

## Contributed by the Environmental Law Unit, Burges Salmon LLP

Environmental matters and the associated carbon law issues have seen a rapid rise up the agenda of all corporates over the last few years but particularly in 2007/2008 with the added practical focus on the cost of energy.

The EU continues to legislate heavily on environmental issues and the scope is expanding into new areas such as carbon footprinting, carbon law and emissions trading, all of which have as their rationale the protection of the environment. In the EU, major legislative initiatives cover most sectors, notably the Directive on Industrial Emissions, the revised Waste Framework Directive, a new Directive on Ambient Air Quality, political agreement on the Priority Substances Directive (a daughter directive to the Water Framework Directive, along with the revised Groundwater Directive), and the Marine Strategy Directive, which will have major impacts on the targets for ensuring 'good environmental status' of the seas. Over 150 EU Regulations and Directives published in 2007/08 were environment-related and understanding and advising in the area involves getting to grips with a complicated mix of pure traditional 'command and control' regulations and environmental financial instruments. Clear distinctions have also started to emerge on the back of this volume of legislation between environmental law teams that tend to focus on servicing transactions and those focusing on day-to-day compliance and strategy with businesses.

In the UK, 2007/08 will be seen as a radical year from a regulatory perspective. It has seen a new regime of permitting facilities, intended to create a single, more user-friendly system for pollution prevention and control and waste management licensing but in reality it still leaves gaps. This system will be rolled out to other areas in due course.

We have also seen the development of the regulatory sanctions initiative, something that will change the face of enforcement as companies know it. The idea is to allow for, among other things, the imposition of administrative penalties, such as on-the-spot fines, rather than go through the formal court process. In theory it may ease the burden on courts and on companies but it raises the spectre of all types of fines and penalties being applied inappropriately, but for expediency's sake. One thing we have seen, as legal practitioners in the area over the last few years, is the stiffening of enforcement, and the unwanted consequences it leads to – reputational issues, confiscation of perceived profits, tougher sentencing and the risk of losing important public contracts. How a supposedly new, quicker, more efficient fining regime will be applied will be of key interest and we believe companies will need to be extremely careful when accepting such fines/administrative penalties. In reality, it may lead to further cases in terms of appeals before the courts. There has been much talk over the years about the establishment of dedicated environmental courts or tribunals and it is possible that this new system of sanctions will ultimately lead to this.

The last year has seen some key UK national environmental legislation introduced into Parliament or published, notably the Climate Change Bill, the Energy Bill and the Planning Bill, which are all before Parliament now.

The new Marine Bill has been published in draft, and a separate Scottish Marine Bill is expected.

We continue to see a move by the government to use financial instruments as a persuasive method for changing behaviour. The whole emissions trading and producer responsibility for waste and other substances are the obvious examples and 2008 has seen the new EU chemicals regulation, REACH, moving into full force and affect. It is still taking companies by surprise and for an initial period will provide lawyers with considerable work in drafting associated agreements and regulatory advice. REACH demonstrates the wide ambit of environmental law. It is predicted to affect many thousands of businesses, many of which will have to devote significant time and expenditure to it.

The UK is also having to wrestle with the implementation of a new liability regime for cleaning up and controlling pollution through the EU's Environmental Liability Directive. The intent behind the Directive is to make organisations causing or threatening to cause environmental harm responsible for notifying the regulators and financially liable for clean-up. It has also raised the possibility of organisations having to compensate the nation by securing alternative clean sites where full clean-up of the polluted area is impossible. How this will dovetail with existing UK clean-up regimes is still unclear but, in reality, it is likely to complicate matters further.

Aside from criminal proceedings and fines, we would see 2007/08 as the year when environmental civil litigation started to come to the fore. The USA has been ahead of the game when it comes to such cases but the EU and UK are now seeing an unprecedented growth in claims and tortious actions. To advise in this area requires specialist knowledge of litigation and an understanding of White Book Advice married with detailed on-the-ground environmental law experience. This type of litigation is now being taken very seriously by corporates and, as a result, this area of legal advice will come to the fore.

Lastly, mention has to be made of the key role that environmental law is now playing in the whole energy debate, both through emissions but also in developing and establishing new regimes for energy facilities such as nuclear and renewable energy plants.

The government has now expanded its approach to reducing carbon emissions from targeting carbon-related financial instruments and emissions trading on large industrial emitters, to one where large public and private sector companies will now be covered by an emissions trading scheme in the form of the carbon reduction commitment (CRC). This will require a much wider range and number of organisations to become familiar with carbon management, carbon accounting and trading issues.

Add to this the environmental law aspects of the nuclear renaissance and the new international liability regimes being established, and once again firms that can marry a thorough knowledge of the regulatory regime with energy expertise will profit in the medium term.





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## BEST OF THE UK

### Environment Best of the UK Leading Firms

#### Band 1

Allen & Overy LLP  
Linklaters

#### Band 2

Burges Salmon LLP  
Clifford Chance LLP  
CMS Cameron McKenna LLP  
Freshfields Bruckhaus Deringer LLP

#### Band 3

Addleshaw Goddard LLP  
Berwin Leighton Paisner LLP  
Denton Wilde Sapte  
Dewey & LeBoeuf  
DLA Piper UK LLP  
Eversheds LLP  
Herbert Smith LLP  
Macfarlanes LLP  
Mayer Brown  
Nabarro LLP  
Pinsent Masons  
Simmons & Simmons  
Slaughter and May

#### Band 4

Ashurst  
Barlow Lyde & Gilbert LLP  
Dundas & Wilson  
K&L Gates  
Lovells LLP  
Norton Rose LLP  
Semple Fraser LLP  
SJ Berwin LLP  
Taylor Wessing LLP  
Travers Smith

#### Band 5

Baker & McKenzie LLP  
Bircham Dyson Bell  
Hammonds LLP  
Jones Day  
LG  
Osborne Clarke  
Stephenson Harwood

*Alphabetical order within each band. Band 1 is the highest.*

#### Band 1

##### Allen & Overy LLP

See firm details p. 1171

Sources across the market offer resounding praise for a practice that offers a near-unrivalled breadth of expertise. Commentators praise this team's "extraordinarily high level of technical ability," and also underline the "outstanding level of commercial awareness" and "superb knowledge base" on offer. Advice on industrial regulatory issues, such as compliance with Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulations, is a central element of the team's practice: for example, the team acts for clients such as Honeywell, ICI and Koch Industries on chemical management concerns. The lawyers also act on the Restriction of Hazardous Substances Directive

(RoHS), as well as waste management laws. In property-related work, the team is well regarded for its guidance on contaminated land liabilities. The environment team regularly assists with transactions carried out by the firm's other practice groups, particularly the corporate and projects departments: in recent months the group was involved in Shell's disposal of petrochemical refineries in France, and assisted Kelda with a mooted £5 billion takeover approach. The team also offers expert guidance on biofuels and wind farm developments, and its "impressive blend of skills" also takes in contentious matters: ExxonMobil recently sought its advice on a nuisance enforcement action. "First-class lawyer" **Owen Lomas** (see p.152) is renowned for his excellent understanding of environmental regulations and "heaps of experience." **Matthew Townsend** (see p.496) "cuts to the chase," but remains able to "see the bigger picture."

#### Linklaters

See firm details p. 1383

This group remains extremely busy advising on a wide array of matters related to environment and sustainability issues. Described by commentators as a team "at the top of its game," it offers a "unique balance of expertise and knowledge." The group acts on all manner of climate change, emissions trading and energy efficiency concerns, and also offers a strict focus on corporate environmental liabilities and ethical investment advice. Work in this area includes guiding financial institutions on the requirements of the Equator Principles, and in a more specific matter the team negotiated with the IFC regarding the application of IFC Performance Standards in a transaction involving offshore South American oil rigs. Advice on REACH compliance is also offered. Further recent highlights have demonstrated the group's expertise in work related to contaminated land, including advising National Grid on the reorganisation of its brown-field portfolio. **Vanessa Havard-Williams** (see p.494) is "well liked and respected across the market" for her "frank, honest advice." She leads Linklaters' global environment group and has an active role in its climate change work. Her "assertive approach" and ability to "transform complex legal issues into an easy to understand form" has won her a solid stable of fans. **Chris Staples** (see p.152) has a heavy carbon and climate change focus and is lauded by sources for his "practical, commercial sense" and "eye for detail." Newcomer **Louise Hine** (see p.494) joins from Macfarlanes and deals principally with transactions and regulatory concerns. Her "thorough, steady manner" is recognised by clients as central to her appeal, as is her ability to produce "high-quality work at short notice."

#### Band 2

##### Burges Salmon LLP

See firm details p. 1229

Sources applaud this Bristol-based team for its "outstanding commitment to environment law", which "gives City firms a real run for their money." One client

noted: "We have to cover a large number of bases, and this team offers environmental support on all of them."

The practice has a good reputation for work in the nuclear sector, and continues to advise the Nuclear Decommissioning Authority, as well as private sector companies such as Magnox Electric. This work is part of the group's broader renewables offering, which takes in biofuel, wind farm and emissions trading concerns. The team was boosted recently by the recruitment of several lawyers with waste management expertise, and it is currently involved in a large contaminated land claim. The group also offers advice on REACH and recycling obligations, generating work through its involvement in transactions both for other law firms and for its own clients, such as utility company RWE. In contentious work, the team offers guidance on prosecutions, appeals, nuisance enforcement actions and litigation. A "brilliant, highly active figure" whom "everyone makes time for," **Ross Fairley** (see p.493) is widely recognised for his nuclear work and his expertise on energy and waste concerns. Peers also offer great praise for **Ian Salter** (see p.495), highlighting both his "strong leadership skills" and his seniority. "Fantastically talented at assessing complex legal problems," **Michael Barlow** (see p.492) handles both civil and criminal cases. **Georgie Messent** (see p.495) is involved with numerous high-profile endeavours, including prosecutions and non-contentious waste and emissions trading advice.

##### Clifford Chance LLP

See firm details p. 1251

Commentators praise this team's international reach and proficiency at producing "efficient and swift advice - it offers high standards at all times." The group has had a busy year on the renewable energy front, advising on the transactional and regulatory concerns of numerous power projects. In addition, it has conducted a great deal of emissions trading work for leading international financial institutions: in one such matter, it acted for Ensus on the acquisition of a bioethanol plant at Teesside. Lawyers are also skilled in work regarding regulatory compliance issues, and recently advised Wastpack and Zurich on Waste Electrical Electronic Equipment (WEEE) obligations and the Environmental Liability Directive, respectively. Environmental disputes are another key part of the firm's offering, and recently acted for The Blackstone Group in criminal nuisance proceedings. Transactional and disputes expert **Nigel Howorth** (see p.152) is praised by clients as "a great tactician whose open mind helps us maximise our results." **Brian Hall** (see p.493) is global head of the environment team and offers "truly excellent regulatory advice." Sources value **Michael Redman's** (see p.495) regulatory and renewables advice, deeming him a "rock-solid lawyer."

##### CMS Cameron McKenna LLP

See firm details p. 1253

This team prides itself on the strongly standalone nature of its practice, and is described by sources as a "balanced, easy to work with" collective that "really pushes for the hottest work in the market." Work in the





Environment	
Best of the UK	
Leading Individuals	
<b>Band 1</b>	
Bowden Paul <i>Freshfields Bruckhaus Deringer LLP</i>	Davies Paul <i>Macfarlanes LLP</i>
Fairley Ross <i>Burges Salmon LLP</i>	Isted Jonathan <i>Freshfields Bruckhaus Deringer LLP</i>
Keeble Edward <i>Slaughter and May</i>	Lomas Owen <i>Allen &amp; Overy LLP</i>
McNab Steven <i>Travers Smith</i>	Moore Louise <i>Herbert Smith LLP</i>
O'Keefe Jacqui <i>Simmons &amp; Simmons</i>	Shergold Stephen <i>Denton Wilde Sapte</i>
Sheridan Paul <i>CMS Cameron McKenna LLP</i>	Townsend Matthew <i>Allen &amp; Overy LLP</i>
Watchman Paul <i>Dewey &amp; LeBoeuf</i>	
<b>Band 2</b>	
Fogleman Valerie <i>Stevens &amp; Bolton LLP</i>	Havard-Williams Vanessa <i>Linklaters</i>
Hitchcock Teresa <i>DLA Piper UK LLP</i>	Howorth Nigel <i>Clifford Chance LLP</i>
Mylrea Kathy <i>CMS Cameron McKenna LLP</i>	Rock Nicholas <i>Dewey &amp; LeBoeuf</i>
Salter Ian <i>Burges Salmon LLP</i>	Sharp Cate <i>Mayer Brown</i>
Shepherd Elizabeth <i>Eversheds LLP</i>	Sheppard Claire <i>Addleshaw Goddard LLP</i>
Thomson Aidan <i>Barlow Lyde &amp; Gilbert LLP</i>	Trinick Marcus <i>Eversheds LLP</i>
Waite Andrew <i>Berwin Leighton Paisner LLP</i>	
<b>Band 3</b>	
Bowman John <i>Dewey &amp; LeBoeuf</i>	Brown Vincent <i>Semple Fraser LLP</i>
Brumwell Mark <i>Dundas &amp; Wilson</i>	Clarke Ray <i>Nabarro LLP</i>
Cull Maria <i>K&amp;L Gates</i>	Deanesly Clare <i>Nabarro LLP</i>
Evers Angus <i>SJ Berwin LLP</i>	Hutchinson Michael <i>Mayer Brown</i>
Lawrence Daniel <i>Freshfields Bruckhaus Deringer LLP</i>	May Caroline <i>Norton Rose LLP</i>
Papanicolaou Chris <i>Jones Day</i>	Rice Paul <i>Pinsent Masons</i>
<b>Band 4</b>	
Bryce Andrew John <i>Andrew Bryce &amp; Co</i>	Greenwood Brian <i>Taylor Wessing LLP</i>
Hall Brian <i>Clifford Chance LLP</i>	John Alan <i>Osborne Clarke</i>
Marshall Anna <i>Nabarro LLP</i>	Norton Christopher <i>Lovells LLP</i>
Price Nigel <i>Ashurst</i>	Pugh Tim <i>Berwin Leighton Paisner LLP</i>
Smith Paul <i>Eversheds LLP</i>	Staples Chris <i>Linklaters</i>
Theron Colleen <i>L LG</i>	
<b>Band 5</b>	
Bainbridge Tom <i>Nabarro LLP</i>	Barlow Michael <i>Burges Salmon LLP</i>
Boileau Samuel E <i>Denton Wilde Sapte</i>	Gordon Dave <i>Eversheds LLP</i>
Harrison Anne <i>Beachcroft LLP</i>	Redman Michael <i>Clifford Chance LLP</i>
Renger Mike <i>Nabarro LLP</i>	Woods Michael <i>Eversheds LLP</i>
<b>Band 6</b>	
Charles Sebastian A <i>K&amp;L Gates</i>	Hine Louise <i>Linklaters</i>
Ketteley Joanna <i>Ashurst</i>	McBride Lee <i>Wragge &amp; Co LLP</i>
Messent Georgie <i>Burges Salmon LLP</i>	Taylor James <i>Simmons &amp; Simmons</i>
<b>Up-and-coming individuals</b>	
Bristow Giles <i>Slaughter and May</i>	Burrough Magnus <i>Lovells LLP</i>
Green Michael <i>Macfarlanes LLP</i>	
<b>Associates to watch</b>	
Bryden Douglas <i>Macfarlanes LLP</i>	

Alphabetical order within each band. Band 1 is the highest.

waste, renewables and nuclear sectors has been a key feature of the group's practice in the past year: it played a major role in VT Group's acquisition of BNFL Project Services and counselled LondonWaste on the purchase of waste management assets. The team is also receiving instructions on a burgeoning number of pollution prevention and control (PPC) permitting appeals cases for manufacturing and chemicals companies, in addition to handling pollution and odour, noise and waste enforcement actions. Demonstrating the high calibre of the team's client base, it advises Azko Nobel on contaminated land remediation; the group also offers expertise in more niche areas, such as environmental insurance. Paul Sheridan receives strong plaudits from clients and peers, who describe him as a "meticulous and proactive individual" with "exemplary communication skills and a versatile approach." Consultant Kathy Mylrea has a "superbly well-rounded practice – she can turn her

hand to both complex transactions and regulatory advice."

#### **Freshfields Bruckhaus Deringer LLP** See firm details p. 1309

This team really earns its stripes in environmental litigation, where it is known for its "excellent levels of service, refreshingly honest and knowledgeable approach" and expertise in such matters as nuisance enforcement actions and judicial review proceedings. It recently acted for the British Pipeline Agency in investigations relating to the Buncefield Oil Terminal explosion. The team has enjoyed a growing workload in matters arising out of the increased demand for low carbon and renewable energy ventures: for example, the lawyers were recently instructed on the environmental aspects of proposals to build a new generation of nuclear power stations. Another core element of the practice is counsel on a wide body of environ-

mental regulations, including obligations under the WEEE, REACH and RoHS Directives. There is an increasing risk management flavour to the transactional matters handled here: the group deals with insurance queries relating to regeneration and brownfield site management, and acts on mitigating environmental liabilities in corporate transactions. Sources concur that Paul Bowden (see p.15) is "one of the finest environmental litigators we have ever worked with," noting that his practice "is of a calibre shared by few others in this market." "Sound, pragmatic team player" Jonathan Isted (see p.494) also attracts praise for his contentious skills. He is said to combine "real expertise and knowledge of the market" with "great understanding of the way a case will pan out." Clients confirm that they have "the utmost confidence" in transactional specialist Daniel Lawrence (see p.495), who has been busy of late advising the government's business enterprise and regulatory reform group on an intended carbon capture and storage project.

#### **Band 3**

##### **Addleshaw Goddard LLP**

See firm details p. 1169

This team has developed a strong national practice that acts on litigious, transactional and standalone regulatory concerns. Renowned by clients for its "concise and to-the-point advice," the team has been involved in a growing volume of environmentally sensitive transactional work of late; highlights include acting on the funding of a waste PFI project and handling risk management with regard to the acquisition of an alloy manufacturer. The firm also offers guidance on compliance with EU and UK law, including obligations relating to habitats regulations. Advice on issues pertinent to the water sector, including waste water concerns, discharge consents and supply issues, is another central aspect of the practice's workload: its crowning achievement in this area involved acting for United Utilities in the House of Lords regarding a PPC issue. Claire Sheppard (see p.496) is well regarded for her "down-to earth, practical, useful guidance." She focuses on contaminated land and energy matters, but also acts in disputes.

##### **Berwin Leighton Paisner LLP**

See firm details p. 1206

This "responsive, consistently high-performing practice" increasingly advises on complex regulatory matters, particularly in the areas of waste management, water and nature conservation. Recent highlights in this area include advising on waste licensing and PPC concerns relating to a new combined heat and power incinerator for Waste Recycling Group; the practice also acts for Southern Water on both the contentious and non-contentious aspects of managing two waste water treatment plants. Its ability to act on multifaceted projects is best illustrated through advice to Abberton Reservoir regarding the impact of the Environmental Impact Assessment (EIA), consents and habitats directive on a plan to increase the reservoir's capacity. The team's client list includes a good mix of public and private sector operators, and it boasts an excellent track record in handling contaminated land management: for example, it recently advised National Grid Properties on contaminated land liabilities and acted on remediation issues for the Olympic Delivery Authority. Lawyers also assist with





environmental warranties and indemnities in transactional matters. Clients praise **Andrew Waite's** "remarkable ability to outline the risks involved in a given set of actions," while peers note that he is "tremendously well respected" in the market. **Tim Pugh** brings an "excellent degree of strategic oversight" to proceedings, particularly in transactions with a strong planning element.

#### Denton Wilde Sapte

See firm details p. 1273

Interviewees highlight this team's positive attitude, and praise the lawyers for "always looking for ways to do things, rather than ways to avoid them." The practice is attracting an increasing volume of instructions from the waste and 'clean tech' renewables sectors, and advises on regulatory concerns such as new obligations under the Waste Framework Directive; sources agree that the team provides "industry-specific, high-quality work at a great price." Recent notable matters that the team has acted on include authoring reports for Virgin Green Fund on the regulatory environment surrounding the renewables sector. The lawyers also act on nuclear and innovative carbon capture and storage projects, in which "the dedicated team works hard to educate clients and understand their businesses." The practice's transactional and liabilities expertise is illustrated through its assistance to Total regarding the sale of the Milford Haven Oil Refinery; on the contentious side, the team successfully repelled a potential nuisance investigation for Grundon Waste Management. Lead partner **Stephen Shergold** offers "clear, well thought-out advice" and is "absolutely committed" to getting the best for his clients. Meanwhile, **Sam Boileau** excels in the "detailed, nitty-gritty" side of matters, and sources assert that "his reputation is sound, and his analysis is always strong and well considered."

#### Dewey & LeBoeuf

See firm details p. 1275

Offering wide-ranging expertise in contentious, regulatory and transactional matters backed by a global network of offices, this is widely regarded as a practice to watch. The team offers advice on REACH obligations to its clients in the chemicals sector, as well as guidance on strategic risk management and advice on environmental insurance products; it also has solid expertise in emissions trading and carbon capture and storage matters. The team's client base is centred on heavy industry, and includes leading names from the energy and oil and gas sectors. Recent highlights have included counselling BP on brownfield land liabilities and acting for Basell on a USD700 million oil refinery purchase. "Excellent negotiator" **Paul Watchman** (see p.152) is acknowledged for "skilfully guiding clients towards practical, realistic solutions." In line with the practice as a whole, he deals with both contentious and non-contentious activities. **Nicholas Rock** (see p.495) wins praise for his "business-oriented outlook" and ability to "quickly distinguish what is important and what isn't." The "greatly experienced" **John Bowman** (see p.492) has "a real eye for detail" and is singled out for his "excellent awareness of the key issues."

#### DLA Piper UK LLP

See firm details p. 1279

This formidable contentious team counsels on regulatory prosecutions, nuisance enforcement actions

and pollution investigations. Commentators speak highly of the group's ability to "maintain high standards whilst keeping a common-sense approach." The team has recently been active advising on the Buncefield investigation, as well as acting on an alleged breach of the Water Resources Act. DLA Piper's international standing has led to instructions on climate change-related issues for the team, and it also boasts deep expertise in regulatory advice: in this area, the group counsels on PPC permitting, nature conservation and contaminated land management. Lawyers recently acted for Bank of Scotland on a take private proposal for a construction company faced with a remediation appeal. Prized for her "efficient, direct approach," **Teresa Hitchcock** leads the safety, health and environment team, and sources highlight that "her commitment to clients' goals is fantastic."

#### Eversheds LLP

See firm details p. 1290

Sources agree that a combination of "in-depth, industry-specific knowledge" and "skill at building the team best suited to the needs of the client" has contributed to the success of this group. Regulatory compliance is a key offering, as the team guides companies over the legal hurdles presented by the REACH and RoHS directives. The group also handles issues regarding PPC permitting, including appeals, and advises on transactions involving contaminated land and other environmental liabilities. It recently assisted Photon with its acquisition of TB Holdings, and is also involved in waste management issues – including, most recently, the Greater Manchester waste PFI project. In addition, the team acts on the full panoply of pollution, nuisance and waste offences. **Michael Woods** (see p.152) recently moved here from Stephenson Harwood, and brings an "enormous appetite for work and significant knowledge of UK and international environmental law" to the table. With expertise in renewable energy and climate change matters, he "inspires great confidence" in many clients. Admired for her skilful ability to "build relationships with all parties in a transaction or case," **Elizabeth Shepherd** (see p.496) has a "wealth of experience." Recent recruit **Marcus Trinick** (see p.496) is seen as a "real luminary in the market." An expert in renewables matters, his long track record of appearing in public inquiries on wind farms is widely recognised. Sources laud the nationally utilised environmental litigation skills of Leeds-based **Paul Smith** (see p.496), who "really knows his stuff." Meanwhile, the "thorough, personable and proactive" **Dave Gordon** (see p.493) is admired for his technical know-how.

#### Herbert Smith LLP

See firm details p. 1335

This group's focus on clean energy is admired by clients, as is its "willingness to roll up its sleeves and get stuck into difficult issues." It has acted on the environmental implications of nuclear concerns for both sides of the market, advising EDF Energy on permits for new nuclear power stations and the Nuclear Decommissioning Authority on contamination liability issues. Advice on regulatory issues such as WEEE, REACH and RoHS requirements is another facet of the practice, and the firm's strong reputation in litigation serves clients well in civil and criminal proceedings. "Proactive when it comes to keeping clients up to date," the team is also considered "able to handle sensitive situations with great care." It recently

acted for Gaz de France on a hazardous substance consent that was required for an underground gas storage facility, and is currently acting for Chevron in the Buncefield investigation. The team's expertise in hazardous substances work is underlined through its recent advice to Atmel regarding the decommissioning of a semiconductor plant. Ascending the rankings this year due to her "intelligent, incisive input" and "experience at working on complex projects," **Louise Moore** is said by one particular commentator to have been "instrumental in helping us navigate a minefield of liability issues."

#### Macfarlanes LLP

See firm details p. 1387

Clients return to this practice because of its reputation for "professional, personal, solutions-oriented advice delivered in easy-to-understand terms." The team is also known for its "hard-working and innovative approach," which comes into play in its work managing risk through the use of environmental insurance policies. The group is seeing an increase in instructions on matters relating to REACH obligations and emerging climate change concerns, although advice on corporate transactions remains a large part of its caseload: work in this area includes carrying out environmental due diligence and assessing liabilities. Lawyers also work closely with planning and construction colleagues, and with external environmental consultants. In addition, the team handles contentious matters, and team members are regularly asked to provide input to lectures and conferences. Practice leader **Paul Davies** has a "real eye for detail and ideas, to which he injects real enthusiasm," say sources. "In terms of responsiveness, he is unrivalled: he always gets back to you, no matter how busy he is." **Doug Bryden** recently joined the group, bringing a "fantastic understanding" of the REACH Directive. He also handles environmentally affected transactions. **Michael Green** "appreciates points quickly and comes up with sensible approaches to match."

#### Mayer Brown

See firm details p. 1400

Issues relating to sustainability and energy are creating new opportunities for this environmental practice, which has been advising on carbon emissions trading and on sizeable waste-to-energy schemes of late. Sources praise the team's "prompt service and partner availability," as well as its "thorough understanding of technical issues." Recent highlights include advising in relation to a site redevelopment in which liabilities were transferred to an SPV for the first time. The group continues to enjoy a good flow of work arising from its involvement with the firm's corporate and projects activities, especially with regard to clients in the chemicals sector. It also assists clients with matters of waste law, REACH and contaminated land management. The "commercially aware" **Cate Sharp** is highly sought after for her "tough yet effective approach" and "firm understanding of how industry interacts with environmental law," while **Michael Hutchinson** has a "deeply impressive commitment to serving clients' needs" and a strong understanding of contaminated land and regulatory concerns.

#### Nabarro LLP

See firm details p. 1421

Praised for its "fast, cost-effective service" and "impressive knowledge base," this team continues to impress





on the regulatory side and has seen an upturn in instructions relating to PPC permitting and waste law. Clients also seek its advice on European environment directives such as WEEE and RoHS. The group has worked in conjunction with the firm's energy lawyers in a number of recent transactions in order to provide an integrated service; in one instance, the group acted for SEGRO on the £49 million sale of a power station to Scottish and Southern Energy. Other key aspects of the practice's workload include environmental risk management and the remediation of contaminated land, assisting clients with nuisance investigations and advising on pollution enforcement actions. Practice head **Ray Clarke** enjoys a "formidable reputation" due to his expertise in a broad range of environmental concerns. His practice is geared towards regulatory compliance and the defence of enforcement actions. **Clare Deanesly** "really knows her stuff," particularly in relation to waste management law. Sources deem the documentation drafting skills of London-based **Anna Marshall** to be a "cut above the rest." Her talent for environmental due diligence work is well noted. **Tom Bainbridge** brings "thorough and well-informed advice" to transactions with a renewable energy or climate change element, while Sheffield-based **Mike Renger** deals with the full spectrum of environmental matters. Peers say they "have a lot of time" for his opinions.

#### **Pinsent Masons**

**See firm details p. 1444**

This team moves up the rankings this year in recognition of its "increasingly active presence" in the market, as well as its "excellent national reach." It acts on environmental concerns relating to climate change and carbon reduction schemes and, in addition to international work on Clean Development Mechanism projects and emissions trading, advises on the contentious and regulatory aspects of PPC permitting and acts on domestic carbon capture and storage proposals. Counselling on carbon reducing energy projects is another focus, where the group provides assistance on nuclear law, biomass projects and combined heat and power proposals. The team has been involved in ensuring the successful completion of a number of waste PFI schemes, and is also instructed on waste-to-energy power plant matters. "A great all-rounder who comes up with strong ideas," **Paul Rice** heads the team from the firm's London office. His renewables practice is particularly well regarded by peers.

#### **Simmons & Simmons**

**See firm details p. 1479**

Clients feel that a major benefit of this group is its size: "It's large enough to serve our commercial needs, but not so enormous that you feel as if the service is impersonal." Waste management is a major focus here, both in relation to PFI projects and during regulatory investigations; one major transaction involved advising Waste Recycling Group on its bid for the Merseyside Waste Management Project. Clients praise the team's "thorough grasp of European and UK environment law" and focus on "keeping us well up to date." The extent of the group's expertise and the quality of its client base are reflected in its advice to Sumitomo on REACH obligations; the group is also well known for its guidance on renewable energy projects and carbon emission reduction proposals. In one example of such work, the group

acted for the Carbon Trust on its Partnerships for Renewables public sector emissions reduction scheme. Widely considered the group's leading figure, **Jacqui O'Keeffe** advises on both contentious and non-contentious actions in the waste and renewables sector. She also has "a great eye for risk management," which she applies to contaminated land concerns. Sources admire her ability to "quickly assess all the issues and ask all the right questions." Senior associate **James Taylor** is "excellent at tackling the nitty-gritty aspects of matters" and has been "absolutely key" in a number of projects. His broad remit encompasses waste management, permitting and contaminated land.

#### **Slaughter and May**

**See firm details p. 1484**

This firm's "reliable, high-quality service and effectiveness" are greatly appreciated by clients. The practice enjoys a growing standalone reputation for dealing with contaminated land, REACH and Landfill Directive enquiries, as well as for its expertise on environmental liabilities; however, the bulk of its workload is derived from its involvement in the firm's weighty corporate transactions. Such transactions have both domestic and cross-border elements: highlights have included advising GE on the acquisition of the aerospace division of Smiths Group, acting on the proposed acquisition of Rio Tinto by BHP Billiton and assisting Infinis with purchasing renewables interests from Scottish Coal. **Edward Keeble** (see p.494) leads the team, and is a "hugely intelligent" individual who "clearly knows his stuff" in a way that translates into "practical, commercial guidance" for clients. His input on the environmental aspects of corporate transactions leads him to be considered "one of the best in the City." Meanwhile, **Giles Bristow** (see p.492) is deemed an "informed and able assistant."

#### **Band 4**

##### **Ashurst**

**See firm details p. 1187**

Following Helen Loose's retirement, the firm has hired **Nigel Price** to oversee matters in the environment group. While the practice is considered to be rebuilding its profile still, peers concur that Price has already established himself as a "sound, skilled practitioner" who "won't rush clients through important details – you really know where you stand with him." The bulk of the team's workload is derived from corporate or projects-related transactions, but it also picks up instructions on regulatory compliance issues: for instance, the group acted for the Environmental Services Association on regulations regarding the trans-frontier shipment of waste, and provided assistance to an aerospace manufacturer regarding REACH obligations. Advice on contamination and remediation remains a major focus for the group, as do liability concerns. Highlights in this area include counselling Bank of Ireland on contamination liabilities in connection with a waste PFI project. Senior associate **Joanna Kettleley** is commended for her regulatory expertise.

#### **Barlow Lyde & Gilbert LLP**

**See firm details p. 1195**

This team is best known within the market for its expertise in insurance and reinsurance, and it is within this framework that the environmental practice operates. Such a setup gears the "approachable, informative and value for money" practice towards a predominantly litigious and advisory workload. The team's expertise includes policy wording advice and guidance during coverage disputes; it also offers counsel on the implications of the Environmental Liability Directive. An understanding of regulatory frameworks, such as those outlined in the REACH and WEEE directives, is also on offer to clients, as is environmental support regarding corporate and real estate transactions: for example, the team acted for First Milk on its proposed merger with Milk Link. In contentious matters, the team acts in regulatory and criminal prosecutions; work alongside the insurance sector has led to instructions connected to investments in carbon efficient technology funds. Offering a "wide-ranging view of the law," **Aidan Thomson** is frequently involved in a mixture of contentious and non-contentious environmental matters. His "technical excellence, thoroughness and reasonable commercial approach" are complemented by his "easy to deal with" demeanour.

#### **Dundas & Wilson**

**See firm details p. 1283**

A keen focus on water law continues to define the work of this "resourceful, friendly and comprehensive" practice, which recently acted for South East Water on consents and a public inquiry relating to the construction of a reservoir in East Sussex. The team also won instructions from the Environment Agency to advise on a water transfer scheme in Essex. On the contentious side, the practice offers a strong level of skill on regulatory investigations, including water pollution enforcement actions: Fuelforce recently hired the team to defend against a prosecution under the Water Resources Act, and also in a pollution-related civil action. The team further advised the same client on environmental liabilities and remediation strategies. Waste management issues are another facet of the practice, with highlights including acting for Anglian Water on plans for a waste recycling plant. In transactional matters, the team advised McLaughlin & Harvey on the acquisition of a waste management business; it also advises on EIAs, nature conservation law and consents relating to large infrastructural projects. The "conscientious and accessible" **Mark Brumwell** is "always available" and "really understands how our business works." He acts for both the water industry and water regulators.

#### **K&L Gates**

Sources agree that the recruitment of **Maria Cull** has given the team a real boost: an environment specialist with a long and successful track record, her "top-drawer communication skills" and "excellent sense of judgement" are in great demand. Cull "focuses strongly on completing a deal without trying to score points on legal technicalities," say sources. Many of the team's work highlights are derived from its involvement with environmental due diligence and risk assessment of corporate transactions, and the group's activities are strongly influenced by its international client roster and renowned reputation in the USA. It recently acted on nuclear licensing, liability and asbestos issues





related to the sale of Devonport Management's nuclear submarine and shipbuilding division. The team also receives instructions relating to contaminated land liabilities, renewable energy proposals and REACH obligations. Commended for his "wide-ranging knowledge," partner **Sebastian Charles** recently advised on the acquisition of a European PET business.

#### Lovells LLP

See firm details p. 1385

Lovells' environment lawyers pride themselves on the broad scope of their practice, which encompasses regulatory advice, specialist contentious expertise and support on corporate and property transactions. The team wins praise because of its "proactive, attentive service," which includes "solid intelligence" on new legislative concerns. It advises BAT on the implications of the REACH directive, and is counsel to numerous electronics manufacturers on transfrontier shipments of waste. Advice on the impact of the new Environmental Liability Directive is generating further work, and the practice has been acting on environmental queries relating to the sale of Ford assets in the UK. In disputes, the group is on hand to assist with an array of regulatory investigations and prosecutions. It also counsels on climate change initiatives, emissions trading and carbon efficient energy proposals. **Christopher Norton** (see p.152) is regarded as a "leading guru" in emissions trading, and also advises on environmental risk management. **Magnus Burrough** (see p.493) has a "bright and refreshingly realistic outlook," particularly in relation to litigious proceedings. He also lends his expertise to contaminated land concerns.

#### Norton Rose LLP

See firm details p. 1424

This team "knows the subject inside-out," and as a result "the practice has grown very successfully." The team is seen as particularly strong in the energy arena – especially regarding energy infrastructure projects – as well as in nuclear matters. Its recent highlights have included advising DP World on the planning, environmental and health and safety aspects of the development of a £1.5 billion container port at the former Shell Oil Refinery on the River Thames. Regulatory and contentious work is also a focus: the group acted for Crest Nicholson on a contested special site public inquiry concerning contamination of groundwater by bromate and bromide. Further clients include the Nuclear Decommissioning Authority, the EC and E.ON, and the group also provides transactional support to the firm's corporate, real estate and banking practices. **Caroline May** leads the practice and is popular among clients, who praise her "well-rounded practice and considerable experience on the litigious side of environmental liability."

#### Semple Fraser LLP

See firm details p. 1467

This Glasgow-based firm concentrates on serving the waste and extractive industries, with much of its work in the past year focused on the hazardous waste arena. One major highlight saw Semple Fraser leading the legal team that achieved a Court of Appeal victory for the OSS Group against the Environment Agency and the UK government; a significant legal development, the case changed the law in England and Wales and will impact widely on UK businesses involved in

waste production and management. Further clients include Oran Group, Energy Power Resources and Landmark Property Information Group. EU environment expert **Vincent Brown** (see p.493) heads this team: in addition to leading on the OSS Group matter, he has undertaken a series of assignments in the onshore and offshore oil industry for an oil industry services corporation headquartered in South-East Asia and the USA.

#### SJ Berwin LLP

See firm details p. 1482

Observers dub this a "top-notch outfit" for environment issues related to property and development, in which the group can justly lay claim to "high-quality clients and high-quality work." In addition to the caseload derived from its transactional support to the firm's corporate and real estate practices, the team's standalone practice is growing. It has been busy with environmental litigation and regulatory advisory work on issues such as the WEEE and RoHS Directives, and energy and climate change work is another focus. The team advised one of the bidders for National Grid Properties on the environmental aspects of its bid and advised Duke Street on the environmental and health and safety aspects of various corporate transactions, including the £215 million acquisition of Burton's Foods (Holdings). The "calm and collected" **Angus Evers** leads the group, having joined from Norton Rose following the departure of Sue Davidson. Clients describe him as "a real expert on contaminated land," praising his "clear understanding of where the EU is heading with directives and how this will fit into the national framework."

#### Taylor Wessing LLP

See firm details p. 1500

Industrial environmental regulation, energy litigation and environmental due diligence for corporate, banking and real estate transactions are the key strengths of this growing practice. In addition, it has seen notable growth in green energy, carbon trading and clean tech-related instructions. On the regulatory side, the group acted for South Hook LNG – a joint venture between ExxonMobil, Qatar Petroleum and Total – in connection with a legal challenge to consents obtained for the construction of an LNG facility in the UK. It also acted for Solvent Resource Management in a successful action in the High Court against the Environment Agency, which established that the company's product is no longer viewed as waste in law. Clients such as Castle Cement and Associated British Ports admire the group's responsiveness and "real understanding of how our business works – which saves time." Peers highlight the "significant standalone environment clients" of practice head **Brian Greenwood** (see p.493), while clients value his "exceptional talent at anything to do with the planning world," and his "ability to put the law into context."

#### Travers Smith

See firm details p. 1513

Clients of this growing practice appreciate the lawyers' "willingness to find out and understand what we are looking for," agreeing that "they are prepared to go out of their way to help us." Peers, meanwhile, respect the group's commercial nous and understanding of environmental law. Based within the broader real estate department, the team's particular expertise lies in the area of brownfield development matters,

contaminated sites and risk management. **Steve McNab** leads the group, and is considered to be "working wonders." A "commercial guy who looks after a strong client base," he is also "creative, with good technical skills and an objective viewpoint."

#### Band 5

#### Baker & McKenzie LLP

See firm details p. 1190

While some sources feel that this team has suffered from recent losses, clients continue to hold its "extensive, in-depth knowledge" and exemplary client service in high esteem: "You are treated like the most important person in the world." The team has capitalised on the firm's wider reputation as "very much an international firm" by undertaking a significant amount of multi-jurisdictional work: in one major example, it worked alongside the firm's product and operational risk group to advise Mattel on the management and disposal of hazardous waste, following a multi-jurisdictional product recall of toys made in China. The team also advised Health Tech Corporation on environmental issues arising from the sale of a Russian water-bottling plant to Coca-Cola, and further clients include Sharp UK, Chemtura and Apple. Climate change has also been a key focus in the past year. **Graham Stuart** leads the group.

#### Bircham Dyson Bell

See firm details p. 1210

This group re-enters the tables this year thanks to impressed clients, who describe it as "quite unlike any other law firm – the group engages with what you want to achieve and thinks proactively about how to make things happen. This boils down to really able staff, even below partner level." Peers draw attention to the team's capability in planning and infrastructure, transport and development scheme-related work. Among its key clients is the Environment Agency, for which team members appeared as advocates in a one-week public inquiry into cockle fishing in the Dee Estuary; further successes included advising Thames Water Utilities on planning, environmental and other related consents required for a proposed new reservoir in Oxfordshire. Other clients include Esso, ExxonMobil and DP World (P&O Ports). **Robbie Owen** heads the practice.

#### Hammonds LLP

Spread across the firm's Manchester, Leeds and London offices, this group is active in contentious and transactional environmental matters. Particular specialisms include waste recycling, producer responsibility and nuclear work. In the latter area, key instructions have included advising the US-based lead member of a Tier 1 consortium that has attained preferred bidder status for the Nuclear Decommissioning Authority competitive contract for the Drigg low-level facility. In other highlights, the team acted for Valpak on a wide range of regulatory matters, including trans-European waste shipments; further clients include BOC, E.ON and Rentokil. **Paul Bratt** leads the environment team.

#### Jones Day

See firm details p. 1359

With the London office serving as the European hub of this firm's environmental health and safety prac-





tice, clients appreciate the group's "ability to cover a lot of regions – it can co-ordinate advice in multiple locations simultaneously due to its great communication skills." The team's caseload covers environmental aspects of M&A transactions, nuclear energy product liability and issues pertaining to waste management, minerals, renewable energy supply agreements, REACH regulations and brownfield transactions. Interviewees praise **Chris Papanicolaou** as an expert in transactional and standalone environment matters. His work often has a pan-European flavour and includes advice on issues arising from acquisitions and disposals of property for property developers and investors, as well as acting in connection with the environmental due diligence aspects of corporate M&A matters. Environmental transfer mechanisms are a particular focus.

## LG

See firm details p. 1381

Interviewees commend this small but notable outfit for its "great depth of technical understanding and excellent client service." The past year has seen the team active in matters such as contaminated land brownfield development, asbestos-related issues, corporate transactions and regulatory compliance. The group also advises developers and other clients about legislation and policy relating to the protection and enhancement of the natural environment under UK planning control, nature conservation legislation and EU initiatives. Waste-related matters are also a focus, including waste-to-energy projects. "Sound lawyer" **Colleen Theron** is popular among clients for her robust advice and "assertive challenges, undertaken in the nicest possible way." She is an executive member of

the UK Environmental Law Association, and co-ordinates its working parties.

## Osborne Clarke

See firm details p. 1431

Enthusiastic clients approve of this group's "empathy with business – which is rarer than you'd think," dubbing it a team that "gets things done and goes the extra mile." A broad-based practice with corporate and property support at its heart, the group also has strengths in renewable energy projects, waste, buying, selling and licensing waste sites and issues related to contaminated land and producer responsibility. The team advised 20C on its joint venture with National Grid to generate renewable energy from the operation of the national gas grid. Other significant work was undertaken on behalf of Crystal Rig II, concerning renewable power offtake arrangements for its planned 117 MW wind farm; Imerys Minerals and British Energy are also clients. "Incredibly switched on," **Alan John** uses his "deep and incisive intellect" to "get to the crux of issues quickly," say clients, who further commend his good connections and "excellent grasp of the realities of the legislative environment." Specialising in waste management, renewables and contaminated land transactions and projects, he also leads the team.

## Stephenson Harwood

See firm details p. 1491

Clients offer enthusiastic praise for this "cohesive team," noting its "considerable experience in the waste recycling sector" and ability to "understand highly complex environmental legal issues and frame commercial advice very swiftly." Further praise was offered to the team's intellectual skills, particularly the lawyers' abil-

ity to "look at problems laterally." The group's recent caseload has ranged from contaminated land, waste management and integrated PPC to policy work on civil penalties and climate change-related matters, and the team offers experience in the energy, aviation, shipping and rail transport sectors. The group acted for SeaDragon Offshore on its agreement with Tees Alliance Group to construct one of the world's largest offshore semi-submersible rigs, a project worth USD320 million. In other work, Irish law firm A&L Goodbody instructed the group to complete an international comparative legal review of the use and effectiveness of different types of environmental sanctions for the Irish Environmental Protection Agency. Energy partner **Marc Hammerson** is the main contact here; he is assisted by well-regarded associates **Anita Kaseean** and **James Bradley**.

## Other Notable Practitioners

Stevens & Bolton LLP's **Valerie Fogleman** (see p.493) "really knows her stuff in terms of environmental insurance and risk management." A waste expert regarded as the "father of environmental law," sole practitioner **Andrew John Bryce** is a well-known industry figure. His practice includes regulatory and criminal defence and due diligence work, and he has been active in the waste and environmental sectors. Clients extol the courtroom skills of Beachcroft LLP's **Anne Harrison**: "She's firm without being aggressive, and she's not flashy." At Wragge & Co LLP, **Lee McBride** is praised for his work on the environmental and property aspects of transactions.

## BEST OF THE UK

## CLAIMANT

### Environment: Claimant

#### Best of the UK

#### Leading Firms

##### Band 1

Hugh James

Leigh Day & Co

Richard Buxton

##### Band 2

Irwin Mitchell

Public Interest Lawyers

### Leading Individuals

#### Band 1

Buxton Richard *Richard Buxton*

Day Martyn *Leigh Day & Co*

Michaels Philip *Friends of the Earth Rights and Justice Centre*

#### Band 2

Humber Sean *Leigh Day & Co*

Lockley Andrew *Irwin Mitchell*

Stein Richard *Leigh Day & Co*

Stockdale Neil *Hugh James*

Stookes Paul *Richard Buxton*

Alphabetical order within each band. Band 1 is the highest.

## Band 1

### Hugh James

See firm details p. 1347

This firm is renowned for its outstanding work on environmental nuisance claims and impresses clients with its skills in identifying the crucial elements of a case. In addition to being one of a very small band of law firms willing to take on the biggest cases in contentious claims, the team also wins praise for successfully mediating disputes thanks to its clear communication skills. The fast-expanding practice has lately been at the forefront of dealing with cases concerning landfill and waste sites, and it continues to act for a 1,300-strong group of residents in claims against the Mogden Sewage Treatment Works. The team is also dealing with a human rights dispute over the awarding of damages to those living in properties affected by nuisance from Mogden. In other highlight work, the team has advised on a landfill-related nuisance claim on behalf of a group of Hertfordshire residents and on aircraft noise claims against Manchester airport. A key figure in this busy team is lead partner **Neil Stockdale** (see p.496), "a powerful and extremely knowledgeable advocate who inspires real confidence in his clients," according to sources.

## Leigh Day & Co

See firm details p. 1375

A well-reputed leader when it comes to large environmental group actions and personal injury claims, Leigh Day is also receiving its fair share of public law work in the sector. Such activity has included representing non-governmental organisations and charities in judicial review proceedings, where the team has lately been focusing on issues relating to the smoking ban. The lawyers also successfully challenged the Department of Health in its failure to release information and consult on proposed changes to advice on killing E. coli in food. However, it is the group's reputation as a heavyweight claimant's outfit that has led to its involvement in an assortment of high-profile international matters. During the past year, the lawyers have acted for thousands of individuals based in Côte d'Ivoire claiming to have been injured by toxic waste discharged by a British-owned vessel. **Martyn Day** (see p.493) is widely considered "a legend in his own right" and peers place him on the highest pedestal for his work on toxic tort and environment-linked cases. He is currently acting for three businesses affected by an explosion at the Buncefield Oil Depot. Meanwhile, **Sean Humber** (see p.16) plays a vital role in the firm's overall offering and sits on the Law Society's Planning and Environment Committee. Highly experienced claimant lawyer **Richard Stein** (see p.17) "is immensely good at his job," commenta-





tors enthuse. He is best known for his public law expertise and clients value his ability to get to the heart of any matter promptly and efficiently.

#### Richard Buxton

See firm details p. 1453

Particularly well known for bringing judicial reviews and challenges to decisions affecting the environment, this niche practice is renowned throughout the country as "the team of choice for claimant organisations and pressure groups." Celebrated name partner **Richard Buxton** leads a very active team in bringing to court all manner of cases ranging from odour and nuisance cases to wind farm applications, phone masts and habitat conservation issues. During the past twelve months, the group has been involved in disputes over the proposed construction of an LNG terminal at Milford Haven, and appeared at the forefront of a challenge over plans to build a Post Office depot on West Thurrock Marshes. Applauded for its impressive results in the sector, the group attracts a generous supply of referral work and regards size and complexity as no barriers to taking on a case. In his leadership role, the "absolutely brilliant Buxton has carved out a really top-drawer practice" where he demonstrates the skill and expertise necessary for pursuing cases to the highest level. **Paul Stookes** is also recognised by peers as an "effectual advocate with an increasing reputation" in promoting environmental concerns.

#### Band 2

##### Irwin Mitchell

See firm details p. 1353

This countrywide team is distinguished by its real breadth of abilities that allows claimants to bring cases in a variety of contexts. At the heart of the practice lies a public law team that has developed a real flair for challenging decisions with environmental implications, especially in those cases with a significant planning bent. Widely commended for its work in such matters, the group recently advised residents appealing against compulsory purchase orders (CPO) on Olympic and Legacy land in East London, and brought a successful challenge against a £55 million development in Redcar on the grounds of bias in granting planning permission. The claimant team also caters for clients with environment-related personal injury and civil claims, as in the case of the Radulf Gardens residents' group, which brought actions against a local authority and a developer over flooding of its estate's grounds. Sheffield-based **Andrew Lockley** heads the public law team and is praised as "a personable, easy to deal with lawyer" who has a thorough understanding of the planning process.

##### Public Interest Lawyers

As the group's track record on the environment front demonstrates, this "determined and widely respected team of lawyers" has the ability to deal with major issues affecting the sector and offers particular strength in bringing judicial reviews and other public

law challenges against local authorities, particularly in relation to planning decisions. While market observers note the team's recent shift of focus towards dealing with Iraqi human rights cases, the lawyers remain active in the sector advising on challenges to CPOs and greenfield planning proposals, and assisting residents' groups with actions against projects that are likely to introduce contaminants into the local area. In addition to being at the coalface in bringing greater public access over challenges to planning proposals, the group has also been influential in representing organisations seeking to shape environmental legislation. **Philip Shiner** leads the team and is known for his work across a wide range of environment, public and human rights cases both in the UK and abroad.

##### Other Notable Practitioners

**Philip Michaels** of the Friends of the Earth Rights and Justice Centre is celebrated for "his superb communication skills and willingness to pursue unique or unprecedented points of law." The majority of his cases involve public law challenges to decisions affecting a variety of environmental concerns, and he and his team recently acted on cases relating to the granting of pollution prevention and control permits and against planning permission for an incinerator at Newhaven. Other highlights for Michaels' team include representing a group of allotment holders bringing a judicial review against the London Development Agency over an Olympics-related planning dispute.

## THE SOUTH

### Environment

#### The South

#### Leading Firms

##### Band 1

Blake Laphorn

Stevens & Bolton LLP

##### Band 2

Clarkslegal LLP

DMH Stallard

Manches LLP

##### Band 3

B P Collins

Brachers

Alphabetical order within each band. Band 1 is the highest.

#### Band 1

##### Blake Laphorn

See firm details p. 1213

This multifaceted environment practice has grown in stature since the hiring of heavyweight practitioner and contaminated land expert **Andrew Wiseman**. According to observers, the team has concentrated its resources in the sector, consolidating its regulatory work on issues such as waste, pollution and nuisance and adding a host of companies involved in the emerging carbon reduction sector to its client list. Clients "rely on the hard-working group to deliver within challenging timescales" and the firm's corporate and real estate departments also look to the environment lawyers for support on related matters, includ-

ing the representation of financial institutions on loans to a nuclear waste processor and plastics recycling plant. The group also handles contentious matters and commentators highlight its strength both in civil disputes and in defending prosecutions brought by regulators. Significant work of late has included representing a house builder, a marina and a food manufacturer in defending prosecutions, and the team continues to act for the Southern Sea Fisheries Committee and the RSPCA in bringing actions against defendants. A convener of the UK Environmental Law Association's Contaminated Land Working Party, **Wiseman** leads the team and brings to the table "his encyclopaedic knowledge and understanding" of Part 2A proceedings concerning liabilities and the remediation of contaminated land, and the subsequent instructions he receives from local authorities across the country. Clients prize his excellent grasp of the technical issues and "great presentation skills: he explains extremely complex legislation in a way that can be easily understood." **Wiseman** is joined by long-standing partner **John Mitchell**, whose fine advocacy skills are regularly employed by clients to handle waste packaging, water pollution, noise and environmental health issues.

##### Stevens & Bolton LLP

See firm details p. 1493

This well-reputed, "consistently reliable environmental practice" handles an array of concerns, from waste management regulations and waste electrical and electronic equipment (WEEE) restrictions through to

contaminated land, flooding, nuisance and environmental insurance liabilities. Lawyers also provide timely support to clients of the firm's property and corporate teams, where their advice includes counselling developers on acquiring and building on land affected by contaminants, asbestos regulations and land drainage issues. During the past year, this work has included acting for a railway company in purchasing a railway cutting that was turned into a landfill site, with the client seeking to return the property to operational track. On the contentious front, the firm defends clients against regulatory prosecutions and has expanded its services to deal with green issues through its work in the waste-to-energy and carbon reduction fields. Head of team **Catherine Davey** (see p.493) "is a sophisticated environmental expert" and the editor of the UK Environmental Law Association's online journal E-law. She offers specialist counsel of a range on traditional environmental law concerns including nuisance, contaminated land and waste licensing. The firm continues to benefit from the addition of **Valerie Fogleman** (see p.493) to the team. "A hard-working and reliable lawyer," she is widely recognised for her niche understanding of environmental insurance and liabilities and vast experience in the sector.

