

PIERS RILEY-SMITH

Year of call: 2016

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

Clerked by: Mark Ronson Jake Brooke

AREAS OF EXPERTISE:

Administrative & Public Law Environment Licensing Local Government Planning



Profile

Piers has a varied planning, environment, licensing and highways practice. 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 neighbourhood plan exams. He appears in the High Court on behalf of local authorities, and private companies or developers. 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 regularly appears in both the Magistrates and Crown Courts on taxi and premises licence appeals. He has also prosecuted and defended environmental prosecutions both in the Magistrates and the Crown Court.

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. Piers also advises on issues arising out of village green applications.

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 successful CPOs under the Town and Country Planning Act 1990, Housing Act 1985 and Highway Act 1980.

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.

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

Administrative & Public Law

Environment

Licensing

Local Government

Planning

Recent High Court appearances include:

- Counsel in *Sefton Council v SSCLG [2020] EWHC 2180 (Admin)* securing permission to bring a s.288/289 challenge against the Secretary of State relating to the interpretation of Green Belt protection in the NPPF (to be heard in 2021).
- Junior Counsel on behalf of local residents against Manchester City Council for successfully challenged planning permission for a large car park in the city centre in R (oao *Cameron*) v *Manchester City Council*.
- Succeeded in securing a s.187B planning injunction for local planning authority against unlawfully build dwelling house.
- Junior Counsel on behalf of United Utilities in *(on the application of Preston) v Cumbria CC [2019] EWHC 1362 (Admin)*

Examples of recent inquiry experience include:

- Successfully appearing on behalf of a group of Parish Councils to oppose a £75 million Eddie Stobart national distribution centre in the Green Belt.
- Successfully appeared on behalf of homeowner at Certificate of Lawfulness Appeal involving the conversion of an agricultural field into a domestic amenity area.
- Successfully appeared on behalf of local planning authority in resisting a Certificate of Lawfulness in relation to the use of World War II bunkers for commercial purposes.

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 Gladman Developments to make representations to the Suffolk Coastal Local Plan
- Appeared on behalf of Wiltshire County Council to support their Housing Site Allocation 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

PEBA

Inner Temple

Northern Circuit

Environmental Law Foundation

Awards

Foundation Scholar: Queens' College Cambridge

Qualifications

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