- o cornerstone
- barristers



called: 1996 clerk: Jason Savage

Wayne Beglan undertakes most forms of local government work and also has a wide private client base. He has particular expertise in judicial review, housing, planning, regeneration, landlord and tenant, employment, procurement and contractual work for local authorities, RPs, developers and corporations. He has appeared in various tribunals; and has extensive experience in the high court and significant experience in the appellate courts (see <u>Cases</u>).

He recently appeared in the Supreme Court with James Findlay Q.C. in *Welwyn HC v. SoSCLG & Beesley* [2011] UKSC 15, [2011] 2 WLR 905 which established that a local planning authority can, in appropriate circumstances, enforce out of time against individuals who deceive a local planning authority in the course of acquiring immunity from planning control. He is currently instructed in a Supreme Court case involving a challenge to a local planning authority's grant of planning permission for development affecting the setting of Hampton Court Palace.

He is recognized as a leading junior in administrative law, local government, and housing; and appears in both **Chambers & Partners** and the **Legal 500**. They describe him in the following terms; "Widely thought of as an exceptionally bright individual" (2009 – C&P) and a "tough man to be confronted with in court as he will scrap like mad for his clients". "If you need someone to go in there [and] fight your corner, Beglan is your man."

He is noted for his mountainous caseload (2011 – C&P) and his "efficiency, thoroughness and absolute unflappability." (2010 – C&P) . He was similarly described as "diligent and thorough" as well as having an

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ability to develop and run "very original lines of argument" in the Legal 500 (2008, 2010 - L500).

He "never shies away from a challenge" (2011 – C&P) and "presents cases in a way that makes you think there can be no alternative to it" (2007 – C&P). "Always dedicated to the cause, Wayne Beglan "goes out of his way to assist his clients in any way he can." (2008 – C&P) with an "encyclopedic knowledge of all things housing" he remains a "versatile, multidisciplined lawyer" (2007 – C&P).

Planning

Examples of recent advisory / inquiry / high court work include:

- Advice and inquiry relating to a proposed development of 350 dwellings in the South West
- Inquiry in relation to a c. 100 unit scheme for a Surrey LPA
- Judicial review relating to the correct approach for defining the extent of neighbourhood areas
- Judicial review relating to redevelopment affecting the setting of a World Heritage Site
- Inquiry relating to an new urban edge for Harlow, 1,200 dwellings Harlowbury
- Inquiry in relation to an 80 dwelling site forming part of a proposed strategic allocation west of Stafford
- Securing an injunction in relation to an Occupy London site (Hackney LBC v. Persons Unknown 27 June 2012)
- Roads CPO inquiry into the Cogges Link Road appearance on behalf of a statutory objector successfully resisting the making of the CPO. Acting in a linked judicial review.
- R (Davies) v. Stafford BC [2012] EWHC 971 (Admin) successfully resisting challenge to grant of planning permission
- Appearing in Garner v. Elmbridge BC and Ors (redevelopment of Hampton Court Palace) Supreme Court – successfully resisting the appeal to the S Ct at the permission stage
- Inquiry relating to an application for 450 student dwellings College Road, Welwyn successfully resisting the appeal
- Hearing into an 80 unit scheme in Elmbridge successfully resisting the appeal
- Advising a Sussex authority in relation to an urban edge of c. 1,000 dwellings
- Welwyn Hatfield Council v. Beesley [2011] 2 AC 304. Appearing in the High Court, Court of Appeal
 and Supreme Court (Feb 2011) in the case of Welwyn Hatfield Council v. SoSETR & Beesley –
 successful appeal in the S Ct
- Wooldridge v. Torridge DC [2011] EWHC 1238 (QB) consideration of whether tortious duties arise in relation to a failure to comply with orders made under the TCPA 1990
- Securing a borough wide injunction in relation to the use of London open park land by a traveller family
- Inquiry relating to an application for 30 permanent gypsy pitches
- · Various other inquiries relating to gypsy provision and injunctive relief against gypsy sites
- Advising a London authority in relation to a series of regeneration projects
- General and wide ranging advice for a city centre redevelopment for a city council
- Inquiry involving application of the "groundbreaking" test in PPS7 "Tectonic House" successfully resisting the appeal
- General advice and EIA appraisal of 400 unit development for a city council
- Inquiry involving an application for 100 dwellings near a tank farm inquiry successfully resisting the appeal

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Cases Wooldridge v Torridge DC [2011] EWHC 1238 (QB) Welwyn Hatfield Council v. SoSCLG & Beesley [2011] UKSC 15 Supreme Court determine that deceit prevents acquisition of lawful use rights. Also concerned new buildings and changes of use. Click here for further commentary in our News section See full text of case at: http://www.supremecourt.gov.uk/docs/UKSC_2010_0036_JudgmentV2.pdf Welwyn Hatfield Council v. SoSCLG & Beesley [2010] EWCA Civ 26; [2010] PTSR 1296; Times, Feb 9, 2010 See full text of case at: http://www.bailii.org/ew/cases/EWCA/Civ/2010/26.html Welwyn Hatfield Council v SoS for Communities & Local Government & Anor [2009] EWHC 966 (Admin) Claim brought under s 288 of the Town and Country Planning Act challenging a decision of an inspector to grant a lawful development certificate in respect of the use of a building which had been constructed for the purpose of use as a barn but which, in fact, had been used as a dwelling house. The case turned upon the true construction of the relevant provisions of s 171B of the Town and Country Planning Act 1990. See full text of case at: http://www.bailii.org/ew/cases/EWHC/Admin/2009/966.html Lambeth v SoSCLG & Another [2007] All ER (D) 466 (Nov); [2008] JPL 1004 High court planning challenge to inspector's reasoning and approach to imposition of conditions. The case related to a planning authority's ability to impose conditions to control use of premises in cases of residential conversion. The judgment resolved conflicting inspector's decision letters which the authority had received

on that point (in their favour).

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Tectonic House public inquiry (2007); (2008) s.288 challenge

Inquiry over three days in relation to the application of new government guidance in PPS7 to the creation of outstanding new homes in the countryside / green belt. The inquiry had to look at technical details of several new technologies with experts from various disciplines including architecture, historical architecture, engineering, landscaping and planning. Welwyn Hatfield Borough Council successfully defended its decision to refuse planning permission. A further appeal has been issued and will shortly be heard in the high court (Wayne is retained).

Publications

Jowitt's Dictionary of English Law

Contributing editor to Jowitt's Dictionary of English Law (3rd edition, 2010)

Associations

- A founding member of the Social Housing Law Association (SHLA)
- Planning and Environmental Bar Association (PEBA)
- Employment Law Bar Association (ELBA)
- Bar European Group (BEG)