

**PIERS RILEY-SMITH | MANCHESTER,  
LEEDS & BIRMINGHAM**

Year of call: 2016

Qualifications: Archaeology and  
Anthropology BA Hons, Graduate  
Diploma in Law

Clerked by: Mark Ronson Jake Brooke

AREAS OF EXPERTISE:  
Planning and Environment  
Licensing Highways Compulsory  
Purchase



## Profile

Piers has a varied planning, environment, licensing and highways practice.

Piers is ranked in Chambers and Partners 2023 where Clients have said:

*" Piers Riley-Smith is a strong planning junior" "An enthusiastic and excellent communicator as an advocate, and within the professional team."*

Piers is ranked in the Legal 500 as a "Rising Star" and is noted as being "approachable and fully committed to the job in hand, providing good advice and giving a very positive impression to clients."

Piers is qualified to accept Public Access work.

Piers carries out a number of training sessions for local authorities and developers on planning, enforcement, CPOs, public sector equality and licensing.

He has also given talks at various conferences and RTPI events.

Piers sits as a Highway Expert on Lexis Nexis PSL's Consulting Editorial Board.

Prior to joining chambers, Piers spent a year with Richard Buxton Environment and Public Law Solicitors. This involved working on every part of the judicial review process from taking first inquiries to analysing judgments. Piers retains an active interest in working on planning cases involving environmental issues.

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## Areas of Expertise

### Planning and Environment

#### Planning and Environment

He is regularly instructed by local authorities, developers and the wider public in planning inquiries. He has also been instructed by both local authorities and developers at local plan and neighborhood plan exams. He appears in the High Court and Court of Appeal on behalf of local authorities, and private companies or developers, and local resident groups. He also accepts pro bono briefs from the Environmental Law Foundation, and he has appeared successfully in the High Court for the ELF. He has also practiced on the Isle of Man on behalf of the Government.

He is instructed in enforcement proceedings which have ranged from defending Enforcement notices in front of Inspectors to justifying s.215

notices to the Magistrates. He has been involved in securing the relatively uncommon Planning Enforcement Order and litigation and prosecution arising from Tree Protection Orders. Piers has successfully appeared in both the County Court and High Court obtaining Planning Injunctions against unlawful development.

Piers has considerable expertise in statutory nuisance. He has appeared in the Magistrates Court obtaining Abatement Orders under the Environmental Protection Act and has successfully appeared in the High Court in precedent setting cases on noise nuisance and hypersensitivity.

## Licensing

Piers practices in all aspects of Licensing law. He regularly appears before licensing sub-committees and regularly appears in both the Magistrates and Crown Courts on taxi and premises licence appeals. He is regularly published in the Journal of Licensing. He has also prosecuted and defended environmental prosecutions both in the Magistrates and the Crown Court.

## Highways

His highway practice has ranged from resisting a s.37 complaint against the public adoption of a highway, to working on a case involving the operation of a s.56 notice relating to the inadequate drainage of the highway, and to appearing at public rights of way and highway CPO public inquiries. This has included appearing for the Order Making Authority on a s.118B Order Inquiry to extinguish a footpath running through school grounds. Piers has appeared at Transport and Work Act public inquiries. Piers often works with local resident groups seeking declarations as to the extent of a highway and has also worked for a local authority in obtaining a relatively rare highway injunction against trespass on the highway. Piers has considerable experience in dealing with Traffic Regulation Orders. This experience ranges from drafting TROs for local authorities, objecting to them for third parties, and challenging them successfully in the High Court. Piers also advises on issues arising out of village green applications. Piers was recently appointed the assistant editor of the Encyclopedia of Highway Law and Practice – the leading practitioner text on highway law.

## Compulsory Purchase

Piers has worked for both local authorities and objectors on Compulsory Purchase Orders. This has included helping local authorities put in place proper systems for bringing forward CPOs (from preparing to make the Order all the way to implementing a confirmed Order) and also appearing at CPO inquiries, and dealing with the resulting compensation and References to the Upper Tribunal (Lands Chamber) for both claimants and local authorities. This has included successfully confirming CPOs under the Town and Country Planning Act 1990, Housing Act 1985 and Highway Act 1980. Piers has experience leading teams in compensation mediation including settling multi-million-pound compensation claims.

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## Recent High Court appearances include:

Counsel in **Jones v Chapel-en-le-Frith Parish Council** [2022] EWHC 1909 QC successfully challenging a district judges decision to dismiss an application for an Abatement Order relating to noise from a Multi-Use Games Area.

Counsel in **R (oao Cathie) v Cheshire West and Chester Borough Council** [2022] EWHC 2148 (Admin) successfully defended a local authority's decision to discharge a planning condition concerning the impact of odour on amenity.

Counsel in **Keyhole Bridge User Safety Group, R (On the Application Of) v Bournemouth, Christchurch and Poole Council** [2021] EWHC 3082 (Admin) successfully challenging the decision of a local authority to revoke a Experimental Traffic Regulation Order.

## Examples of recent inquiry experience include:

Appeared on behalf of a local planning authority at a called in inquiry by the Secretary of State supporting the erection of a new Mosque in Preston.

Appeared on behalf of local planning authority at a called in inquiry by the Secretary of State resisting a new Category C prison in the Green Belt.

Appeared on behalf of a luxury hotel in the Lake District defending their construction and a golf course and luxury safari tents without planning permission.

Appeared on behalf of Gladman Retirement Living Ltd obtaining planning permission for a specialist accommodation for the elderly in Birmingham

### Examples of recent Compulsory Purchase Order inquiries:

Appeared for acquiring authority at an inquiry which confirmed a CPO under Highway Act 1980 to allow for the delivery of a £5 million city centre junction scheme.

Appeared for the acquiring authority at an inquiry which confirmed a CPO against an empty six-bedroom Property which the Owner claimed he had recently moved into and was purporting to carry out work on.

Appeared for the acquiring authority at an inquiry which confirmed a CPO against half-finished development which had been abandoned in 2012.

### Examples of recent development plan examination appearances include;

Appeared on behalf of a formal coalition of six parish councils to object to the Warrington Local Plan

Appeared on behalf of Gladman Developments to make representations to the Suffolk Coastal Local Plan.

Appeared on behalf of the Isle of Man Government to support their Area Plan for the East.

Appeared on behalf of Gladman Developments to successfully make representations that the Oundle Neighbourhood Plan could not proceed to Referendum

## Memberships

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PEBA

Inner Temple

Northern Circuit

Environmental Law Foundation

## Awards

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Foundation Scholar: Queens' College Cambridge

## Qualifications

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Bar Professional Training Course, City Law School (2015-2016): Very Competent

Graduate Diploma in Law, City University (2014-2015): Commendation

Archaeology and Anthropology BA Hons, University of Cambridge (2011-2014): First Class

Eton College 2005-2010

## Recommendations

"An enthusiastic and excellent communicator as an advocate, and within the professional team" **Chambers and Partners 2023**

"Piers is approachable and fully committed to the job in hand, providing good advice and giving a very positive impression to clients." **Legal 500 2023**

"Piers provides very succinct, to-the-point advice." "He is confident, knowledgeable and articulates matters of law well." **Chambers and Partners 2022**

