



Joe Thomas

Call: 2019

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Expertise

Property, Planning, Environment, Public

Overview

Joe joined Chambers in 2020 following completion of pupillage during which he was supervised by Zack Simons, Toby Watkin, Alex Goodman and Carine Patry. Joe has already appeared in the High Court and has successfully appeared in the First-Tier Tribunal. He accepts instructions in all areas of Chambers' work.

Joe holds undergraduate degrees in English and Law. Following his undergraduate studies at Oxford University, and before qualifying as a barrister, he taught at a London secondary school for several years under the Teach First Leadership Scheme, and still retains a keen interest in education law and is a Governor for two schools.

Joe is a contributor to the *Health and Social Care Insight* which is a monthly newsletter covering the latest update on

developments in health and social care law from Landmark Chambers. More details can be found under Joe's Publications tab.

Property

As a pupil Joe gained experience of a wide range of property law issues including:

- Drafting advices, pleadings and pre-action letters in a variety of disputes including the proper meaning and application of freehold and leasehold covenants, adverse possession, the application of Defective Premises Act 1972 and the Landlord and Tenant Act 1954.
 - Assisting with the preparation of hearings including a complex 4 day County Court Trial; this included exhaustive research on the law concerning the ownership of roads in the absence of an identified owner, cross-checking various witness statements and marshalling considerable amounts of documentary evidence.
 - Attended possession hearings including those where the claimant needed to raise last minute factual disputes.
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Planning

Joe aspires to develop a varied practice covering all aspects of planning. While a pupil, Joe gained experience of and assisted with a wide range of planning and environmental matters, including:

- Written advice on planning and environmental issues such as the interaction of the planning regime with the Forestry Act 1967, the calculation of Benchmark Land Value for vertical extensions, the application of the EU Waste Directive where potential waste materials are lent to customers before being reused.
 - Drafted defence and summary grounds on various planning and environmental issues such as whether a large supermarket chain had met the sequential test within the NPPF and whether a Local Authority had provided adequate reasons for their decisions supporting the supermarket; whether a planning inspector had correctly dealt with previous decisions; the status of quashed decisions as a material consideration.
 - Planning inquiries and hearings, such as a large multistage housing estate in Bedfordshire and the Tandridge Local Plan Examination in Public.
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Environment and Infrastructure

Joe aspires to develop a rich practice in environment and infrastructure law. Joe has a particular interest in transport and energy infrastructure.

As part of his pupillage, Joe gained experience of environmental law issues including:

- Sitting with David Elvin QC and assisting with research for the interaction between the law enabling major infrastructure projects and the existing regime for water sewerage and supply.
 - Providing research on the Wild Birds Directive.
 - Preparing draft grounds for a challenge to the Government's National Policy Statement on Energy in light of the Climate Change Act 2008 and the Paris Agreement.
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Public

Joe aspires to develop a broad public law practice. As a former teacher, Joe has a particular interest in education law.

Joe has already appeared in the High Court concerning the requirements of the Care Act 2014. Joe has also successfully appeared before the First-Tier Tribunal after being instructed by Bail for Immigrants Detainees.

During his pupillage, Joe has gained experience of a wide range of public law cases including:

- Assisting with the preparation of hearings such as judicial review proceedings in *R (W) v Secretary of State for the Home Department* [2020] EWHC 1299 (Admin)
- Drafting pleadings and skeletons including in unlawful detention claims and whether an individual was eligible for support under the Modern Slavery regime.
- Advising on issues such as the correct calculation of damages following an unlawful deportation, the strength of a challenge to a decision of the Disclosure and Barring Service, the strength of a disability discrimination claim against a school following the decision to exclude a pupil for behaviour partly arising out of his identified Special Educational

Needs.

Qualifications

University of Oxford (Jesus College) - BA History (Modern) and English

Open University - BA Law - 1st Class

Teach First Leadership Program - Outstanding

Publications

Joe is a contributor to the *Health and Social Care Insight* which is a monthly newsletter covering the latest update on developments in health and social care law from Landmark Chambers. Please find Joe's recent articles below:

- Strasbourg awards damages to social care worker for accusations of professional misconduct by a Family Court Judge

Joe also provides his expert comment on appeal decisions for *The Planner*:

- Appeal: 90 homes allowed despite 8.3-year housing supply
- Appeal: 'Very special circumstances' in green belt housing scheme

Joe is also a contributor to the *Judicial Review*:

- The Need for Procedural Rigour in Judicial Review Cases: *Judicial Review*: Vol 26, No 1 (tandfonline.com)
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Awards

Exhibition Award - Inner Temple

Advocacy Scholarship - BPP

Excellence Scholarship - BPP

Publications

19 Jul 2021	The Legal Implications Of 'Everyone's Invited' - Information Sharing
19 Jul 2021	'Everyone's Invited': the legal implications - webinar
15 Mar 2021	Costs: when to apply and how to avoid awards
15 Mar 2021	Planning Law Update for Local Authorities: Dealing with Appeals
