2014/100 and 101 (High Speed 2). He is currently acting for the UK Government on the Brexit communication to the Compliance Committee - ACCC/C/2017/150.

He has been instructed to lead Jacqueline Lean for the Government in **Campaign to Protect Rural England - Kent Branch v Secretary of State for Housing, Communities and Local Government** [2020] 1 W.L.R. 352 which is going to the Supreme Court.

EIA

James has appeared in many of the leading domestic and European cases on EIA including:

- **Berkeley v Secretary of State for the Environment, Transport and the Regions** [2001] 2 A.C. 603;
- **Berkeley v Secretary of State for the Environment, Transport and the Regions** (No.3) [2001] 3 C.M.L.R. 11;
- **R (Goodman) v Lewisham LBC** [2003] Env. L.R. 28;
- **R (Richardson) v North Yorkshire CC** [2004] 1 W.L.R. 1920;
- Case C-290/03 **R (Barker) v Bromley LBC** [2007] 1 AC 470;
- **R (Loader) v Secretary of State for Communities and Local Government** [2012] 3 C.M.L.R. 29;
- **R (Berky) v Newport City Council** [2012] 2 C.M.L.R. 44 (delay and EIA);
- **Save Britain's Heritage v Secretary of State for Communities and Local Government** [2011] 2 C.M.L.R. 48 (demolition and EIA); and
- **Cooper v Attorney General** [2011] Q.B. 97.

Other EIA cases include:

- **R (Birchall Gardens LLP) v Hertfordshire CC** [2017] Env. L.R. 1 (EIA screening);
- **R (Padden) v Maidstone BC** [2014] EWHC 51 (Admin) (EIA and retrospective consent);
- **R (Buckinghamshire CC) v Secretary of State for Transport** [2014] 1 W.L.R. 324; and
- **R (FCC Environment (UK) Ltd) v Secretary of State for Energy and Climate Change** [2015] Env. L.R. 22.

James regularly advises on EIA issues in the context of schemes he is working on.

SEA

Domestic cases include:

- **R (Spurrier) v Secretary of State for Transport** [2019] EWHC 1070 (Admin) and **R (Plan B) v Secretary of State for Transport** [2020] EWCA Civ 214;
- **R (Buckinghamshire CC) v Secretary of State for Transport** [2014] 1 W.L.R. 324;
- **R (Cala Homes (South) Ltd) v Secretary of State for Communities and Local Government** [2011] 2 E.G.L.R. 75; and
- **R (Cala Homes (South) Ltd) v Secretary of State for Communities and Local Government** [2011] B.L.G.R. 204.
- **Shadwell Estates Ltd v Breckland DC** [2013] Env. L.R. D2;
- **Bard Campaign v Secretary of State for Communities and Local Government** [2009] EWHC 308 (Admin)

European Court cases on SEA include:

- Case C-567/10 **Inter-Environnement Bruxelles ASBL** [2012] 2 C.M.L.R. 30;
 - Case C-474/10 **Seaport (NI) Ltd, Magherafelt District Council and Others v Department of the Environment for Northern Ireland**; [2011] E.C.R. I-10227
-

EU emissions trading

James has acted in a number of Greenhouse Gas Emissions Trading Scheme civil penalty appeals.

His cases also include:

- C-504/09 P **Commission v Poland**;
 - Case T-183/07 **Poland v Commission** [2009] ECR II-3395;
 - Case T-369/07 **Latvia v Commission**; and
 - Case T-263/07 **Estonia v Commission** [2009] ECR II 3463 (before the CJEU and the General Court).
-

Air quality

James has particular expertise in air quality issues (affecting both human and ecological receptors). He has appeared for developers in a number of inquiries raising these issues and also acted in High Court cases such as **Spurrier v Secretary of State for Transport** (see above); **R. (Shirley) v Secretary of State for Housing, Communities and Local Government** [2019] 2 C.M.L.R. 14 (interpretation of the air quality directive); **Wealden DC v SSCLG** [2017] EWCA Civ 39 (habitats and air quality).

Habitats and species protection law

Recent cases include **R (Spurrier) v Secretary of State for Transport and others** [2019] EWHC 1070 (Admin) and **R (Plan B) v Secretary of State for Transport** [2020] EWCA Civ 214 (on legal approach to IROPI and Article 6(4)); **Wealden DC v Secretary of State for Communities and Local Government** [2017] EWCA Civ 39 (air quality impacts on the Ashdown Forest SPA and SAC); **R (McMorn) v Natural England** [2016] Env. L.R. 14 (JR of Natural England's refusal to licence killing of buzzards); **R. (Prideaux) v Buckinghamshire CC** [2013] Env. L.R. 32 (Species licensing and planning issues).

James has acted in numerous planning appeals concerning habitats and species protection issues.

He has particular expertise in relation to:

1. Air quality impacts on ecological receptors. He has acted in many planning appeals and High Court cases on these issues. He regularly advises developers as well as Central and Local Government on these issues;
2. Recreational impacts on ecological receptors and SANGS and SAMMS: James was Counsel in **R (Hart DC) v Secretary of State for Communities & Local Government** [2008] 2 P&CR 16 the first High Court case to establish the lawfulness of SANGS as a mitigation measure in relation to the Thames Basin Heath SPA. He has appeared in other Higher Court cases on SANGS including **Smyth v Secretary of State for Communities & Local Government** [2015]

PTSR 1417 dealing with strategic SANGS in relation to the Exe Estuary SPA. He has been involved in numerous planning appeals where SANGS was a main issue including Wisley Airfield (APP/Y36/5/W/16/3159894, new settlement close to Thames Basin Heaths SPA); Land at Steel Cross, Crowborough (APP/C1435/A/14/222343, housing in AONB and close to Ashdown Forest SPA and SAC); and Moulsham Lane, Yateley, Hampshire (APP/N1730/W/15/3127962, housing close to Thames Basin Heaths SPA);

3. Nitrate pollution issues in the Solent.

Other cases dealing with habitats issues include:

- **R (Buckinghamshire CC) v Secretary of State for Transport** [2014] 1 W.L.R. 324 (HS2);
- **R. (on the application of Long) v Monmouthshire CC** [2012] EWHC 3130 (Admin);
- **Millgate Developments Ltd v Secretary of State for Communities & Local Government** [2008] EWHC 1906 (Admin);
- **Humber Sea Terminal Ltd v Secretary of State for Transport** [2006] Env. L.R. 4

He has also acted on a number of appeals under the Wildlife and Countryside Act 1981. He advises on all legal aspects of habitats and species protection.

James has worked on a number of high-profile appeals and High Court cases in relation to shooting estates, shooting rights, gamebird release and general licences under the 1981 Act.

Nuisance claims and other Group Litigation cases

James has been involved in advising and acting on a number of nuisance cases, including group litigation. Cases include the following subject matters:

- Odour and emissions from factories
- Oil spillages from a rail depot
- Flooding damage
- Groundwater flooding from artificial lakes
- Noise and odour from a waste treatment plant

These cases have involved both statutory nuisance claims as well as High Court actions in respect of public and private nuisances. Several cases involved acting for these clients in protracted mediations.

James also has experience in non-nuisance environmental group litigation claims such as those concerned with recovery of property search fees.

James is currently acting for an oil company in group litigation brought in respect of alleged oil spills in Columbia.

Fracking

He has been involved in litigation and advisory work involving fracking: see **R. (Frack Free Balcombe Residents Association) v West Sussex CC** [2014] EWHC 4108 (Admin) and **R. (Dean) v Secretary of State for Business, Energy and Industrial Strategy** [2017] 4 W.L.R. 158.

Contaminated land

He has acted in a number of cases concerning the contaminated land regime in the Environmental Protection Act 1990. He acted for the Secretary of State in challenges to the first ever remediation notice appeal (see **R. (Redland Minerals Ltd) v Secretary of State for Environment, Food and Rural Affairs** [2011] Env. L.R. 2 and **R. (Crest Nicholson Residential Ltd) v Secretary of State for the Environment, Food and Rural Affairs** [2011] Env. L.R. 1). He also appeared for Walsall Metropolitan Borough Council on the second ever appeal against a remediation notice in respect of the former Willenhall Gas Works.

Enforcement including civil sanctions

James acted for Natural England in **Forager Ltd v Natural England** the first appeal against a stop notice under the Environmental Civil Sanctions (England) Order 2010. He also acted for Natural England in the second such appeal to go to the Upper Tribunal: **Warren v Natural England** [2019] UKUT 300 (AAC). He has written and spoken on civil sanctions issues see e.g. *Rethinking regulatory sanctions: Regulatory Enforcement and Sanctions Act 2008 – an exchange of letters* E.L.M. 2009, 21(4), 183-188 (with Professor Richard Macrory) and *Possible legal issues arising under the Regulatory Enforcement and Sanctions Act 2008: lessons to be learnt from the Alphasteel greenhouse gas emissions trading penalty appeal* Env. Law 2008, 48, 2-10. James has acted in a number of Greenhouse Gas Emissions Trading Scheme civil penalty appeals.

Ports, Harbours and marine licensing

James successfully defended the first judicial review brought of the Marine Management Organisation: see **R. (Humber Oil Terminals Trustee Ltd) v Marine Management Organisation** [2012] EWHC 3058 (QB). He has acted in a number of Harbours Act 1964 cases, see e.g. **R. (Great Yarmouth Port Co Ltd) v Marine Management Organisation (No. 1)** [2013] EWHC 3052 (Admin) and **R (Great Yarmouth Port Co Ltd) v Marine Management Organisation (No. 2)** [2014] EWHC 833 (Admin). He regularly advises on harbour related issues. And also has particular experience of nature conservation issues in a ports context: see e.g. **R (Lyminster River Association) v Secretary Of State For Communities & Local Government** [2013] EWHC 2810 (Admin) and **Humber Sea Terminal Ltd v Secretary of State for Transport** [2006] Env. L.R. 4. He acted for the Folkestone Harbour Company in promoting the Folkestone Harbour Revision Order 2017. He acted for the Secretary of State in a challenge to the Able Marine DCO.

Environmental permitting and licensing

James regularly advises on issue related to environmental permitting and licensing. His clients include the Environment Agency, DEFRA, Natural Resources Wales, local authorities and permit holders.

His cases include: **R (Mott) v Environment Agency** [2018] UKSC 10.

He recently acted for Philips 66 in resisting judicial review proceedings brought by ClientEarth in respect of its Humber Refinery's permit.

Waste and minerals

James regularly advises on complex waste issues. Clients have included (DEFRA, the Environment Agency, Natural Resources Wales, companies).

Domestic cases include:

- **R (on the application of Protreat Ltd) v Environment Agency** [2018] P.T.S.R. 2090;
- **R (FCC Environment (UK) Ltd) v Secretary of State for Energy and Climate Change** [2015] Env. L.R. 22;
- **R (Prideaux) v Buckinghamshire CC** [2013] Env. L.R. 32;
- **R (Berry & Marshall (Bolton Wood) Ltd) v Secretary of State for the Environment, Food and Rural Affairs** [2011] EWCA Civ 636
- **R (Anti-Waste Ltd) v Environment Agency** [2008] 1 W.L.R. 923
- **R (Blewett) v Derbyshire CC** [2005] Env. L.R. 15

He has been in a number of the leading European cases on waste including:

- Case C-247/06 **Commission v Federal Republic of Germany**;
- Case C-188/07 **Commune de Mesquer v Total France SA and Total International Ltd.** [2008] E.C.R. I-4501;
- Case C-255/05 **Commission v Italy** [2007] ECR I-5767; Case C-262/05;
- **R (Thames Water Utilities Ltd) v Bromley Magistrates' Court** [2007] E.C.R. I-3883 and **Case C-176/05 KVZ Retec GmbH v Austria** [2007] Env LR D14.

He has acted in a number of cases involving transboundary shipments of waste.

In relation to minerals James regularly advises on issues related to minerals planning and environmental regulation. His regular clients include Tarmac.

International environmental law

James has a keen interest in environmental international law. He regularly appears in Geneva before the UNECE Aarhus Compliance Committee and has written and lectured on international environmental law see e.g. *International law in domestic practice: advice for practitioners on how international and comparative law arises in domestic case law* in the ELM.

His cases before the Aarhus Compliance Committee include: ACCC/C/2010/45; ACCC/C/2010/53 (Edinburgh Tram) ACCC/C/2011/60; ACCC/C/2011/61 (Crossrail); ACCC/C/2012/77 (Nuclear NPS); and ACCC/C/2014/100 and 101 (High Speed 2). He is currently acting for the UK Government on the Brexit communication to the Compliance Committee – ACCC/C/2017/150.

James is currently acting for an oil company in group litigation brought in respect of alleged oil spills in Columbia.

Public Law

James has appeared in a number of high profile public law cases including:

- **R (Sharon Shoesmith) v Ofsted and Others** [2011] P.T.S.R. 1459 (judicial review by former Director of Childrens Services at Haringey following her removal from office after the death of Baby P);
- **R (Bradley and others) v Secretary of State for Work & Pensions** [2009] Q.B. 114 (leading case on the role of the Parliamentary Ombudsman);
- **Ken Livingstone v Adjudication Panel for England** [2006] H.R.L.R. 45; **R v. Bow Street Magistrate, ex p. Pinochet Ugarte (No. 2)** [2000] 1 A.C. 119 (overturning of the Mayor of London's suspension from office); and
- The **Alconbury** litigation [2003] 2 A.C. 295 (leading case on human rights, Article 6 and planning).

His public law practice is very wide-ranging and includes:

- housing (see e.g. **Yemshaw v Hounslow LBC** [2011] 1 W.L.R. 433; James has advised on and acted in judicial reviews on housing issues in local government and accounting issues, e.g. Housing Revenue Account issues, in respect of the same),
- social security including national insurance and tax (see e.g. **Zalewska v Department for Social Development** [2008] UKHL 67 and **Penfolds v The Treasury** (264/09/N/006), on cross-border national insurance collection)
- education (James was a governor at two state primary schools for 13 years in total and a Chair of Governors for 5 years),
- regulatory,
- local government including local government finance (see e.g. **R (Cheshire East BC) v Secretary of State for the Environment** [2011] EWHC 1975 (Admin));
- EU law; and
- All aspects of human rights law.

James has particular experience in cases involving the Parliamentary and Health Service Ombudsman the Local Government Ombudsman and the Public Service Ombudsman for Wales. He has been involved in a number of cases concerning public law challenges in the health context: see e.g.

- **Miller v Parliamentary and Health Service Ombudsman** [2018] P.T.S.R. 801;
- **Heesom v Public Services Ombudsman for Wales** 2014] 4 All E.R. 269;
- **R (Jeremiah) v Parliamentary and Health Service Ombudsman** [2013] EWHC 1085 (Admin);
- **R (Mencap) v Parliamentary and Health Service Ombudsman** [2012] P.T.S.R. D17;
- **Flasz v Havering Primary Care Trust** [2011] EWHC 1487 (Admin);
- **R (Primary Health Investment Properties Ltd) v Secretary of State for Health** [2009] P.T.S.R. 1563;
- **R (Bradley and others) v Secretary of State for Work & Pensions** [2009] Q.B. 114; and
- **(Attwood) v Health Service Commissioner** [2008] EWHC 2315 (Admin).

He is regularly involved in advising in cases involving freedom of information and in particular the Environmental Information Regulations. He was previously a member of the Treasury Solicitor's Freedom of Information list of Panel Counsel. He has acted in a number of cases in the tribunals on these issues. He is the co-author of the chapters on "Access under the Environmental Information Regulations" in P. Coppell *Information Rights Law and Practice* 5th edition (2020).

He appeared for the UK in Case C-279/12 **Fish Legal and another v Information Commissioner** [2014] 2 W.L.R. 568 (recent decision of the Grand Chamber of the European Court of Justice on the meaning of "public authority" under Directive 2003/4/EC) and also in Case C-71/14 **East Sussex CC v Information Commissioner** [2016] P.T.S.R. 179. He also acted for a number of Government departments in group litigation in respect of property search charges fees said to have been levied contrary to Directive 2003/4/EC.

He was previously the chair of the public law steering group at Landmark Chambers.

James was a founder of *Judicial Review* (Taylor & Francis) with Michael Fordham QC in 1996 and acted as assistant editor and then co-editor for over 20 years. He is now a consultant editor.

International Law

In addition to his extensive European Court practice, James has made several appearances before the UNECE Aarhus Compliance Committee in Geneva, see: ACCC/C/2010/45; ACCC/C/2010/53 (Edinburgh Tram) ACCC/C/2011/60; ACCC/C/2011/61 (Crossrail); ACCC/C/2012/77 (Nuclear NPS); and ACCC/C/2014/100 and 101 (High Speed 2). He is currently acting for the UK Government on the Brexit communication to the Compliance Committee - ACCC/C/2017/150.

He has acted in cases going to the European Court of Human Rights in Strasbourg. His international practice also includes cases in the Isle of Man (including before the Staff of Government see e.g. **Penfolds v The Treasury**) and public law advisory work in Gibraltar and the Turks and Caicos Islands. He has appeared in the Court of Appeal of New Zealand **Mick v Removal Review Authority** ([1999] NZAR 111).

James is currently acting for an oil company in group litigation brought in respect of alleged oil spills in Columbia.

European Law

He has appeared many times in the Court of Justice of the European Union and the General Court of the European Union (formerly the European Court of First Instance) on environmental matters. Cases include:

- Case C-71-14 **East Sussex County Council v Information Commissioner** [2016] P.T.S.R. 179 (property searches and the Environmental Information Directive);
- Case C 279/12 **Fish Legal & Emily Shirley v The Information Commissioner, United Utilities, Yorkshire Water and Southern Water** [2014] 2 W.L.R. 568 (the meaning of public authority under the Environmental Information Directive);
- Case C-43/12 **Commission v European Parliament and Council** (cross-border exchange of on road safety related traffic offences);
- Case C 530/11 **Commission v United Kingdom** and Case C-260/11 **Edwards v Environment Agency** (costs and environmental judicial reviews);
- Case C-567/10 **Inter-Environnement Bruxelles ASBL**, (strategic environmental assessment) 22/3/2012;
- Case C-504/09 P **Commission v Poland** (EU Emissions Trading) 29/03/2012;
- Case C-474/10 **Seaport (NI) Ltd, Magherafelt District Council and Others v Department of the Environment for Northern Ireland** (strategic environmental assessment) 20/10/2011; and
- Case T-369/07 **Latvia v Commission** (EU Emissions Trading) 22/03/2011.

James regularly advises on the EU public procurement and state aid issues arising in the planning and compulsory purchase context and beyond.

Qualifications

James read Jurisprudence at Hertford College, Oxford (BA First Class Honours in 1994 and BCL First Class in 1995). In his BA he was awarded the Martin Wronker proxime.

He was also previously a part-time College Lecturer in European Law at Hertford College, Oxford.

Publications

James has written many articles on planning and environmental issues, as well as on judicial review more generally: see by way of example only:

- "When does the "no substantial difference test" make a difference in JR applications? Does the outcome differ, depending on whether the case is based on EU or UK law?" (with Admas Habteslasie) JR forthcoming.
- *The status and legal effect of a quashed appeal decision in planning law* J.P.L. 2018, 5.
- *International law in domestic practice: advice for practitioners on how international and comparative law arises in domestic case law* E.L.M. 2016, 28(3/4), 155-163.

- “Access to Justice: Review Procedures and Costs” in the Aarhus Convention A guide for UK Lawyers ed. C Banner (2015, Bloomsbury).
- *Dealing with a non-active defendant in judicial review proceedings* J.R. 2015, 20(3), 157-159.
- *When does the heightened Mass Energy permission test apply?* J.R. 2015, 20(2), 105-113.
- *State aid in planning and compulsory purchase order cases* J.P.L. 2015, 6, 621-643.
- *Public law reviewability of land disposal (and management) decisions* J.R. 2014, 19(4), 237-252.
- Environmental Information Regulations chapter in *Information Rights Law and Practice* P Coppel (2014).
- *The influence of the Aarhus Convention on EU Environmental Law Parts I and II* J.P.L. 2014, 2, 181-202 and J.P.L. 2013, 12, 1496-1512.
- *Aarhus access to justice and civil sanctions update* E.L.M. 2011, 23(4), 170-198.
- *Judicial review and the MMO* Env. Law 2010, 60, 18-25.
- *Climate change – case-law update* Env. Law 2010, 58, 10-23.
- *Consent orders in section 288 and 289 proceedings* J.P.L. 2010, 10, 1217-1236.
- *Disclosure and freedom of information in High Court challenges* Env. Law 2010, 56, 20-34.
- *Rethinking regulatory sanctions: Regulatory Enforcement and Sanctions Act 2008 – an exchange of letters* E.L.M. 2009, 21(4), 183-188.

Recommendations

In *Chambers & Partners* 2020 James is recommended as a leading silk in the following areas:

- Planning: “He is highly intelligent, commercially astute and relentlessly strategic. James’s advocacy style is of the highest quality – delicate at times, combative when necessary and always underpinned by a razor-sharp wit.”
- Environment: “James’s excellent technical skills are a given, but what sets him apart is his very fine judgement, whether deployed in relation to shrewd case management or superb advocacy.” “One of the best advocates at the Environment Bar.”
- Administrative & Public Law: “First choice for the overlap between public and environmental law.” “He has a wonderful, persuasive, engaging style.” “Combines intelligence, insight and ease of use. First choice for our clients’ most difficult cases.”
- Local Government: “A very thorough and innovative lawyer with an encyclopedic knowledge of local government law.” “A brilliant legal mind who is able to communicate complex advice in a straightforward manner, both in writing and orally. He really understands the political sensitivities of local government work.”
- Civil Liberties & Human Rights: “A very safe pair of hands.” “Fantastically knowledgeable.”

In *Legal 500* 2019

- Planning “The go-to man for anything really big.”
- Environment “A star of the Bar, he is a “go-to” barrister for major government work and on the public law side he is hard to match. “
- Civil liberties “A supremely calm and magisterial leader.”

In *Chambers & Partners* 2019 James is recommended as a leading silk in the following areas:

- Planning: “He is an absolute pleasure to work with, user-friendly and incredibly bright. He is hugely efficient, clear and concise and gives great advice in terms of substance and clarity.” “He is a real intellectual powerhouse and you can really rely on him. He collaborates well.”
- Environment: “His technical knowledge is superb and he is extremely easy to work with.” “Dynamic and intelligent, he makes tactically sound decisions and is a brilliant advocate.” “He commands respect through the exceptional quality of his work.”
- Administrative & Public Law: “An exceptionally bright and able advocate who is a pleasure to work with.” “Incredibly intelligent, with a lovely style of delivery and emotional as well as academic intelligence.”
- Local Government: “His knowledge and skills are outstanding – he has a truly impressive ability to sift through complex data and principles and to return results. He’s down-to-earth, easy to work with and commands respect through the exceptional quality of his work.”
- Civil Liberties & Human Rights: “His client care is absolutely excellent and his knowledge is completely unrivalled. He is also very easy to deal with.”

In *Legal 500* 2018 James was rated in:

- Planning: “Probably the most intelligent barrister in planning and has a voracious ability to absorb the details of big cases.”
- Administrative and public law (including local government): “Phenomenally good, straightforward to deal with and stays calm under pressure.”

- Civil liberties and human rights: "Provides consistently excellent verbal and written advice. Measured and extremely effective."
- EU law: "Phenomenally good, straightforward to deal with, seems to handle a very big case load."
- Environment: "A top environmental barrister." "In the Supreme Court... James Maurici QC and Gwion Lewis appeared for the Environment Agency in R (Mott) v Environment Agency on whether fishermen should be compensated from public funds if their fishing rights are restricted in the public interest to avoid ecological damage."

In *Chambers & Partners* 2018:

- In Planning Law: A respected advocate well equipped to act in a broad range of planning cases for developers and public entities. The long list of areas in which he is experienced includes advising on EU matters and state aid issues related to planning or compulsory purchase. Strengths: "He is an intellectual powerhouse who brings calm reflection to complex planning matters. He is a fearsome advocate and has an encyclopaedic knowledge of green belt planning issues." "His broad range of experience is invaluable at public inquiries and he is able to combine deep knowledge, significant intellect, legal understanding and an appreciation of commercial realities. He is an excellent advocate in both oral and written situations, and becomes quickly and effortlessly immersed in the detail."
- In Environmental Law: "A leading figure for matters involving climate change, fracking and marine environmental issues. He also advises clients on air quality, habitat and species protection, contaminated land and common law nuisance complaints. Strengths: "Really user-friendly and very good on his feet. He is one of the top silks that I've used." "Very approachable and commercial. He's got a brain the size of Mars and a grasp on a whole variety of matters. He provides very clear, sensible and commercial advice."
- In Local Government Law: "Experienced public law silk with a fine track record of advising public authorities on complex matters arising within the context of housing and education. He is regularly instructed in high-stakes local government disputes and has a solid understanding of EU law, human rights and funding issues. Strengths: "His style is excellent in that he's not bombastic and he knows the power of the argument will prevail when acting as advocate."
- In Civil Liberties: "A highly experienced civil liberties and human rights silk who is regularly called on to appear in ground-breaking, high-profile cases. His highly active practice sees him regularly appearing before domestic, European and international courts. Strengths: "He really knows his stuff." "A very good public lawyer, he is straightforward and a good advocate."
- In Administrative & Public Law: "He is very impressive. His submissions are logical and structured."

In *Chambers & Partners* 2017:

- In Planning Law: "He is extremely clever, incisive and gets to the point. His knowledge and understanding of planning, compulsory purchase and a range of related public law matters is unparalleled. He is also easy to work with, down-to-earth and approachable, and he is an excellent advocate both orally and in writing." "He gets thoroughly involved and immersed in the work that he does. When you instruct James, he is full-blooded and full-hearted."
- In Environmental Law: "He's pretty persuasive and user-friendly." "He's ahead of the pack as an advocate as well as intellectually."
- In Local Government Law: "Thorough in his evaluation of cases, and confident and inspiring in providing advice and conducting advocacy."
- In Civil Liberties: "Given his encyclopaedic knowledge he is able to present and respond to anything thrown at him, and he's a pleasure to work with." "He is very intelligent and dedicated."
- In Administrative & Public Law: "Combines intelligence, insight and ease of use." "Measured in his approach, incredibly meticulous and thorough. He has a mind like a razor. Can enter a situation and give you the answer immediately. Just outstanding."

In *Chambers & Partners* 2016:

- In Planning Law: "He gives very good, clear, coherent and robust advice. There is no skirting around the edges with him." "I tend to go to him with technical points and when I need a real legal view on something. He is a strong lawyer, not just an advocate."
- In Environmental Law: "He is an undoubted star at everything he does. He's very intelligent, brilliant on EU law and supreme in terms of his general legal analysis."
- In Local Government Law: "Really top-notch for judicial review, he is very good tactically and has a really clear insight into how judicial review cases are won and lost - I value his insight enormously." "Has an encyclopaedic knowledge of the case law, and gets to grips with every fact in the case. He has such a pleasant, client-friendly manner as well."
- In Civil Liberties: "He is absolutely first-class. He has an encyclopaedic knowledge of the case law, he gets to grips with every fact of the case. You couldn't want a better barrister to work with. He has such a pleasant, client-friendly manner as well. The only improvement you could make is to clone him."
- In Administrative & Public Law: "He's very good tactically and has a really clear insight into how judicial review cases are won and lost." "He has an encyclopaedic knowledge of case law and such a pleasant, client-friendly manner as well."

In the *Legal 500* 2017 James was rated in:

- Administrative & Public Law: “His depth of knowledge is excellent and he always delivers to deadlines.”
- Civil Liberties and Human Rights: ““He provides consistently excellent verbal and written advice.”
- EU law: “An established silk.”
- Environmental: “He is friendly and accessible.”

In the *Legal 500* 2016 James was rated in:

- Administrative & Public Law: “His knowledge and expertise in public law is excellent”
- Civil Liberties: “One of the best advocates”
- EU & Competition: “He has formidable intellect and is particularly strong on state aid regulation”
- Environmental: “He provides excellent advice”

In *Who’sWhoLegal* 2017 and 2018 James was rated in the top 5 environmental law QCs. The 2017 version said “ [he has] a “well-deserved reputation” handling a broad variety of matters including habitats and species protection, air quality and contaminated land, among other matters. One instructing solicitor responded: “James has excellent legal knowledge; he is very user-friendly, completely reliable and a pleasure to work with; in addition, James has always been very clear in his advice, outstanding with clients and an excellent advocate.” The 2018 version said “The “excellent” James Maurici QC impresses commentators with his wide-ranging environmental practice, which covers a variety of matters including air quality, habits and species protection and climate change issues.”

He has regularly featured in the list of top-rated planning QCs in the annual *Planning Magazine* Law Survey. In the 2019 survey he was the joint fourth highest rated Planning Silk.

An intellectual powerhouse

Chambers & Partners

Cases

04 Dec 2019	Guildford Local Plan challenges rejected
04 Nov 2019	High Court to hear Guildford Local Plan challenges
17 Oct 2019	Heathrow expansion judicial review hearings to begin in the Court of Appeal
02 Oct 2019	Upper Tribunal gives decision in environmental civil sanctions stop notice case
22 Jul 2019	Airports NPS challenge to be heard by the Court of Appeal
01 May 2019	Airports NPS Judicial Reviews Rejected
12 Apr 2018	Court of Appeal refuses permission in Petroleum Exploration and Development Licence Fracking Judicial Review
02 Mar 2018	Court reserves judgment in “end of waste” Judicial Review
16 Feb 2018	Supreme Court rules on Article 1, Protocol 1 in salmon fishing case
29 Jan 2018	Further Tribunal decision in Forager v Natural England Environmental Civil Sanctions stop notice appeal proceedings
18 Sep 2017	Aarhus costs rule challenge
15 Sep 2017	High Court rules on interpretation of the Air Quality Directive in call-in judicial review

08 Sep 2017	Airports NPS Update
16 Aug 2017	Petroleum Exploration and Development Licence Fracking Judicial Review dismissed
04 Aug 2017	High Court quashes Forest of Dean Aldi store planning permission
19 Jul 2017	RSPB and others v Secretary of State for Justice [2017] EWHC 2309 (Admin)
18 Jul 2017	High Court to hear legal challenge to new Aarhus costs rules
03 Jul 2017	Aarhus Compliance Committee adopt findings in Communication ACCC/C/2014/101
21 Apr 2017	Upper Tribunal gives first environmental civil sanctions decision
07 Feb 2017	Upper Tribunal hears first Environmental Civil Sanctions Order stop notice appeal
30 Jan 2017	[2017] EWHC 121 (Admin): Airports judicial review struck out
30 Jan 2017	Airports judicial review struck out
20 Jan 2017	High Court hears strike out of Airports judicial review
08 Dec 2016	Court of Appeal rejects challenge to retail condition for Skelmersdale town centre
15 Jul 2016	High Court dismisses Stoke Poges Free School challenge
18 Mar 2016	R (Privett) v Gravesham BC [2016] EWHC 1276 (Admin)
10 Mar 2016	ACCC/C/2014/100&101 HS2 Action Alliance v (1) United Kingdom (2) European Union
19 Feb 2016	Wealden District Council v Secretary of State for Communities and Local Government and Knight Developments Limited [2016] EWHC 247 (Admin)
03 Feb 2016	R (Smech Properties Ltd) v Runnymede BC (Court of Appeal) [2016] EWCA Civ 42
22 Oct 2015	High Court gives judgment in significant Health Service Ombudsman case
12 Oct 2015	High Court gives judgment in M-Sport world rallying facility noise judicial review
06 Oct 2015	European Court gives judgment in property search charging case
06 May 2015	High Court quashes Cinderford superstore permission for the third time
16 Apr 2015	Advocate-General gives opinion on lawfulness of charging for CON29 property information
11 Mar 2015	R (HS2 Action Alliance Ltd & London Borough of Hillingdon) v Secretary of State for Transport [2015] P.T.S.R. 1025
09 Mar 2015	Long-running Cinderford supermarket dispute returns to the High Court
05 Mar 2015	Court of Appeal rejects Exe Estuary SANGS Habitats Directive challenge
19 Feb 2015	Aarhus Compliance Committee issues final decision in ACCC/C/2012/77
10 Feb 2015	High Court rules on scope of the London Squares Preservation Act 1931
05 Dec 2014	Frack Free Balcombe Residents v West Sussex County Council
18 Nov 2014	Balcombe anti-fracking judicial review judgment awaited

17 Jul 2014	Sullivan LJ refuses permission in Wightlink Ferries case
09 Jun 2014	Aarhus Compliance Committee issue draft findings in communication ACCC/C/2012/77 concerning compliance by the United Kingdom
15 May 2014	High Court gives judgment in Welsh Councillor misconduct case
06 May 2014	Grand Chamber annul Directive 2011/82/EU on the cross-border exchange of information on road safety related traffic offences
01 May 2014	Latest Forest of Dean Friends of the Earth bat Cinderford challenge fails
15 Apr 2014	Court of Appeal allows Secretary of State's appeal in case concerning natural justice and the procedure inquiry rules; and deprecates "the fair crack of the whip" test
24 Mar 2014	R (on the application of Great Yarmouth Port Company and Great Yarmouth Port Authority v Marine Management Organisation
19 Mar 2014	High Court rules on Liverpool vs Sedgfield and some other NPPF housing interpretation issues
13 Feb 2014	The European Court of Justice today gave judgment in Case C 530/11 European Commission v United Kingdom of Great Britain and Northern Ireland concerning costs and interim relief in environmental cases
28 Jan 2014	High Court to hear three day legal challenge over systematic abuse in Iraq
22 Jan 2014	Court quashes retrospective planning permission for EIA development
22 Jan 2014	R (HS2 Action Alliance Limited & others) (Appellant) v The Secretary of State for Transport and another [2014] 1 W.L.R. 324
19 Dec 2013	Grand Chambers of the CJEU gives judgment in Case C 279/12 Fish Legal v Information Commissioner on whether privatised water companies are public authorities for the purposes of Directive 2003/4
11 Dec 2013	Supreme Court give Edwards costs judgment
10 Dec 2013	EIA, Habitats and CIL challenge to Exminster housing scheme fails
11 Oct 2013	High Court judgment gives guidance on interpretation of paras 14 and 49 of the NPPF
02 Oct 2013	Divisional Court gives views on form of new inquiries into ill-treatment and killings in Iraq
20 Sep 2013	Permission refused on alternative remedy grounds in JR of the MMO
17 Sep 2013	Advocate-General gives opinion on whether privatised water companies are public authorities for the purposes of Directive 2003/4
12 Sep 2013	Advocate-General gives opinion in Case C 530/11 European Commission v United Kingdom of Great Britain and Northern Ireland concerning costs and interim relief in environmental cases
10 Sep 2013	A-G gives opinion in Case C-43/12 Commission v European Parliament and Council
24 Jul 2013	HS2 Action Alliance Ltd & others v Secretary of State for Transport [2014] 1 C.M.L.R. 10
22 Jul 2013	Supreme Court hear further argument in Edwards case on environmental costs
18 Jul 2013	High Court rejects prematurity challenge made on Aarhus grounds
11 Jul 2013	CJEU hears Aarhus prohibitive costs infraction proceedings against the UK
24 Jun 2013	Aarhus Compliance Committee to consider Greenpeace communication on costs

24 May 2013	High Court rules in Iraq unlawful killings and torture cases
01 May 2013	Aarhus Compliance Committee issues draft findings in Crossrail communication
01 May 2013	Aarhus Compliance Committee issue draft findings in communications ACCC/C/2010/45 and ACCC/C/2011/60
26 Apr 2013	Cheshire East challenge on prematurity fails
16 Apr 2013	European Court hears reference on meaning of public authority under the Environmental Information Directive
11 Apr 2013	European Court gives judgment in R (Edwards) v Environment Agency
20 Mar 2013	High Court Rules on NPPF Challenge
15 Mar 2013	R (Buckinghamshire CC, HS2 Action Alliance Ltd and Heathrow Hub Ltd) v Secretary of State for Transport [2013] EWHC 481 (Admin)
11 Jan 2013	High Court upholds Thetford Area Action Plan
13 Dec 2012	Advocate-General gives opinion in case on the scope of SEA
08 Nov 2012	Abergavenny Livestock Market judicial reviews fail
01 Nov 2012	Marine Management Organisation succeeds in first judicial review
07 Sep 2012	Aarhus Compliance Committee issue draft findings in communication ACCC/C/2010/53
07 Sep 2012	European Court to hear Supreme Court's Edwards costs reference
18 Jul 2012	Supreme Court give judgment in planning revocation compensation case
29 Jun 2012	Court of Appeal rules in Loader case
26 Jun 2012	Aarhus compliance committee 37th meeting considers UK Communications
10 Apr 2012	Further challenge to HS2 launched
03 Apr 2012	Judicial reviews brought against HS2 by local authorities and HS2AA
29 Mar 2012	Important Court of Appeal decision on Uniplex and delay in planning cases
29 Mar 2012	European Court dismisses Commission's appeal in Case C-504/09 Commission v Poland
22 Mar 2012	CJEU rule procedures for the partial or total repeal of a land use plan are subject to SEA
02 Feb 2012	High Court orders judicial review of bid to ban heather burning
19 Jan 2012	Case C-567/10 Inter-Environnement Bruxelles ASBL & Others v Government of the Brussels-Capital Region
14 Dec 2011	Aarhus Compliance Committee Communication ACCC/C/2010/53
29 Nov 2011	Avonmouth Energy from Waste
22 Nov 2011	Landmark involved in two Ombudsmen judicial reviews
17 Nov 2011	R (Mencap) v The Health Service Commissioner CO/6118/2009

11 Nov 2011	R (Adams) v Commission for Administration and a number of Local Commissioners for England [2011] EWHC 2972 (Admin)
20 Oct 2011	Court of Justice of the European Communities gives judgment in the Seaport case
20 Oct 2011	Seaport (NI) Ltd, Magherafelt District Council and Others v Department of the Environment for Northern Ireland
01 Aug 2011	R (on the application of Shoesmith) v OFSTED and others
29 Jul 2011	R(Loader) v Secretary of State for Communities & Local Government [2011] EWHC 2010 (Admin)
26 Jul 2011	R (on the Application of Cheshire East Borough Council Cheshire West and Chester Borough Council) v Secretary of State for Environment Food and Rural Affairs and others [2011] EWHC 1975 (Admin)
15 Jun 2011	R (Flasz & Others) v Havering PCT
26 May 2011	R (Berry & Marshall (Bolton Wood) Ltd) v Secretary of State for the Environment, Food and Rural Affairs [2011] EWCA Civ 636
06 Apr 2011	Supreme Court rules on home disguised as barn
22 Mar 2011	Commission's National Allocation Plan emissions decision annulled
26 Jan 2011	Supreme Court rules on meaning of "domestic violence" in the Housing Act 1996
15 Dec 2010	R (Edwards & Pallikaropoulos) v. Environment Agency & DEFRA [2011] 1 W.L.R. 79 (SC)
24 May 2010	Ashton v Secretary of State for Communities & Local Government
07 May 2010	R (SAVE) v Secretary of State for Communities and Local Government Others [2010] EWHC 979 (Admin)
28 Apr 2010	R (Shoesmith) v Ofsted & others [2010] EWHC 852 (Admin)
03 Feb 2010	High Court dismisses contaminated land remediation notice judicial review
15 Jan 2010	Supreme Court rule on application of the Aarhus Convention at the costs detailed assessment stage
05 Nov 2009	R (Health & Safety Executive) v Wolverhampton City Council and Victoria Hall Limited [2009] EWHC 2688 (Admin)
23 Sep 2009	European Court of First Instance gives rulings on EU Emissions Trading Phase II National Allocation Plan rejections
17 Sep 2009	English Heritage, Westminster CC and Ashton v Secretary of State for Communities & Local Government
24 Jun 2009	Cour de Cassation (France) Commune de Mesquer v Total France, SA, Total International Ltd
30 Apr 2009	ECJ rule that negative screening decisions need not contain reasons
26 Mar 2009	NHS rent dispute procedure tainted by appearance of bias
24 Mar 2009	High Court dismisses challenge to Edge Lane West, Liverpool Compulsory Purchase Order
13 Mar 2009	High Court Rejects Challenge to Grant of Permission for the Stansted G1 Proposals
11 Mar 2009	The Court of Appeal Gives Important Ruling on High Court Planning Procedure
24 Feb 2009	High Court Begins to Hear Challenge to the Grant of Permission for the Stansted G1 Proposals

19 Feb 2009	R (Baker) v Bath and North East Somerset Council and Hinton Organics (Wessex) Limited
09 Feb 2009	European Court of First Instance to Hear Important Emissions Trading Cases
27 Jan 2009	High Court Dismisses Ecotown Judicial Review
22 Jan 2009	R (on the application of Hidden Hearing Ltd) v The Hearing Aid Council
05 Nov 2008	ECJ Gives Judgment in Case Concerning Environmental Impact Assessment and Waste Recovery
06 Oct 2008	Attwood v Health Service Commissioner
30 Sep 2008	Cooper v Attorney-General [2008] EWHC 2178
01 Sep 2008	Bovale v SSCLG [2008] EWHC 2143 (Admin)
14 Jul 2008	Millgate Developments Ltd v Secretary of State for Communities & Local Government
11 Jul 2008	R (Kay) v Health Service Commissioner
04 Jul 2008	High Court to hear first UK Kobler damages claim
01 Jul 2008	R (Lewis) v Redcar & Cleveland Borough Council and Persimmon Homes Teeside Limited [2008] EWCA Civ 746
26 Jun 2008	R (Queen Mary University of London) v Higher Education Funding Council for England
01 May 2008	High Court rejects challenge to grant of planning permission relating to Thames Basin Heaths SPA
18 Apr 2008	High Court allows legal challenge to quarrying restriction in the Peak District National Park
01 Apr 2008	European Parliament v the Commission and (ii) Case C-295/06 Denmark v the Commission
13 Mar 2008	Advocate-General gives opinion on reference from French Courts on the sinking of the m.v. Erika - Case C-188/07
21 Feb 2008	R (Bradley and others) v Secretary of State for Work & Pensions
21 Jan 2008	Court of Appeal refers to the ECJ the issue of whether reasons are required for negative screening decisions under the EIA Directive
01 Jan 2008	Livingstone v Adjudication Panel for England [2006] EWHC 2533 (Admin); [2006] H.R.L.R. 45
20 Dec 2007	Court of Appeal gives judgment in important waste case
17 Dec 2007	High Court rules in London Aquarium licensing inspection judicial review
02 Dec 2007	Tribunal of Commissioners rule on polygamous marriages
20 Aug 2007	Balioniene and Bytautiene
05 Jul 2007	Case C-255/05 Commission v Italy
30 May 2007	High Court rejects further challenge to Olympic Compulsory Purchase Order
10 May 2007	R (Thames Water Utilities Ltd) v Bromley Magistrates Court and the Environment Agency
10 May 2007	Case C-252/05 R (Thames Water Utilities Ltd) v Bromley MC & Environment Agency (ECJ)

04 May 2007	High Court rejects challenges to Olympic Compulsory Purchase Order
04 Apr 2007	McCabe v Secretary of State for Communities and Local Government
04 Apr 2007	R (on the application of Anti-Waste Ltd) v Environment Agency
01 Mar 2007	Case C-176/05 KVZ retec GmbH v Austria (ECJ)
01 Feb 2007	Court of Appeal uphold the partial quashing of the New Forest National Park Designation
01 Feb 2007	ECJ dismisses EIA infraction against UK in Case C-199/04
01 Jan 2007	R (McCabe) v Secretary of State for Communities and Local Government R (McCabe) v Secretary of State for Communities and Local Government
01 Jan 2007	R. (on the application of Barker) v Bromley
01 Jan 2007	R. (on the application of Lewis) v Redcar and Cleveland
01 Jan 2007	R. (on the application of Midcounties Co-operative Ltd) v Forest of Dean DC Queen's Bench Division
01 Jan 2007	Advised DEFRA in the matter of R. (on the application of West London Waste Authority) v Mayor of London [2007] EWHC 757 (Admin); [2007] Env. L.R. 27
01 Jan 2007	Advised Westminster City Council and all the London Authorities on the proposed 10th London Local Authorities Bill
01 Jan 2007	Bradley v Secretary of State for Pensions
06 Dec 2006	Barker v. Bromley LBC (House of Lords)
19 Oct 2006	London Mayor Ken Livingstone wins appeal against suspension
04 Oct 2006	Ken Livingstone (Mayor of London) v Kingston (Ethical Standards Officer)
27 Sep 2006	Pascoe v Secretary of State [2006] EWHC 2356 (Admin)
24 May 2006	Oxfordshire County Council v Oxford City Council
04 May 2006	Important ECJ judgments on EIA and outline planning permission
04 May 2006	Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland
11 Nov 2005	Wealden DC v Martin Grant Homes Ltd
07 Dec 2004	Mid Bedfordshire DC v Brown [2004] EWCA Civ 1709
07 Jan 2004	R (Delena Wells) v. the Secretary of State for Transport, Local Government and the Regions Case C-201/02
01 Jan 2001	The Alconbury Litigation
06 Jul 2000	Berkeley v Secretary of State [2000] 3 W.L.R. 430
15 Jan 1999	R v. Bow Street Magistrate, ex p. Pinochet Ugarte (No. 2)

Inquiries

14 Jan 2020	Citroen Site called-in inquiry begins
19 Jul 2019	Chiswick Curve tall building appeal dismissed
16 Jul 2019	Secretary of State confirms Walsall road orders
06 Jun 2019	Land at Thornhill Road, Keypoint Industrial Estate, South Marston, Swindon
06 Jul 2018	Chiswick Curve tall building inquiry closes
12 Jun 2018	Successful appeal for a scheme for up to 61,400m ² of light and general industrial uses together with storage and distribution at Plot 5, Andover Business Park, Pioneer Road, Andover
23 Mar 2018	Inspector dismisses re-determined appeals in West Lancashire
19 Sep 2017	Wisley Airfield inquiry opens
21 Mar 2017	Appeal relating to scheme for 170 new homes on land east of New Road, East Hagbourne
01 Sep 2016	Inspector allows appeal for outline permission for up to 150 houses at Moulsham Lane, Yatley despite Hart DC showing a 5YLS
01 Sep 2016	Inspector finds West Lancashire to be a 5% authority
14 Jun 2016	Planning Inspectorate APP/V2825/W/15/3140695: Bective Works / Jebez House, NN2 7TD
01 Mar 2016	Secretary of State grants permission for Northampton Sustainable Urban Extension
18 Feb 2016	Successful appeal for a conversion of offices to academy Pioneer House, Hollbush Hill, Stoke Poges, South Buckinghamshire
08 Dec 2015	Recovered Part IIA contaminated land appeal opens
01 Oct 2015	Successful appeal (recovered) for 53 homes on a former depot at Wain Close, Newport Road, Woburn Sands, Milton Keynes
08 Sep 2015	Brentford Community Football Stadium CPO Inquiry
16 Jun 2015	Sustainable Urban Extension, Northampton
18 May 2015	Enforcement notice appeal - land known as land lying to the east of Old Hertsfield Farm, Staplehurst Road, Marden, Tonbridge, Kent (formerly part of Riverfield Fish Farm)
01 Apr 2015	Housing Scheme, Crowborough
01 Apr 2015	Planning enforcement appeal
20 Mar 2015	Secretary of State grants permission for called-in Swindon solar park
19 Sep 2014	Called-in Swindon solar park inquiry closes
15 Jul 2014	Tottenham Hotspur CPO confirmed
24 Feb 2014	Barrow housing scheme
13 Jan 2014	Ribble Valley Borough Council Core Strategy Examination Hearings to begin

10 Jan 2012	Walshaw Moor Estate Inquiry
29 Nov 2011	Wightlink Public Inquiry
23 May 2011	Landmark Chambers at forefront of United Kingdom Greenhouse Gas Emissions Trading appeals
01 May 2010	Hambleton Allocations DPD Examination for the promoter of a site (Mr Carl Les) for a Motorway Service Area on the A1(M) at Leeming Bar
01 Apr 2010	Appearing for Galliard Homes in an inquiry into a mixed use scheme consisting of 209 flats together with live/work units offices
01 Jun 2009	Pitshill Estate footpath orders
01 Apr 2009	Residential scheme at Draper's Yard in Thurrock
08 Jan 2009	Bedfont Road, East Bedfont, Middlesex
06 Mar 2008	The Welsh Minister for the Environment, Planning and Countryside makes decision on first ever Greenhouse Gas Emissions civil penalty appeal
01 Jan 2008	Bedfont Trading Estate Green Belt call-in for the London Borough of Hounslow
05 Dec 2007	London Concrete Batching Plant, Cranfield Way Industrial Estate for London Borough of Haringey
01 Jan 2006	Victoria Way for Galliard Homes
01 Jan 2005	Symes Avenue, Bristol. CPO for Bristol City Council
01 Jan 2004	Twickenham Riverside call-in for London Borough of Richmond
01 Jan 2003	Newton Home Office Asylum Accommodation Centre for Rushcliffe Borough Council
01 Jan 2002	Bicester Home Office Asylum Accommodation Centre for Cherwell District Council
01 Jan 2001	Banbury Lane, Northampton call in for English Partnerships
01 Jan 2001	Didcot Town Centre CPO for South Oxfordshire District Council

Publications

08 Sep 2020	Air Quality Issues in Planning
08 Sep 2020	Dealing with net zero, biodiversity and air quality issues in planning - Webinar
03 Sep 2020	Delivering infrastructure in or close to National Parks and AONBs
03 Sep 2020	Delivering Infrastructure in Wales: Current issues - Webinar
13 Jul 2020	Could zoning work in the UK? - Webinar
02 Jul 2020	Virtual Inquiries: a guide - Webinar
24 Jun 2020	What's happening? Environmental law in the UK from 31 December 2020 - Webinar

24 Jun 2020	Environmental law divergence within the UK post-Brexit
01 May 2020	NPPF Case Law Update - Housing
01 May 2020	NPPF Case Law Update - Webinar
01 Oct 2019	Nationally Significant Infrastructure Projects - High Court Challenges - Current Issues (co-authored James Maurici Q.C. and Kimberley Ziya)
13 May 2019	Using the EIR in environmental judicial review proceedings
01 May 2019	"Major developments" in National parks
19 Nov 2018	Litigating Planning and Environmental Challenges in the Higher Courts - tactical considerations and procedural issues
21 Jun 2018	Information and Disclosure in Judicial Review
19 Apr 2018	Revised NPPF: Green Belt
13 Nov 2017	Planning High Court Challenges: Practice and procedure update
23 Mar 2017	Scope: What cases (and claimants) are now covered
07 Mar 2017	CPRE Kent v Dover and the duty to give reasons
30 Jan 2017	The Future of the Environmental Information Regulations 2004 Post Brexit
14 Jul 2015	EIA: nuts and bolts
17 Nov 2014	Planning Law Update: Planning High Court practice and procedure
09 Nov 2014	Public Law Reviewability of Land Disposal Decisions
10 Mar 2014	State Aid in Planning and CPO Cases
06 Feb 2014	State aid as a ground of challenge in planning
24 Oct 2013	Current Issues in Local Government: State Aid
22 Oct 2013	Habitats: Case Law Update
19 Sep 2013	Recent Developments on the Scope of SEA
08 Feb 2013	The Influence of Aarhus on Domestic and EU Law - Access to justice: A chronology