



## Annabel Graham Paul

Year of call: 2008 (Middle Temple)



### PRACTICE PROFILE:

#### Public Law:

Annabel's general public law practice spans a number of fields. She has successfully appeared in the Administrative Court and is regularly instructed to draft applications for permission to proceed to judicial review.

Administrative Court cases in 2010 include:

- *Agarwal v. Health Professions Council* (professional discipline and appropriate sanctions: HPC conceded to decision being quashed on the day of the hearing)
- *R (Budd) v. The Office of the Independent Adjudicator for Higher Education* [2010] EWHC 1056 (Admin) (test case on the scope of the OIA's powers and duties)
- *R (Dullingham Parish Council) v. East Cambridgeshire District Council* [2010] EWHC 1307 (Admin) (procedural irregularity in a planning decision, Protective Costs Order).

#### Planning and Environment:

Annabel has represented developers, local authorities and third parties at a number of planning inquiries, some of substantial length and national significance.

Recent highlights have included:

- Linton Wind Farm: appearing alone for a rule 6 party in a 6-week wind farm inquiry in Cambridgeshire (currently adjourned in part).
- Brighton Marina Regeneration Project (with Keith Lindblom QC): appeared for the developer (Explore Living of Laing O'Rourke) of a comprehensive mixed-use development of some 1,300 apartments designed by Allies & Morrison. Issues included tall buildings, visual impact on the South Downs AONB / proposed national park and Kemp Town Conservation Area which includes the nation's largest group of Grade I listed buildings, design and layout, affordable housing provision, adequacy of s 106 contributions.
- Crystal Palace Park Masterplan (with Robert McCracken QC): represented the principal objector in a 6-week call-in into the London Development Agency's 'Masterplan' for regeneration of this Grade II\* Registered Park. Issues included design, landscape, ecology, funding and deliverability, and challenges to the Environmental Impact Assessment, and to compliance with the Habitats Directive.

Many of her cases involve points of environmental and European law, especially Environmental Impact Assessment, but also waste, water and contaminated land.

Annabel has a particular interest and specialist knowledge of planning enforcement and lawfulness. She has acted in enforcement appeal inquiries and criminal proceedings in the Magistrates' and Crown Courts. Her article on 'The 10 Year Rule and Breaches of Condition' was published in January 2010's edition of the Journal of Planning Law.

#### Local Government:

Annabel is currently seconded part-time to the London Borough of Haringey's Civil & Criminal Litigation Team. She is responsible for the conduct of housing and landlord & tenant litigation, contractual disputes, and a wide variety of regulatory prosecutions. She has gained significant experience of strategy, case management, negotiation and client relationships, as well as acting as an advisor and advocate.

A regular advocate in criminal courts country-wide in local authority regulatory prosecutions, Annabel acts for both prosecution and defence, including in cases

concerning benefit fraud, advertising control, planning enforcement, licensing, and the application of RIPA 2000 and POCA 2002. She also has experience of council tax and non-domestic rating, footpaths and highways, and the law of town and village greens (and has appeared in a three-day TVG inquiry).

Annabel has written on local authorities' powers and duties in relation to parking (paper for RAC foundation) and the operation of the proposed Community Infrastructure Levy (article for the Journal of Planning Law, with Gregory Jones). She regularly contributes to FTB's Local Government Update - to subscribe, contact [jo.chadwick@ftb.eu.com](mailto:jo.chadwick@ftb.eu.com).

#### Education:

A significant part of Annabel's practice centres on education law. Recent high profile work includes assisting Nicholas Green QC of Brick Court Chambers and Gregory Jones of FTB in drafting a contract claim against a Higher Education Institution for damages and an injunction for withholding a student's degree on the basis of an unrelated accommodation debt (significant out of court settlement), and judicial review of the OIA.

#### Other Areas:

Annabel has conducted cases in many fields outside these core areas, including real property, insolvency and bankruptcy, employment law, social security law, and motoring offences. She is always keen to expand her practice base, and is happy to discuss any case informally with professional clients before formal instructions are received.

#### PUBLICATIONS:

- Graham Paul A., 'The 10-Year Rule and Breaches of Condition', [2010] J.P.L. 157-167
- Jones G. & Graham Paul A., 'The Community Infrastructure Levy: How it will Operate in Practice', [2009] J.P.L. 1267-1282
- Paper on 'Vehicle Immobilisation' for RAC Foundation, which received widespread attention in the national press
- Paper on 'Local Authorities' Powers and Duties to Regulate Parking' for RAC Foundation (forthcoming)
- Contributing author, Phillips J. & Norris J., 'The Law of Regulatory Enforcement & Sanctions' (OUP, forthcoming)

#### BACKGROUND:

Annabel read Music at Jesus College, Oxford, graduating with a First (2004). She worked for a classical music ensemble before converting to law. She was graded 'Outstanding' on the Bar Vocational Course (BPP London, 5<sup>th</sup> in year) and received the Queen Mother's Scholarship from Middle Temple and Certificate of Honour for her performance on the BVC. She was called to the Bar in July 2008, and joined FTB as a tenant in October 2009 following the successful completion of her pupillage there.