



British Land  
Reclamation  
Society

# The Corby Reclamation Litigation Case

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

**3rd December 2009**  
**Malmaison Hotel**  
**Manchester**





**British Land  
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*Promoting Sustainable Land Use*

**AGENDA**

- 08.30 - 09.00 Registration, coffee and pastries
- 09.00 - 09.05 **INTRODUCTION**
- Chair, Craig Sillars, British Land Reclamation Society
- 09.05 - 09.45 **LEGAL ISSUES FROM THE CORBY LITIGATION**
- Legal principles
  - Issues of proof and causation
  - Group actions
  - Implications for future litigation
- Stephen Tromans QC**, Thirty Nine Essex Street Chambers
- 09.45 - 10.05 **TACTICS TO MINIMISE LEGAL EXPOSURE**
- Lessons from Corby
  - Liabilities in brownfield development
  - Issues appointing consultants
  - Technical, legal and insurance solutions
- Keith Davidson**, Environment Partner, Pannone
- 10.05 - 10.25 Q&A
- 10.25 - 10.45 Coffee
- 10.45 - 11.05 **"THE CORBY COUNCIL CASE – ARE CONSULTANTS BOVVERED?"**
- Has the judgement set remediation standards "very high"
  - Were those standards achievable in 1990s
  - What are the barriers to achieving them now
  - Recipe for successful brownfield remediation
  - And avoidance of "Corby" liabilities?
- Hugh Mallett, Buro Happold**
- 11.05 - 11.25 **CORBY – HOW TO AVOID IT!**
- Insurance - past and current practice
  - Inappropriate insurances
  - Time for change
  - Project Examples
- Mathew Hussey, Tysers**
- 11.25 - 11.45 Q& A
- 11.45 Close and Networking



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## **SPEAKER PROFILES**

### **Stephen Tromans QC**

Stephen specialises in environmental, planning law, and related fields of public, commercial, local government, EC, human rights and international law. Prior to practising at the Bar, he was a solicitor, heading the Environmental Law Department at Simmons & Simmons from 1990-99. He has written a number of books on environmental law subjects and has appeared in many of the recent leading cases on environmental law. His books include: "Contaminated Land" (2nd edition, 2008) and "Nuclear Law" (1997, 2nd edition in preparation). Recent cases include: Transco (contaminated land, House of Lords, 2007), OSS (waste, Court of Appeal, 2007) and Edwards (pollution control and environmental assessment, House of Lords, 2008).

### **Keith Davidson**

Keith is a Partner and Head of the Environment Team at Pannone. He has particular expertise providing environmental support in corporate and property transactions and has been involved in land mark contaminated land proceedings, environmental insurance cases and regeneration projects. Keith is a regular speaker nationally on contaminated land and climate change issues and for several years has been recognised by independent directories as a leader in his field. In April 2009 Keith was selected as an Environment Commissioner for Greater Manchester.

### **Hugh Mallett**

Hugh Mallett, an engineering geologist with over 30 years experience, joined Buro Happold in 2006 to lead the ground engineering 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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**THE CORBY LITIGATION RECLAMATION CASE**

**Venue**

Malmaison Hotel, Manchester. Please go to [www.malmaison-manchester.com](http://www.malmaison-manchester.com) for location and directions. Less than 5 minutes walk from Manchester Piccadilly Train Station.

To register please complete and return the form below.

**Registration Form**

I would like to register for the BLRS Conference on the 3<sup>rd</sup> December and enclose a cheque for £10 (Members) and £30 (Non-members). Please make cheque payable to BLRS or indicate if you would prefer to be invoiced.

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