



## **John G Hobson QC**

Date of Call: 1980 (Inner Temple)

Year of Silk: 2000

**John's principal areas of practice are in the fields of planning, environmental, compulsory purchase and highway law, together with a broad range of local government, and public law cases.**

He is listed as a "Leading Silk" in Chambers Guide to the Legal Profession in the categories of Planning, Local Government and Agriculture and Rural Affairs; and also in the Legal 500 in both Planning and Environmental Law.

He appears in the High Court, Court of Appeal and Supreme Court, as well as public inquiries throughout the country, representing a wide variety of clients including developers, local and other public authorities.

### **Examples of cases**

#### **Planning**

Represented Mayor of London at Inquiry in respect of Minerva's proposals for two tall towers at Ram Brewery site, Wandsworth.

Planning appeal in respect of Certificate of Alternative Development under Section 18 of the Land Compensation Act 1961 arising from Olympic CPO – further appeal to be heard in the High Court in June 2010.

English Heritage – new visitor centre for Stonehenge.

Nottingham City Council and Worcestershire Council – inquiries into proposals for waste to energy incinerators.

High Court application for North Devon DC to quash Inspector's decision re windfarm.

Inquiry into application by Thames Water Utilities Ltd for desalination plant on the Thames at Beckton.

Represented Mayor of London at public inquiries into proposals for 110 Bishopsgate ("the Heron Tower") and also London Bridge Tower ("the Shard of Glass").

Acted for National Trust in respect of the Highways Agency's scheme for a new tunnel on the A3 Hindhead – "The Devil's Punchbowl".

#### Major infrastructure projects

Briefed on all three of the recent major proposals for port expansion: appeared for Southampton City Council at Dibden Bay; and for Essex County Council at Shellhaven (London Gateway) and Bathside Bay (Harwich).

John has appeared at a number of airport inquiries including Stansted, London City (Stolport), Redhill and Heathrow T5.

Advising Transport for London in respect of Stansted G2.

Represented Bucks and Berks County Councils in respect of the Windsor and Maidenhead Flood Alleviation Channel.

Appeared in both Houses of Parliament on the Channel Tunnel Bill; and also appeared on the Channel Tunnel Rail Link Bill and the first Cross Rail Bill.

John's Transport and Works Act experience includes the port cases mentioned above and both Thameslink 2000 public inquiries.

Additionally John undertakes a wide range of general planning work, a substantial proportion of which involves residential development, acting for house builders such as George Wimpey UK; and has also advised and represented a number of health authorities in respect of proposals for the redevelopment of redundant hospital sites.

John has appeared in many planning cases in the High Court, Court of Appeal and House of Lords. Some of the more prominent include:

*Ribble Industrial Estates v Burnley BC [2008] EWHC 178*  
upheld adoption of local plan.

*Kings Cross Railway Lands Group v London Borough of Camden [2007] EWHC 1515* judicial review of Kings Cross redevelopment site.

*Thurrock BC v SSETR [2002] 2 PLR 43 (CA)*  
approach to adopt when considering time limits to establish lawful use.

*Skerritts of Nottingham v SSETR (No 2) [2000] 2 PLR 102(CA)*  
upheld Inspector's decision that erection of marquee constituted development.

*R v S/SETR ex p Challenger, Times 11/7/2000*  
attempt under Human Rights Act to challenge decision to hold inquiry into Thameslink 2000 scheme.

*Skerritts of Nottingham Ltd v SSETR (No 1) 3 WLR 511 (CA)*  
upheld Inspector's decision as to curtilage of listed building.

*Agecrest Ltd Gwynedd CC [1998] JPL 325 (QBD)*  
validity of ancient planning permissions.

*R v Derbyshire CC exp Woods [1997] JPL 958 (CA)*  
challenge to planning permission for open cast mining.

*Tesco Stores v SSE [1995] 1 WLR 759 (HL)*  
Leading case on meaning of material considerations and also planning gain.

### **Compulsory Purchase and Compensation**

This is a major area of John's practice. He has been actively involved in many regeneration projects and has promoted regeneration CPOs for Rochester Riverside, the Angel Islington and on behalf of SEEDA at Shoreham Ropetackle, which was the first CPO under the Regional Development Agencies Act 1998.

He has also successfully promoted CPOs for Hillingdon LBC/British Airways for a public park near Heathrow; the London Development Agency at Chequers Corner, Barking and at Silvertown Way, Newham; for Coventry City Council; and also a number of CPOs for Birmingham City Council as part of their City Centre regeneration.

In 2009 John acted for Birmingham City Council on its CPO of the New Street Station area, and is now advising the City Council on a CPO for a new school project under the Government's Building Schools for the Future Programme.

John's appearances in the Lands Tribunal include representing the claimants in a dispute in respect of the compensation payable following the compulsory purchase by the Department of Culture, Media and Sport of Apethorpe, a Grade 1 Listed Building in Northamptonshire.

He also represented LIDI (a subsidiary of the PLA) in *Mercury Communications v LIDI (1995) 69 P & CR 135 (Mayor's & City of London Court)* in which the principles for assessing compensation for the grant of wayleaves under the Telecommunications Act were decided; he has subsequently advised and appeared at arbitration on a number of similar issues.

### Highways

John has extensive involvement in highway cases. He has appeared for promoters and objectors at road inquiries, and has appeared for landowner objectors at MSA inquiries on the M25 and M4, and also the A3.

He represented the National Trust at the inquiry in respect of the Highways Agency's scheme for a new tunnel on the A3 at Hindhead.

He has recently appeared on an arbitration under the Highways Act for Hampshire County Council against the Secretary of State for Transport.

Dating from his time as a junior, when he was a member of the Supplementary Panel of Treasury Counsel, John has developed a particular expertise in public rights of way cases. As well as appearing at many public inquiries into orders under the Wildlife and Countryside Act 1981 he has appeared in many of the leading cases in this area.

These include:

*Parker v Nottinghamshire CC & S/SEFRA [2009] EWHC 229(Admin)*  
*Ridley v S/SEFRA [2009] EWHC 171 (Admin)*  
*Norman & Bird v S/SEFRA [2007] EWCA 334*  
*Dorset CC v S/SEFRA [2005] EWHC 3405 (Admin)*  
*Rowley v S/S TLGR [2002] EWHC 1040*  
*R v West Dorset DC ex p Connaughton QBD 25/3/02*  
*Trevelyan v S/SETR (CA) [2001] 1WLR 1264*  
*Masters v S/SETR (CA) [2000] 3 WLR 1894*  
*Buckland & Capel v S/SETR (QBD) [2000] 3 All ER 205*  
*R v S/SETR ex p Dorset CC (QBD) [2000] JPL 396*  
*National Trust v S/SETR (QBD) [1999] JPL 697*  
*Maltbridge Island Management CV v S/SETR (QBD) [1998] EGCS 134*  
*R v S/SETR ex p Billson [1999] QB 374*  
*R v S/SETR ex p Stevens (1998) 76 P & CR 503*  
*R v S/S Wales ex p Emery (CA) [1998] 4 All ER 367*

*S/SE v Beresford Trustees (CA) [1996] NPC 128*

John has also advised and acted in related cases concerning Commons Registration in respect of towns and village greens, appearing in the Court of Appeal in *Betterment Properties (Weymouth) Ltd v Dorset County Council [2009] 1 WLR 334.*

### **Environmental Law**

John has advised a range of clients on many aspects of environmental law, including issues under the Control of Pollution Act 1974, Environmental Protection Act 1990, Water Resources Act 1991 and the Environment Act 1995.

He has appeared in the High Court for North Devon DC in respect of windfarm proposals (*Rota North Devon DC v S/S BERR & Devon Wind Farm Ltd [2008] EWHC 1700 (Admin)*); for the Mayor of London at an inquiry into proposals for a desalination plant on the River Thames; and for Worcestershire County Council and Nottingham City Council at inquiries concerning waste to energy incinerators.

He appeared in *R v S/S E & Compton ex p West Wilts DC [1997] JPL 209*, a judicial review in respect of an application for an authorisation under the EPA for animal by-product rendering.

In *R v British Coal Corporation ex p Istock Building Products [1995] JEL 297*, in the first case brought under the Environmental Information Regulations, John successfully established the Claimant's entitlement to information under the Regulations.

### **Public Law**

Throughout his career at the Bar, John has appeared in many cases in the field of public law. In addition to this mentioned above, notable cases include:

*S/SEFRA v Meier [2009] 1 WLR 2780 (Supreme Court)*  
power to grant wide possession orders and injunctions against travellers on Forestry Commission land.

*R v S/S Transport and Medway Council and Others [2002] EWHC 2516 (Admin)*  
quashed the Government's consultation paper on air transport policy.

*R v SSETR ex p O'Byrne [2002] 1 WLR 3250 (House of Lords)*  
relationship between right to buy provisions under the Housing Act and the London Green Belt Act.

*R v Hackney LBC ex p Structadene [2001] AER 225 (QBD)*  
local authorities duty to dispose of land for the best consideration.

*R v Local Government Commissioner ex p Liverpool CC [2001] 1 AER 462 (CA)*  
upheld finding of maladministration in respect of Councillors who were season ticket holders of Liverpool FC.

*R v Kirkstall Valley Campaign Ltd [1996] 3 All ER 304 (QBD)*  
appeared for claimant in one of leading cases of bias and conflict of interest.

Before taking silk John also appeared in his capacity as Standing Counsel to the Rent Assessment Panel in a number of cases which defined the role and power of Rent Assessment Committees, including:

*Queensway Housing Association Ltd v Chiltern etc RAC (QBD) (1999) 31 HLR 945*  
*Northumberland & Durham Property Trust Ltd v London RAC (No 2) (QBD) (1999) 31 HLR 252*

*Northumberland & Durham Property Trust Ltd v London RAC (No 1) (QBD) (1999) 31 HLR 109*  
*Curtis v London RAC (CA) [1999] QB 92*  
*R v London RAC ex p Cadogan Estates Ltd (QBD) [1998] QB 398*

## **EDUCATION, CALL AND AFFILIATIONS**

Monkton Combe School, Bath  
College of Law, Guildford  
St John's College, Cambridge (LLM)

Former Solicitor; worked in private practice, local government and law centres.  
Called to the Bar (Inner Temple) 1980  
Called to the Irish Bar 1990

Member of the Western Circuit

Parliamentary Bar  
Planning and Environment Bar Association  
Administrative Law Bar Association  
Compulsory Purchase Association

## **APPOINTMENTS**

1992 – 2000 Member of the Supplementary Panel of Counsel to the Treasury (Common Law)  
1995 – 1996 Special adviser to the Northern Ireland Affairs Committee of the House of Commons for its enquiry into the planning system in Northern Ireland  
1997 – 2000 Appointed by the Attorney General to be Standing Counsel to the Rent Assessment Panel  
1998 Appointed by the Treasury Solicitor to act as the Legal Assessor to the Birmingham Northern Relief Road Disputes Panel.  
1999 Assistant Recorder.  
2000 Queen's Counsel  
2000 Recorder of the Crown Court  
2002 Honorary Standing Counsel to the Campaign to Protect Rural England

## **PUBLICATIONS**

Contributor to Halsbury's Laws, 4<sup>th</sup> Ed Vol 29(1): Local Government Law

Law Reform for All (Blackstone Press, 1996)