

The Corby Reclamation Litigation Case

What does this and other
case's mean for the future of
land reclamation?

10th February 2010
Bristol





British Land
Reclamation
Society

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
- Stephen Morgan, Barrister, Landmark Chambers**
- 10.15 -10.35 **TACTICS TO MINIMISE LEGAL EXPOSURE**
- Impact of Corby and Redland Case on brownfield developments
 - Meeting your duty of care
 - Appointing Consultants
 - Lessons from the Redland Minerals and Crest Nicholson Residential Case
- Alan John, Partner, Osborne Clarke**
- 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?
 - The Redland Case
- Hugh Mallett, Associate Director, BuroHappold**
- 11.25 -11.45 **CORBY AND REDLAND – HOW TO AVOID IT!**
- Past and current practice
 - Inappropriate insurances
 - Time for change
 - Project Examples
- Mathew Hussey, Associate Director, Tysers**
- 11.45 – 12.00 Q& A
12.00 Close and Networking with Tea and Coffee



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SPEAKER PROFILES

Stephen Morgan

With a planning background, Stephen was called to the Bar in 1983. He has practised predominantly in the field of planning and related subjects since then. His extensive experience in planning includes many major regeneration schemes (including major new settlements up to 20,000 houses) and energy development.

Stephen's work has involved acting for landowners and developers as well as extensively for the public sector. The work includes advisory work and appearing at a range of inquiries as well as in the lower and higher courts.

He is recognised as one of the leading juniors in both *Chambers & Partners 2008* ("one of the best inquiry advocates around, who serves his clients and has a good feel for identifying the bones of a case.") & *2009* ("attracts commendation for his quietly effective approach and bright, friendly demeanour") and *Legal 500 2007*. He is a member of the Planning and Environment Bar Association.

Alan John

Alan specialises in all areas of environmental law, particularly contaminated land, renewable energy projects (including wind, biomass, water, landfill gas and waste to energy), waste management, water pollution and contractual protection. He advises on the environmental aspects of corporate and property transactions, and the making and defending of environmental claims, and regularly lectures on a variety of related subjects.

Alan joined to Osborne Clarke in 1987 and became a partner and head of the Environment and Energy Group in 1990.

Hugh Mallett

Hugh Mallett, an engineering geologist with over 30 years experience, joined Buro Happold in 2006 to lead the contaminated land team. With over 16 years' experience in land projects on sites affected by toxic, chemical and landfill gas contamination, he has prepared expert witness evidence and best practice guidance, delivered training on and made many presentations to both technical and non-specialist audiences on contaminated land matters.

Mathew Hussey

Mathew Hussey is Associate Director at Tysers UK Corporate Risks Division, Lloyds oldest surviving insurance broker established 1820. He specialises in environmental insurance projects ranging from contaminated land sites, property portfolios, waste companies and energy projects. He is currently Co Vice President of the EIC Working Group for contaminated land and sits on the UKELA working groups for contaminated land and environmental liability.



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Venue

Osborne Clarke, 2 Temple Back East, Temple Quay, Bristol, BS1 6EG. Please go to www.osborneclarke.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 10th February and enclose a cheque for £10 (Members) and £50 (Non-members). Please make cheque payable to BLRS or indicate if you would prefer to be invoiced.

Name

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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

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