

Landmark Chambers

Barrister CV

Georgina Fenton



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Georgina Fenton

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Georgie's practice focuses on public, planning and environmental law. Her public law work includes matters concerning human rights, education, community care, court of protection and immigration.



Expertise

Public and Administrative, Planning, Environment

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Practice Summary

Georgie's practice focuses on public, planning and environmental law. Her public law work includes matters concerning human rights, education, community care, court of protection and immigration. Georgie has extensive experience appearing in SEND hearings and is developing a strong practice in Claimant immigration and asylum matters.

Her notable work includes:

- Junior Counsel alongside Miranda Butler and Hannah Gibbs to Fiona Scolding KC instructed by Leigh Day representing 300 core participants in the Infected Blood Inquiry into the contaminated blood scandal of the 1970s and 1980s. Georgie drafted a substantial section of the final submissions on behalf of the Leigh Day core participants.
- Acting as sole counsel for the AIRE Centre to successfully win an appeal in the Social Entitlement Chamber of the First-tier Tribunal against a decision taken by the SSWP to refuse a Slovakian national and victim of modern slavery universal credit on the grounds that he did not have a qualifying right to reside.
- Representing a local authority in Court of Protection proceedings regarding the ongoing care arrangements for a service user

- Acting as sole counsel in a number of planning inquiry appeals on grounds A, C, D and F concerning applications for CLEU and enforcement notices.
- Representing both Claimants and local authorities in a number of Special Educational Needs and Disability hearings in the First-tier Tribunal regarding sections B, F and I of a child's Education Healthcare Plan.
- Drafting judicial review grounds for the Environmental Law Foundation to challenge the revocation of an Environmental Traffic Regulation Order. The grounds were later successful in the High Court (***R. (Keyhole Bridge User Safety Group) v Bournemouth, Christchurch and Poole Council*** [2021] EWHC 3082 (Admin)).

Georgie regularly contributes to Landmark's Health and Social Care blog and has had an article published in Judicial Review concerning ***Fratila and another v SSWP*** [2021] UKSC 53. Georgie has also delivered training to the Joint Council for the Welfare of Immigrants on Asylum Law and Practice.

Prior to starting pupillage, Georgie was a judicial assistant in the Court of Appeal to Lord Justice Lindblom and assisted on a variety of planning cases. Most notably, Georgie assisted with the writing of the judgment for the Heathrow Airport expansion case, which was the first significant ruling in the world on the Paris Climate Agreement (***R. (on the application of Plan B Earth) v Secretary of State for Transport*** [2020] EWCA Civ 214).

Prior to and during her legal studies, Georgie volunteered with Communities Empowerment Network, Reprieve and Citizens Advice.

In her spare time, Georgie plays netball and volunteers with Refugee Community Kitchen and West London Welcome.

Public and Administrative

Georgie is developing a broad public law practice.

Georgie has been recently instructed as Junior Counsel alongside Miranda Butler and Hannah Gibbs to Fiona Scolding KC (instructed by Leigh Day) representing 300 core participants in the Infected Blood Inquiry. Georgie was responsible for drafting the chapter of the final submissions on the impact of the contaminated blood scandal on core participants. She has particular interest in medical, healthcare and social care law having also:

- Acted as Junior Counsel to David Lock KC in a successful judicial review claim against the Health and Care Professions Council's social media guidance concerning Articles 8 and 10 of the Human Rights Act 1998.
- Represented a local authority in Court of Protection proceedings lasting six months regarding the ongoing care arrangements for a service user
- Determined an appeal against the outcome of a complaint made against the British Medical Association.

Georgie also has experience in education law having acted in a number of SEND Tribunal hearings concerning all sections of Education Healthcare Plans. She has also:

- Advised a local authority regarding a disability discrimination claim relating to the provision of therapy under an Education Healthcare Plan
- Drafted grounds of appeal against a decision of the First-tier Tribunal to name a school in section I of a child's Education Healthcare Plan
- Successfully defended a school in a renewal hearing in the High Court relating to the school's conduct during safeguarding procedures initiated under section 47 Children Act 1989.

Georgie is committed to promoting access to justice through acting pro bono, particularly in the areas of immigration, asylum and social security. She has acted pro bono for the AIRE Centre to successfully win an appeal in the Social Entitlement Chamber of the First-tier Tribunal against a decision taken by the SSWP to refuse a Slovakian national and victim of modern slavery universal credit on the grounds that he did not have a qualifying right to reside. She has also represented immigration detainees in bail hearings for Bail for Immigration Detainees.

Georgie has also provided advice and representation to the Disclosure and Barring Service relating to decisions taken to place individuals on the Adult and Child Barring List.

While a pupil, Georgie gained experience in a wide range of public law matters, including:

- Drafting advice on the interpretation of the EU-UK Withdrawal Agreement, legislative changes in naturalisation laws, the implications of the UK Government's COVID-19 Travel Regulations and the legal obligations on GPs as data controllers.
- Observing open proceedings in the Shamima Begum litigation, regarding deprivation of nationality on national security grounds.
- Assisting with the preparation of hearings, including the Supreme Court case challenging the two-child limit to child tax credit (*R. (on the application of SC, CB and 8 children) v Secretary of State for Work and Pensions and others* [2021] UKSC 26).
- Assisting with the preparation of witnesses in the Residential Schools and Effective Leadership hearings of the Independent Inquiry into Child Sexual Abuse.

Prior to starting pupillage, Georgie gained experience in education law by volunteering with Communities Empowerment Network challenging school exclusions of children with Special Educational Needs and Disabilities.

Planning

Georgie is developing a varied practice across all areas of planning law. She has provided advice to developers, local authorities, and local residents on a number of varied planning issues including:

- Conversion from a Class 3 dwellinghouse to Class C4 House in Multiple Occupation under Schedule 1 Town and Country Planning (Use Classes) Order 1987.
- Time limits for enforcement under section 171B Town and Country Planning Act 1990

- Soundness and deliverability of proposed Local Plans policies
- Interpretation of affordable housing policies in a London Borough's Local Plan and the London Plan
- The prospects of an appeal against a planning inspectorate decision relating to viability and affordable housing issues.

Georgie developed her experience in planning law before pupillage as a judicial assistant in the Court of Appeal to Lord Justice Lindblom. During her time as a judicial assistant Georgie worked on a variety of planning cases, including:

- ***R. (on the application of Plan B Earth) v Secretary of State for Transport*** [2020] EWCA Civ 214) regarding the expansion of Heathrow Airport.
- ***R. (on the application of William Corbett) Respondent v Cornwall Council*** [2020] EWCA Civ 508) which considered whether conflict with a single policy in a local plan renders planning permission incompatible with the local plan as a whole.
- ***Alison Hook v Secretary of State for Housing, Communities and Local Government and Surrey Heath Borough Council*** [2020] EWCA Civ 486 which considered whether an agricultural occupancy condition attached to an application for planning permission was sufficient to ensure a dwelling was not “inappropriate development” in the Green Belt.

Environment

Georgie is developing a varied practice across all areas of environmental law. Her recent work includes:

- Acting as sole counsel in a number of planning inquiry appeals on grounds A, C, D and F concerning applications for CLEU and enforcement notices
- Drafting judicial review grounds for the Environmental Law Foundation to challenge the revocation of an Environmental Traffic Regulation Order. The grounds were later successful in the High Court (***R. (Keyhole Bridge User Safety Group) v Bournemouth, Christchurch and Poole Council*** [2021] EWHC 3082 (Admin)).
- Drafting a Statement of Case for a section 78 planning appeal regarding a quarry in an Area of Outstanding Natural Beauty.
- Research and advisory work for the RSPB.

Qualifications

- The University of Law – Bar Professional Training Course (Very Competent)
- University of Law – Graduate Diploma in Law (Distinction)
- University of Durham (Collingwood College) – BA in English Literature (First)

Cases and inquiries