

VINCENT FRASER QC

Year of call: 1981

Clerked by: William Brown Gary Smith Mark Ronson

AREAS OF EXPERTISE:

Administrative & Public Law Environment Licensing Local Government Planning



Local Government

Vincent is a leading practitioner in many aspects of Local Government Law, advising regularly on several areas which are closely associated with Vincent's other practice areas, including Education, Highways, and Licensing. Amongst other matters he has dealt with Byelaws and orders, Constitutional issues, Council finance including council Tax and domestic rating, Education, highways and public rights of way, ombudsman's powers and procedures, Road traffic regulations and Standards, conduct and probity of local government officials and boundary reviews.

Significant Reported Cases

Education

Vincent advises on wide range of education issues, including special needs, education reorganisation and finance.

Highways

Vincent regularly advises on and appears in cases involving highways and rights of way including litigation and footpath and rights of way inquiries. He has appeared in cases addressing the existence, extent and status of highways. He has regularly appeared in court and at inquiries addressing stopping up and diversion of highways. He has advised on and promoted traffic regulation orders at inquiry. He has appeared in arbitration addressing utilities in the highway.

Human Rights

Vincent advises on and appears in litigation addressing human rights.

Judicial Review

Vincent has extensive experience advising on and appearing in judicial reviews.

Local Government

Vincent deals with local authority powers, administration and finance.

Election law

Vincent has experience of boundary reviews, for example successfully representing Wirral BC at the review into the Merseyside constituencies.

Licensing

Vincent has extensive experience advising and appearing in licensing cases.

Ardagh Glass v Chester City Council [2010] EWCA Civ 172, [2009] EWHC 745 (Admin) [2009] Env. L. R. 34 - Planning, local government, environment - environmental impact assessment, industrial development, retrospective permission, unauthorised development, enforcement, planning permission, local authorities.

Barratt Development Plc v Wakefield MDC [2009] EWHC 3208 - planning, housing, local government - affordable housing, PPS 3, core strategy, planning policy, regional spatial strategies

Younger Homes (Northern) Ltd v First Secretary of State [2004] EWCA Civ [2005] Env. L. R. 12 [2005] 1 P&CR 14 - Planning, environment, local government - environmental impact assessment, planning permission, screening opinions, regulations, delegated authority, prejudice.

Kelly v Liverpool City Council [2003] EWCA Civ 197 [2003] 2 All ER 772 - Licensing, local government - fees, inspections, licences, local authority powers and duties, private hire vehicles, taxis.

R(Pryterch) v Conwy BC [2001] EWHC Admin 869 - Planning, human rights, environment, local government.

R(Barry) v Liverpool City Council [2001] EWCA Civ 384 (2001) LGLR 40 - Licensing, local government - entertainment licences, doormen registration scheme, power to charge.

Enterprise Inns Plc v SOSETR (2001) 81 P&CR 18 - Compulsory purchase, limitation, time for challenge, delay, local authorities powers and duties, conservation areas.

Hussain v Bradford City Council [2002] RVR 140 - Planning, compulsory purchase, compensation, commercial property, repairs, valuation

UK Waste Management Ltd v West Lancashire DC [1997] RTR 201 - road traffic regulation order, experimental waste restriction order, reasonable access to site, heavy goods vehicles.

R v Chorley BC ex parte Bound (1996) 28 HLR 791 - Housing benefits, review board, reasons.

Harrogate BC v Barker (1995) 159 JP 809, [1995] RVR 193 - community charge, debts, criminal procedure, powers to remit, limitation.

Ford v Burnley BC (1996) 160 JP 540, [1995] RA 205 - non domestic rates, occupancy, quarries.

Bradford City Council v Anderton 89 LGR 681 [1991] RA 45 - community charge, sole or main residence, ship incapable of being a residence.

Profile

Vincent is a leading practitioner in town and country planning, compulsory purchase and compensation, environmental, local government and finance, highways, administrative and public law.

He acts for and advises developers, local authorities, government agencies and interest groups. He regularly appears at inquiries into major infrastructure projects, housing development, major retail and regeneration schemes, commercial development, minerals, landfill and highways.

He regularly appears in the Administrative Court and the Upper Tribunal (Lands Chamber).

Year of Call: 1981

Year of Silk: 2001

Areas of Expertise

Administrative & Public Law

Environment

Licensing

Local Government

Planning

Memberships

Planning and Environmental Bar Association

Administrative Law Bar Association

UK Environmental Law Association

Northern and North Eastern Circuit

Appointments

Recorder 2002

Deputy High Court Judge (Admin Court) 2010

Publications

Planning Decisions Digest - Sweet & Maxwell 1992

Qualifications

Oxford (University College)

Open Scholarship Sweet & Maxwell Prize

MA (1st class) Jurisprudence

1981 Gray's Inn

Holker Entrance Award

Reid Scholar

Band Prize

Recommendations

Chambers UK 2020

"He is experienced, a very good team leader and an excellent advocate. His cross-examination is very good and he has a good eye for strategy."

"He is a very strong, able advocate."

"He is very much part of the planning landscape in the North." "Very bright and exceptionally well prepared."

Chambers UK 2018

"He is very knowledgeable and personable. He has a good presence in court and never appears to allow himself to be flustered."

"He is a skilled advocate who gets to the heart of the issue and he's excellent at cross-examination."

"Forthright in the provision of advice and presentation of cases. Strong in cross-examination." "He takes a forensic and measured approach."

"An extremely good and combative advocate." "He's excellent to work with and robust in his advice. He's a very determined advocate who knows his stuff and gives you confidence that you're going the right way."

Legal 500 2018

'He is very knowledgeable and experienced with a great courtroom presence.'

Legal 500 2017

'He has a brilliant legal mind and is one of the best cross-examiners around.'

Chambers UK 2017

"He is a very skilled cross-examiner and an excellent person to have on your side." "His knowledge is encyclopaedic; he truly is a first-class QC."

"He is excellent, his attention to detail is superb and he provides sound advice."

Chambers UK 2016

"He has always done a great job for us. He's very good at handling the administrative and planning law side of environmental issues."

"His cross-examination is first-class, and the way he puts his cases together is excellent."

Chambers UK 2015

"He gets to the bottom of every case. He's excellent at cross-examination because he has that detail - it's where he really excels. He's an extremely good advocate."

"His reports on village green inquiries are excellent." "He is detailed, thorough, excellent in cross-examination, and also extremely perceptive in terms of how to direct a case."

"His advice is very sage - he makes you stretch your thoughts on the matters you're dealing with. For a dogfight, I'd instruct Vincent." "Clients really rate his advice on CPOs."

Chambers UK 2014

Vincent Fraser QC "is very intelligent and effective in cross-examination, with an ability to clearly present complex legal points." "We have used him for both inquiries and court work; he knows the renewables sector and is highly attuned to it."

"He is always on top of his subject matter and is a good strategic thinker."

Chambers UK 2013

Solicitors say Vincent Fraser QC "is a formidable advocate" who is "intellectually and academically very, very good." Adept at taking on all manner of planning cases, he is particularly known for appearing for and advising retailers, local authorities, housebuilders, wind farm developers and leading energy companies. Of late, he has been appearing for Morrisons at an inquiry into a supermarket proposal in Wells. Vincent Fraser QC proves particularly active in wind farm cases. Recent representative work for him includes successfully acting for Cornwall Light & Power in relation to a challenge brought by Hargreaves to consent given for the construction of a wind farm. He also appeared in the Frodsham wind farm inquiry acting on behalf of Peel Energy.

Vincent Fraser QC is an experienced practitioner with expertise in planning and local government law. He recently represented an authority during the consultation process for changing electoral boundaries.

Planning Magazine

Vincent is included amongst the top planning Barristers as chosen by leading planning lawyers and consultants in England and Wales.



Vincent Fraser QC

