Elizabeth Nicholls

Year of Call: 2018



Practice Summary

Elizabeth covers a range of chambers practice areas covering public law, commercial, land & property, housing, planning, highways, environment and regulatory. She has developed an expertise in anti-social behaviour and has a specialist practice in the law of trees, forests and hedges. She is known for her pragmatic advice and representation and regularly appears in civil and criminal courts, and tribunals. Elizabeth is also a highly sought-after Legal 500 ranked mediator and a Civil Mediation Council accredited mediator.

Before becoming a barrister, Elizabeth gained over 20 years of experience in commercial roles for one of the largest UK supermarket retailers (Sainsbury's) managing categories turning over £2.2bn a year. She also worked for a leading international forestry and consumer products manufacturer and a global ingredients company.

She is Direct Access qualified.

Property & Housing

Elizabeth has expertise in anti-social behaviour, including injunctions, committals, closure orders, possession, disrepair, nuisance, unfitness for human habitation, ownership disputes and agricultural cases. She has experience of cases including hoarding and mental health issues. She works in civil and criminal matters.

Land, Planning and Environment

Land & Highways

Elizabeth has experience in boundary disputes, ownership, adverse possession, restrictive covenants, injunctions, trespass, leaseholder disputes, nuisance, claims against the local authority and the less known provisions of the Highways Act 1980 - negligence, footways/highways/bridleways. She is regularly instructed in local authority enforcement including

injunctions.

Planning, Environment & Enforcement

Elizabeth has expertise in matters relating to the Town and Country Planning Acts, Tree Preservation Orders, advertising, listed buildings, conservation areas, aerodromes, advertising, breaches of planning and churchyards. She has experience in waste, environmental offences, dumping and fly-tipping. She has experience of working in a large local authority in planning & enforcement and is regularly instructed in enforcement matters from initial advice. She also advises a Church of England diocese, including issues relating to churchyards, nuisance and trees.

Anti-Social Behaviour

Elizabeth has expertise in legal proceedings under Anti-Social Behaviour legislation - injunctions, committals, closure orders, trespass and high hedges. She is regularly instructed in complex issues including hoarding, unfitness for human habitation, nuisance, mental health, drugs or alcohol. She is instructed by social housing providers and local authorities in complex cases or those with a ‘think out of the box’ solutions.

Arboricultural Law (trees, forests & Hedges)

Elizabeth is an expert in matters relating to trees, hedges and associated forestry industry (occupiers liability/negligence/land). She advises on the more specialist areas of the Town and Country Planning Acts, Tree Preservation Orders, conservation areas, illegal felling, aerodromes, trees in churchyards, ownership, nuisance, ‘High-Hedges’, enclosure and the Hedgerow Regulations 1997.

She is co-author of the leading legal textbook “The Law of Trees, Forests and Hedges” by Sweet & Maxwell. She is regularly instructed for her advice on enforcement and prosecutions, and to advise at an early stage of litigation. She also sits as Chair of the Reference Committee for the Forestry Commission, hearing appeals against restocking notices and refusal of felling licenses. She is Chair of the professional conduct panel for the Institute of Chartered Foresters.

Local Government and Public Law

Elizabeth has expertise in debt, contract, landlord and tenant, housing (including disrepair), anti-social behaviour, injunctions, committals, caravans, trespassers, property damage and the Highways Act 1980. She advises in matters relating to listed buildings, trees/hedges and advising on settlement and mediation. She works across civil and criminal law, including enforcement (environmental health, littering/ planning, environmental offences), licensing (alcohol, taxis). She is frequently instructed by local authorities looking for advice on the most curious of cases!

Commercial

Elizabeth has experience in contract, debt, intellectual property and other commercial disputes.

She has particular experience involving interesting property, (dogs, racehorses and classic cars) building disputes and claims against public authorities. She is a sought after Legal 500 mediator given her commercial, manufacturing and FMCG experience.

She offers advice and represents at court including applications for strike out, summary judgment and cost and case management hearings. Elizabeth also represents parties at settlement meetings and mediations.

Commercial/Contract

Elizabeth has experience in contract, debt, building disputes and commercial disputes. She has particular experience involving interesting property, (dogs, racehorses and classic cars), building disputes and claims against public authorities. She is in demand for her commercial, manufacturing and FMCG expertise and in successfully mediating disputes between parties. She has experience of claims (red and green) and the best methods of settling, considering risk.

Regulatory

Elizabeth has worked with the Financial Conduct Authority on investigations. She sits on the gross misconduct panel for a police and crime commissioner.

Mediation & Arbitration

Elizabeth is a Civil Mediation Council accredited mediator and a ranked Legal 500 mediator. She is highly sought after and is rapidly developing a significant mediation practice, ahead of her years as a mediator. She has assisted parties in a range of disputes including breach of contract, residential and commercial construction, manufacturing, fast moving consumer goods (FMCG), intellectual property, leaseholder disputes, noise, Japanese knotweed, wills & probate, professional negligence and disputes relating to land. Her previous commercial experience before becoming a barrister has given her significant skills, which she applies as a mediator.

Memberships

- Civil Mediation Council Accredited Mediator
- Legal 500 Mediator
- Admitted as a barrister of the Eastern Caribbean Supreme Court in the Territory of the Virgin Islands
- Ecclesiastical Law Society

Education

- Master of Laws, LL.M – Distinction
- Bar Practice Training Certificate - Very Competent
- Bachelor of Laws, LL.B – First Class
- Civil and Commercial Mediator - ADR Group

Areas of Expertise

- Commercial
- Housing

- Local Government
- Planning Environment