David Hart KC practises in environmental law, medical law, professional negligence and construction. He has also appeared at a number of major public inquiries. David has particular experience of group actions, in the environmental field (eight group actions alleging odour nuisance, four alleging dust & noise and a petrol contamination claim) and in medical cases.

His construction law work has concerned landfill sites, nuclear and other power stations, and Mechanical and Electrical disputes.

“He’s a leading environmental silk and does the whole range all the way from the classic nuisance work to permitting matters.”
Chambers & Partners 2023

“A resourceful statesman.”
Legal 500 2024

“He’s very knowledgeable.”
Chambers & Partners 2024

Environmental Law

David’s environmental work covers the whole range of issues – litigious, regulatory, planning, public law, criminal and transactional work – over all subject areas including water (Cambridge Water), waste (SRM, REPIC), air (Coalite), odour (Dobson), noise (Dennis, Watson), fishing (cockles, polluted trout streams, and Mott about salmon licences), windfarms (Macarthur and public inquiry). He also has a wide contaminated
land practice, including two leading appeals (Sevenoaks and Sandridge).

He has appeared in courts at all levels, including the European Court of Justice (Bromley) and House of Lords (Cambridge Water, UU), and Supreme Court (E). He also appears in the criminal courts on environmental matters.

He is also instructed on insurance policy issues in the environmental insurance con-text, including professional indemnity matters.

For many years Who’s Who Legal have recommended David as a Most Highly Regarded Silk in environmental law.

Listen to David discuss the European Withdrawal Bill, and the future for environmental standards on episode 6 of our podcast Law Pod UK here.

Selected Cases

- **Beirut Port Explosion (2021)**: Representing victims of the 2020 Beirut Port Explosion.
- **Network Rail Infrastructure v Williams & Waistell [2018] EWCA Civ 1514**: Court of Appeal case on liability for Japanese Knotweed.
- **Southern Gas Networks v Thames Water [2018] EWCA Civ 33**: the Court of Appeal found the defendant water company liable to SGN for the cost of customer compensation payments made after leaking water mains caused a gas outage in Christmas 2012.
- **Forager v Natural England [2017] UKUT 0148 (AAC)**: First appeal to Upper Tribunal about stop notice affecting forager.
- **States of Guernsey v 3M [2016]**: Commercial Court: £20m+ product liability claim concerning PFOS used in fire fighting foam.
- **Appeals by South West Water, Anglian Water, and Yorkshire Water against conditions in environmental permits**: Inspector Grantham, January 2014.
- **Macarthur et al. v. Secretary of State for Communities and Local Government [2013] EWHC 3 (Admin) Lang J**
- **Felpham footpath diversion inquiry 2012.**
- **Winwood & Ors v Biffa Waste Services Ltd & Anor [2011] EWCA Civ 108** concerning the construction of
Clinical Negligence

He has acted in many cerebral palsy cases over the last 25 years, for claimants and defendants. He has also appeared for healthcare professionals in various disciplinary tribunals, and in the Alder Hey and Nationwide Organ Retention Litigation. He acted for the CQC in the Francis Inquiry and for Sellafield Ltd in the Redfern Inquiry into the retention of tissue samples in the nuclear industry. He regularly appears at inquests.

Listen to David discuss key topics on our podcast, Law Pod UK:

Ep 101: Should we sue doctors? (with James Badenoch KC)
Ep.9: Measuring clinical effectiveness for specialist drugs
Ep. 3: Negligence ruling in meningitis case

Selected Cases

- **Sir Robert Francis Inquiry into Mid Staffs Hospital (2011-2012):** Acted for CQC.
- **Lennie v Royal Victoria Infirmary [2006] EWCA Civ 975**
- **AB v Leeds HA [2005] QC 506:** Nationwide Organs Litigation.
Professional Discipline & Regulation

David’s professional negligence work has involved lawyers giving planning and environmental advice, including the conduct of environmental litigation. It also involves construction professionals, as well as planning and environmental consultants. He is instructed on policy issues in the professional indemnity and environmental insurance contexts.

Selected Cases

- **D Morgan Plc v Mace & Jones (a firm) [2010] EWHC 3375 (TCC).**

Appointments

- Chair of the Environmental Law Foundation (ELF), (2016 – present).
- Lay member and deputy Chair of the St Thomas’ Local Research Ethics Committee (2002-2012).

Education

- Undergraduate certificate in genetics, Cambridge University (2015)
- BA (Cantab) in Classics & Law

Memberships

- UKELA
- PNBA
- ELF

Publications

- David is a regular speaker at UKELA and the Land Symposium.
- Law Pod UK Ep. 3, 6, 9 & 101.
- Frequent contributor to 1COR Human Rights Blog: over 300 posts on environmental, medical, human rights and public law issues.