



British Land
Reclamation
Society

The Corby Reclamation Litigation Case

What does the case mean for the future of urban land reclamation?

3rd February 2010

Newcastle





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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
- Charles Morgan, Barrister, Enterprise Chambers**
- 10.15 - 10.35 **TACTICS TO MINIMISE LEGAL EXPOSURE**
- Impact of Corby on brownfield developments
 - Meeting your duty of care
 - Appointing Consultants
 - Limiting Liability
- Stuart Wardlaw, Partner, Dickinson Dees**
- 10.35 - 10.45 Q&A
10.45 - 11.05 Tea and Coffee
- 11.05 - 11.25 **CORBY – 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?
- Phil Crowcroft, Partner, ERM**
- 11.25 - 11.45 **CORBY – 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

Charles Morgan

Charles Morgan has been in practice as a barrister since 1979 currently resident Enterprise Chambers. His work is almost entirely in the fields of **environmental law** (disputes relating to water resources and supply, statutory charging and licensing schemes, waste, sewage and effluent disposal, Pollution Prevention and Control, land restoration and aftercare, contaminated land, rights in pipes, statutory nuisances, environmental prosecution and defence work) and **commercial property law** (landlord and tenant, covenants affecting land, development agreements, compulsory purchase and compensation, contaminated land and general planning). As Treasury Counsel Charles regularly advises the Environment Agency on a wide range of public and private law issues and appears frequently as the Agency's advocate at courts, hearings and inquiries. He also acts for numerous local authorities and many private enterprises large, medium and small. He is a regular lecturer to other professionals on topics of environmental law and commercial property law.

Stuart Wardlaw

Stuart is a Partner and Head of the Environment & Safety Team at Dickinson Dees. He advises industrial, commercial and public sector clients on the full range of environmental and health and safety legal issues including compliance matters, civil and criminal litigation and the environmental aspects of corporate, property and commercial transactions. Stuart is recognised as a leading individual in environmental law with particular experience in the chemicals, waste management, property development and public sector. Chambers 2010 cite him "*for his waste management and regulatory compliance expertise. He is considered an authority on environmental permitting, contaminated land and water pollution*".

Phil Crowcroft

Phil Crowcroft is a Partner in Environmental Resources Management (ERM). He has over 30 years experience in dealing with land contamination and brownfield regeneration, primarily in the UK. He has undertaken many high profile projects dealing with perceived and real threats to health and the environment, and regularly provides expert witness services. His experience has been developed through work as a specialist contractor, an environmental consultant and as a regulator.

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

Dickinson Dees, 1 Trinity Gardens, Broad Chare, Newcastle, NE1 2HF. Please go to http://www.dickinson-dees.com/files/dd_map_newcastle.pdf 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 3rd 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.