



British Land  
Reclamation  
Society

# The Corby Reclamation Litigation Case

What does this and other cases mean  
for the future of land reclamation?

In association with



**22nd February 2010**  
**Birmingham**





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## ***Promoting Sustainable Land Use***

### **AGENDA**

- 09.00 - 09.30 Registration, coffee and pastries
- 09.30 – 09.35 **INTRODUCTION**  
Chair, Craig Sillars, British Land Reclamation Society
- 09.35 - 10.15 **LEGAL ISSUES FROM THE CORBY LITIGATION**
- Legal principles
  - Issues of proof and causation
  - Group actions
  - Implications for future litigation
- Gordon Wignall, Barrister, No. 5 Chambers**
- 10.15 - 10.35 **TACTICS TO MINIMISE LEGAL EXPOSURE**
- Impact of Corby and similar cases on brownfield developments
  - Meeting your duty of care
  - Appointing Consultants
  - Limiting Liability
- Simon Colvin, Partner, Pinsent Masons**
- 10.35 - 10.45 Q&A  
10.45 - 11.05 Tea and Coffee
- 11.05 - 11.25 **CORBY and REDLAND – IMPLICATIONS FOR BROWNFIELD PRACTITIONERS**
- Technical failings or different standards
  - What was a reasonable level of care in the 80's and 90's
  - Contractual expectations
  - The judges view of technical competence....
  - Are we doing better now?
- Simon Clennel Jones, Associate, WSP Environment**
- 11.25 - 11.45 **CORBY – ENVIRONMENTAL INSURANCE – A SOLUTION?**
- Past and current practice
  - Inappropriate insurances
  - Time for change
  - Project Examples
- Simon Johnson, Director, AON**
- 11.45 – 12.00 Q& A  
12.00 Close and Networking with Tea and Coffee



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## **SPEAKER PROFILES**

### **Gordon Wignall**

Gordon Wignall is a Barrister at the leading No. 5 Chambers in Birmingham. Gordon specialises in environmental disputes. These are mainly common law actions, statutory nuisance proceedings and waste management issues. He has particular experience in actions involving landfill sites, quarries, fires, flooding and water rights. He is instructed by public utilities and local authorities as well as by individual claimants. His expertise in costs and litigation funding (including CFAs and public funding) is of additional assistance in prosecuting and defending multi-party environmental actions and GLOs. His caseload and reported cases include both judicial review and private law actions.

### **Simon Colvin**

Simon is part of the highly rated Planning and Environment practice at Pinsent Masons LLP. He trained as an environmental biologist before converting to law and is now a true environmental specialist. He has advised on a number of high profile matters including the Buncefield incident and other contentious environmental projects, as well as advising on the acquisition and disposal of a range of sites that have been impacted by our industrial legacy. Simon's involvement has focused on contamination issues, their identification through the use of environmental consultants and either the remediation of such contamination, or the contractual allocation of liability and in some instances the use of risk sharing models and environmental insurance. Simon has also provided training for various groups and organisations on a number of environmental topics and writes regularly in the environmental press.

### **Simon Clennel Jones**

Simon Clennell-Jones is an Associate with WSP Environment and Energy specialising in human health contaminated land risk assessments. Simon's experience includes project management of the investigation, assessment and remediation of complex contaminated sites in the UK for both redevelopment and Part 2A as well as work in the Europe, Africa and the Middle East. Recently, Simon has been involved in the publication of Generic Assessment Criteria by the Environment Industries Commission /CL:AIRE.

### **Simon Johnson**

Simon has over 25 years in Brownfield and contaminated land and insurance. Formerly a Research Manager for CIRIA and responsible for guidance on contaminated land and Underwriting Director and founder of Certa - environmental insurer. Currently, Director UK and EMEA of Aon's Environmental Services Group. Wide number of publications, papers and conferences; provide advice and guidance to multi-national companies, government and professional colleagues.



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**Venue**

Davis Langdon, Colmore Plaza, Colmore Circus Queensway, Birmingham, B4 6AT. Please go to [www.davislangdon.com](http://www.davislangdon.com) for location and directions.

To register please complete and return the form below.

**Registration Form**

I would like to register for the BLRS Conference on the 22nd February and enclose a cheque for £10 (BLRS Members) and £50 (Non-members). UKELA Members please provide a cheque or payment of £30. Please make all cheques or payments payable to BLRS or indicate if you would prefer to be invoiced.

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Please return to: BLRS, c/o Debbie Perriton, SLR Consulting Limited, Westleigh House, Wakefield Road, Denby Dale, Huddersfield, HD8 8QJ

Any queries please contact Development Officer Craig Sillars on Tel. No. 07747 622215

E-mail enquiries: [dperriton@slrconsulting.com](mailto:dperriton@slrconsulting.com)

The Society regrets that due to administration costs the Society cannot provide refunds for those unable to make the conference.