

## SARAH CLOVER

Year of call: 1993

Qualifications: BA (hons) Jurisprudence, Master's Degree LLM

Clerked by: Gary Smith Mark Ronson Jake Brooke

**AREAS OF EXPERTISE:**

Administrative & Public Law Environment Licensing Local  
Government Planning



### Profile

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#### Licensing

Sarah is one of the leading barristers in the country in Licensing, acting for a wide range of clients. She has been involved in some of the most important cases in the last decade, and is a pioneer in this modern licensing regime. Sarah has been successfully involved in challenging the Home Office and Police forces to settle statutory interpretation of the Licensing Act 2003. She is nationally recognised as an expert in this field. Sarah is Chair of the West Midlands Region of the Institute of Licensing, and sits on the Board of Directors. Sarah Clover was the Specialist Adviser to the House of Lords Select Committee on the Licensing Act 2003 from June 2016 to March 2017.

#### Planning

In planning, Sarah has extensive experience of working with local authorities and developers in all development and enforcement cases. She regularly appears at planning inquiries, hearings, prosecutions and appeals, including the High Court. She has had notable successes, and is described as "feisty" and "a real fighter".

Sarah brings a particular edge in advocacy to her regulatory work, born of her long experience, prosecuting at Grade 4. She is a formidable advocate.

Sarah is a qualified and accredited Mediator.

Sarah has an established High Court practice, and is experienced in public law matters.

Sarah is a Public Access Barrister.

Sarah is instructed nationally by consultants, solicitors, private developers and local authorities, in all aspects of development and enforcement.

#### Agent of Change

Sarah Clover is the foremost expert in the cross-over between the licensing and planning regimes. She is a specialist in the Agent of Change principle, and at the vanguard of designing solutions in this novel area of law. Sarah was the Specialist Adviser to the House of Lords Select Committee on the Licensing Act and informed their recommendations to Government on licensing and planning. She advises Government departments on a regular basis. Sarah has been involved in the ground-breaking cases in this field to date, and has an extensive national overview of how to manage urban development in proximity to licensed and leisure venues. Sarah's services include drafting applications, objections and submissions; representation in hearings and planning appeals, and a specialist mediation and facilitation service. In her role as an Agent of Change Facilitator, Sarah can help to design and broker agreements that create sustainable long-term solutions for all stakeholders. Previous solutions have included private contracts; sound mitigation works to venues; deeds of easement; "agent of change agreements"; planning conditions; s.106 agreements and financial compensation

**Year of Call:** 1993

### Areas of Expertise

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## **Administrative & Public Law**

## **Environment**

## **Licensing**

Sarah Clover is described as "The top licensing barrister outside London without doubt" (Legal 500 15/16). She's nationally recognised as an expert in the Hospitality and Leisure Industry. Chair of the West Midlands Region of the Institute of Licensing, she provides advice and representation to Local Government, Licensees, Residents, PubCo's and the Police. Her views are widely respected. She has been involved in some of the most important cases to emerge in the last decade. Sarah sat between June 2016 and March 2017 as the Specialist Adviser to the House of Lords Select Committee on the Licensing Act 2003.

## **Significant Reported Cases**

Crosby Homes v The Nightingale & Birmingham CC [2009] – Magistrates Appeal; (Public Nuisance meaning).

Derbyshire Trading Standards v Sainsburys [2009] – Magistrates Prosecution and Crown Court Appeal; S.146 – (Who sells alcohol).

V2 Birch House Business Centre v Denbighshire County Council [2010] Magistrates Appeal; (Police Disclosure; costs of £25K against Council).

The Bank, Wakefield v Home Office & West Yorkshire Police (2012) (Successful Judicial Review proceedings to clarify section 19 Closure powers).

Chambers, Runcorn (Gary Oates) v Halton District Council and Cheshire Police (Status of Interim Steps)[ 2011]

Tinseltown NW3Ltd v London Borough Camden, [2012], Highbury Magistrates' Court (Procedural Irregularity).

Gambling Commission v Kevin Holleran, Birmingham Crown Court, [2012]; (Test case concerning the allegations of cheating at gambling and operating without a licence)

Matthew Taylor v Manchester City Council & TCG Bars Ltd [2012] EWHC 3467 (Admin)

The Hindu Religious Association Leamington & Warwick –v- Warwick District Council and Shades Snooker Club Ltd (Admin) [2012] (SEV Licence)

Wonderland, Cheam Road, Sutton -v- Metropolitan Police (£30,000 costs against the Met. Police) [2014]

Bridgerow Ltd, R (on the application of) v Cheshire West and Chester Borough Council [2014] EWHC 1187 (Admin) (The Platinum Lounge, SEV licence)

Sarai & Sarai –v- London Borough of Hillingdon ( The Victoria Pub) (Admin) [2014] (Interim Steps)

## **Local Government**

## **Planning**

Described as a Legal 500 and Chambers & Partners Leading Junior 15/16 and "a real fighter", Sarah has extensive experience of working with developers and local authorities in all development and enforcement cases. Sarah has detailed experience of: Housing; Retail; Transport; Footpaths; Heritage issues; Waste and Recycling; HMO's; Environmental issues; Minerals; ROMPs & Prohibition Orders; Protected Species; Listed Buildings Prosecutions; Magistrates' & Crown Court. She is an expert in the cross over between planning and licensing.

## **Significant Reported Cases**

Acted for Flintshire County Council at the Flintshire Unitary Development Plan Inquiry.

Staffordshire County Council, Cat & Kittens Lane, Featherstone, Staffordshire: Park & Ride and development of up to 1000 dwellings.

Gloucestershire County Council, Farm Lane, Leckhampton, Gloucestershire: 360 dwellings as part of a strategic allocation of up to 3000 dwellings in the RSS.

Acted for the Developer in relation to the regeneration of St Michael's Industrial Quarter in Bridport.

Melap Singh –v- Secretary of State for Communities and Local Government and Sandwell Metropolitan Borough Council (S. 288 Appeal). [For the Claimant]

Kirpal Singh v Secretary of State for Communities and Local Government and Coventry City Council (s. 289 Appeal and Judicial Review). [For the Claimant]

R.F.Salvidge Farms Recycling Site (Waltet), Hampshire County Council: Strategic Waste Transfer / Recycling Facility (secured permanent permission at Inquiry). [For the Developer].

R (Gillespie) v Tewkesbury Borough Council and Kingsdell Properties Ltd (Admin)

The Bank, Wakefield v Home Office & West Yorkshire Police (2012). For The Bank. Consent Order from the Home Office and Police in Appellant's favour.

Sahara Sandpit, Quarry & Landfill; Melksham 2012: (Certificate of Lawfulness waste recycling secured at Inquiry). For the Developer. Appeal allowed.

Land at Audley Avenue Newport, Telford 2012; Junior to Ian Dove QC; Application for Supermarket. [For the LPA]

Oakland International (Seaford Farm) Bromsgrove; Major international chilled storage and distribution centre in the Green Belt. For Bromsgrove District Council; 2014. Appeal refused.

St Christophers Drive & Oundle Bypass, Northamptonshire, Outline Application by Persimmon for 95 units. For the LPA; 2014. Appeal refused.

For the Developer. Thrupp Farm, Radley, Oxfordshire; Rare and complex appeal ( 5 day Inquiry) against a Prohibition Order; (ROMP) 2014. Prohibition Order not confirmed.

Bridgerow Ltd v Cheshire West & Chester Borough Council [2014] EWHC 1187 (Admin). For Bridgerow Ltd. Appeal allowed.

Pershore Road, Evesham, Worcestershire; BFP Developments LLP, outline up to 126 dwellings in a Strategic Gap. For Wychavon District Council; 2015. Appeal refused.

Tewkesbury Road, Bredon, Worcestershire; Gladman Developments Ltd, outline up to 98 units. Heritage issues. For Wychavon District Council; 2015. Appeal refused.

Land at Whitford Road, Bromsgrove, Worcestershire; Catesby Estates Ltd & Miller Homes Ltd; outline up to 490 dwellings. Transport issues. For Bromsgrove District Council, 2015. Appeal refused.

## Memberships

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Institute of Licensing (Chair of West Midlands Region, and Board Member)

PEBA

Civil Mediation Council

## Qualifications

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1991 BA (hons) Jurisprudence, Merton College, Oxford

1992 Master's Degree LLM, University of Pennsylvania Law School, USA (Potts Scholar, Ivy League, USA)

1990 Hardwicke Entrance Scholarship

1991 Sir Thomas More Award

1993 Inns of Court Studentship

1993 Kennedy Scholarship

Sir Thomas More Award

Pupillage Award

Denning Society (Society of Scholars of Lincoln's Inn)

## Recommendations

Sarah Clover was the Specialist Adviser to the House of Lords Select Committee on the Licensing Act 2003 from June 2016 to March 2017

## Report Paragraph 12. Acknowledgements

"During the course of our inquiry we have been fortunate to have as our specialist adviser Sarah Clover. She is a barrister whose encyclopaedic knowledge of licensing, planning and regulatory law has been invaluable to us. We are most grateful to her for her exceptional contribution to our work."

### **Chambers UK 2021**

"Sarah is extremely good when challenging police evidence." "A leading junior outside London with a great eye for detail." "She is very commercial, which clients love, and really understands licensing laws inside out. Without question an expert in her field."

"Amazing!" "Her practice is cutting-edge."

### **Legal 500, 2021**

"She takes a realistic and commercial approach but is unafraid to be combative where necessary."

"An excellent advocate who knows her stuff and leaves the opposition floundering."

### **Legal 500, 2020**

"Tenacious, knowledgeable and good with clients."

"Tenacious, with good knowledge of the licencing sector."

"Experienced in planning violation cases. "

### **Chambers UK 2020**

"She's just fantastic in every respect. She knows her stuff inside out. She's the guru of licensing." "Her breadth of knowledge is formidable. She is very user-friendly - always happy to help, easy to contact and clients are impressed by her."

"Very tenacious and a strong practitioner."

### **Chambers UK 2019**

"Approachable, knowledgeable and easy to work with."

"A very persuasive advocate. She has a very good manner with clients and puts them at ease."

"Eloquent, intelligent and experienced."

"Great on her feet and meticulous in her work."

"She is very good in an advocacy situation and she works well with clients."

### **Legal 500 2019**

"She has an incisive eye for detail and a persuasive manner."

### **Chambers UK 2018**

"She does her homework. She knows everything there is to know, so she doesn't miss a trick. She's in there like a flash." "First choice for high-profile and complex licensing challenges outside of London."

"Hard-working, diligent and a colourful advocate." "She gets straight to the point."

### **Legal 500 2018**

"An expert in licensing law."

"A fierce advocate, who is a pleasure to work with."

"Tenacious and never afraid to fight a client's corner."

### **Chambers UK 2017**

"An excellent advocate with a keen eye for detail, who is always willing to take on a challenge." "She is a formidable advocate and phenomenal at written work." "Very approachable, knowledgeable and easy to work with."

"Her sense of humour, professionalism, confidence and unquestionable planning expertise just shine through." "A very good team player who gels excellently with everyone. She is very organised and a very good advocate."

### **Legal 500 2017**

"A very able and hardworking barrister."

"Has a phenomenal reputation. She has serious attention to detail allied with thorough knowledge and a pragmatic approach."

"She has a phenomenal reputation and will fight to the end for a client."

### **Chambers UK 2016**

"She is tenacious, conscientious and down-to-earth, as well as being completely and utterly expert."

"Fantastic - she is proactive and user-friendly."

"She is experienced, conscientious, committed and pragmatic. She is a really safe pair of hands, and is prepared to fight the client's corner tooth and nail."

**Chambers & Partners 15/16**

"She is tenacious, conscientious and down-to-earth, as well as being completely and utterly expert." "Fantastic - she is proactive and user-friendly."

"She is experienced, conscientious, committed and pragmatic. She is a really safe pair of hands, and is prepared to fight the client's corner tooth and nail."

**Legal 500 15/16**

"The top licensing barrister outside of London, without a doubt."

"A real fighter."

"She has an excellent eye for detail."

She is Chair of the West Midlands Region, Institute of Licensing.

