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Year of call 1984



## Main Areas of Practice

Commercial Law

Environmental Law

Competition Law

EU Law

Human Rights Law

International Law and

International Arbitration

Maurice Sheridan has been involved in the operation and application of environmental law and policy since 1987, including European Community environmental law and policy.

After completing a stage training programme with the European Commission in 1985 and his LLM in International Law in 1986, Maurice spent two and a half years as Assistant to the President of the Italian Constitutional Court, and two years also as Assistant to the Italian Minister for Coordination of European Policies.

From 1990 to 1997 Maurice was extensively involved in particular in issues affecting countries of Central and Eastern Europe and the former Soviet Union concerned with preparing their legislation and legal system for the requirements of European Community law. This work was conducted mainly through the subject areas increasingly of and affected by environmental law and policy.

His domestic law practice since 1990 has involved and continues to involve extensive environmental law work for predominantly commercial companies, including privatised utilities, and occasionally international and domestic non-governmental organisations. This has commonly involved applying EC law, including policy and experience in European Policy.

His wide domestic court work and advisory work ranges from issues of land-use planning, water legislation, wastewater treatment and regulation, waste management and licensing/permitting issues, IPPC permitting process, protection of human health, and liability for environmental pollution under common law, as well as under statute. He has acted on behalf of corporate clients in domestic nuisance actions, in particular class actions brought under the CPR rules for group litigation. In the last of these he also acted on behalf of the corporate defendant in mediations which in each case led to final global settlement.

He acts on a regular basis for a number of key companies operating in the environmental sector or with impact on the environment in the UK, advising and acting on their behalf before national regulators, local authorities and courts and tribunals.

In addition to his assistance to a broad range of banking and corporate clients, Maurice regularly advises on the law of the European Union. Maurice advises on public and private international law, the responsibilities of public authorities under EU and international law, and remedies under EU law.

### EU & Commercial Law

In addition to his assistance to a broad range of banking and corporate clients, Maurice regularly advises on the law of the European Union. Maurice advises on public and private international law, increasingly involving litigation arising from international sale of goods, the responsibilities of public authorities under EU and international law, and remedies under EU law.

### Environmental Law

Over the past five years, Maurice's environmental practice has expanded to include advice on areas such as civil and criminal liability for environmental pollution, particularly at the suit of environmental regulatory authorities and appellate work against activities or failures to act of regulatory bodies. This area of work has inevitably led to wider advice applying EU law and policy to domestic administrative, civil and criminal law.

### International Advisory

Maurice has advised the Governments of a number of Central and Eastern European countries on implementation and enforcement of the Acquis Communautaire. This work is directed at preparation of these countries for full membership of the EU from policy, legal and legislative points of view, and involves working in civil law systems alongside Government authorities, NGO's and the European institutions.

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Notable Cases and Advisory Work

**Uniplex (UK) Ltd v NHS Business Services Authority (C 406/08)**  
Case involved challenge to date when time starts to run for bringing public procurement proceedings challenges; the legality of the UK obligation for proceedings to be brought “promptly”; and the manner in which any provision for extending time should apply; the ECJ holding that time starts to run from date when applicant knew or ought to have known of the breach; that “promptly” requirement was in breach of EU principles of legal certainty and effectiveness; and any extensions of time must be exercised so as to provide, in UK, 3 months for bringing the challenge from date applicant knew or ought to have known of the breach. The case has potentially wide ramifications for public procurement review challenges. Whether it will affect in the same way challenges to set aside an award of contract outside of the new Remedies Directive cases is yet to be seen. The legal principles involved may affect timing issues for all EU-rights based judicial reviews in England and Wales, the wording in the public procurement provisions being based on CPR Pt 54.5 judicial review time requirements for bringing proceedings.

**Barratt Homes Ltd v DWR Cymru Cyfyngedig (Welsh Water)** [2009] UKSC 13 The right to discharge into a public sewer pursuant to s 106 was an absolute right that could not be prevented on the ground that the additional discharge would create a nuisance.

**R (Horvath) v SSEFRA QBD** [2006] EWHC 1833 (Admin)  
Appeared for the claimant in this judicial review of paragraphs 26 to 28 of the Schedule to the Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) (England) Regulations 2004 (“the England Regulations”). The ECJ would be asked to rule on whether these provisions were valid and non-discriminatory.

**Jersey Produce Marketing Organisation Ltd v States of Jersey and anor** (Case C-293/02) Acted in conjunction with Jersey

Advocates for Jersey Royal Potato growers and marketing organisations leading a challenge to the legality of Jersey Potato marketing legislation.

**R v Yorkshire Water Services Ltd** Concerned sentencing and whether the level of fine for supplying water unfit for human consumption was manifestly excessive.

**Ministry of Agriculture Fisheries & Food v Pitt** Concerned whether packaging was lawful under the Eggs (Marketing Standards) Regulations 1995, reg 8, Council Regulation (EEC) 1907/90, arts 10, 14.

**R (on the application of Vetterlein) v Hampshire CC** [2001] EWHC Admin 560 Correct approach to interpretation of Community law, and compatibility of national action with principles of EC environmental law

**R v Secretary of State for the Environment and the Secretary of State for Agriculture ex p. Standley** [1999] ECR I-2603 Interlocutory challenges to proceedings on indictment, and application of Carltona principles

**R v Secretary of State for the DETR ex p. Yorkshire Water Services Ltd** HCrt (Crown Office) and Div Cr, 1999 Judicial Review - ability to review stop and enforcement notices

**R v Oxfordshire County Council ex p. Wyatt Bros (Oxford) Ltd - HCrt** (Crown Office) 1998

Advisory

Advised the Governments of a number of Central and Eastern European countries on implementation and enforcement of the Acquis Communautaire. This work has been directed at preparation of these countries for full membership of the EU from policy, legal and legislative points of view, and involves working in civil law systems alongside Government authorities, NGO's and the European institutions.

Publications

- Contributor, *Vienna Conventions on the Law of Treaties - A Commentary - Dispute Resolution* (ULB Belgium, 2001)
- Co-Editor, *Rio Principles: A Comparative Study of the Theory and Practice of the Precautionary Principle*, (Cameron May Publications, 2001)
- Contributor, revised edition, *Legal Pleadings Publication Bullen & Leake & Jacob's on Precedents and Pleadings: Environmental Section*, 2000
- Contributor, *Practitioners' Handbook on EC Law* (Bar Council, 1999)
- Co-contributor to chapter on Banks and EC Remedies in *Banks and Remedies* (2nd Edition) (Ed. R Cranston, 1997)
- EFTA Legal Systems - *An Introductory Guide* (Co-publication with James Cameron, 1993)
- English Editor, *The Italian Yearbook of Civil Procedure* 1992
- EC Legal Systems - *An Introductory Guide* (Co-publication with James Cameron, 1992)

Other information

- Member of the Steering Committee for the British Bulgaria Law Association
- Associate at the Foundation for International Law and Development (FIELD), London
- Fluent Italian

Directories' recommendations

In the Legal 500 2009/2010 Maurice Sheridan is ranked as a leading junior in Environment, praised for having a *tremendously wide grasp of EU law and policy*.

Chambers & Partners 2010 also ranks Maurice Sheridan as a leader in Environment, describing him as *an outstanding environmental practitioner, who wins many plaudits for his all-round expertise. He represents local authorities, utility companies and waste management operators, and is something of an expert on the EU Groundwater Directive. Solicitors say: "He knows everything there is to know about waste."*