



## About Dyne Solicitors Limited

Dyne Solicitors Limited (DSL) was established as a niche specialist practice in 2005. DSL is unique in that it specialises in Environmental, Road Transport, Health & Safety and Renewables Law.

Environmental, Transport, Health & Safety Regulatory work has been developed by Director, John Dyne and the Renewable Energy work by Director, Clare Simmons. DSL also covers planning and employment law work.

DSL acts as legal adviser and Secretariat to the Heavy Transport Association (HTA) and the Batched on Site Association (BSA). DSL is also currently in the process of assisting with the foundation of the National Association of Skip and Resource Operators (NASRO).

DSL sponsors and provides speakers for planning, land and environment related events organised by Chartered Institute of Wastes Management (CIWM), Envirolink Northwest and the Country Land & Business Association. DSL also sponsors health and safety events run by Brake, the road safety charity.

DSL delivers an exceptional standard of work and maintains a high level of industry integration as is evident from its procurement of work from a regional, national and European client base to become a leading light in the Transport, Environmental and Renewable Energy Sectors. DSL continues to work closely with industry and professional organisations (e.g. HTA, BSA, CIWM & Envirolink) through its involvement in the administration of meetings and its participation in seminars and events.

"They have a wealth of experience on any of the problems that crop up, and are familiar with all aspects covered in the documents. We have confidence in their advice and thoroughly enjoy working with them."

Guy goes on to describe the extremely positive working relationship the firm has with Lucienne Sutton and Clare Simmons. "Lucienne popped in to see us when she was here on holiday recently," Guy reveals. "... Clare was at the opening of our first UK wind farm in North Wales. We have a very good business relationship with the firm and are extremely happy with the service that they provide."

*Guy Wilson, Energiekontor UK Ltd*

“We have had some very positive feedback from the event, with many compliments on the quality and content of the presentations. John is a very entertaining speaker and doesn't use corporate jargon, which is important for those who are not legal specialists.

I hope we get the opportunity to work with John again and if our members wanted further information I would be happy to recommend his services.”  
*Envirolink Northwest*

## General information on work streams

- **Renewable Energy** – property development side of Wind Farms, we act for major developers as well as landowners
- **Environmental** – defence of prosecutions brought by DEFRA, the Environment Agency and Local Authorities
- **Waste Management** – advising on permits, exemptions and the defence of prosecutions brought by the Environment Agency
- **Road Transport** – defence of prosecutions brought by VOSA as well as Operator Licensing Public Inquiries and consultancy work
- **Company Commercial** – negotiation and preparation of contractual agreements with private business and public authorities
- **Health & Safety** – defence of prosecutions brought by HSE, training and consultancy work

## Examples of recent cases / matters handled by the Practice

### Renewable Energy & Commercial Property Projects

- 2 large scale off-shore Wind Farm projects for developers
- Numerous on-shore Windfarm projects ranging from 2 - 16 turbines per site for developers
- Advising landowners on a variety of Windfarm projects ranging from 2 - 12 turbines
- Incinerator commission for large North East waste management company
- Acting for landowners in the purchase of Brownfield sites
- Commercial options and lease agreements
- Quarries and mines exploitation, rights and permissions
- Planning to include; s.106 agreements, infrastructure issues and rights of way & access
- Advising and negotiating on behalf of developers who have problematic sites due to various factors including; restricted covenants, protected species and sensitive ecology

### Environmental

- Judicial Review proceedings concerning the reuse of hydrocarbon based by-products as fuel substitutes (precedent setting for industry)
- Judicial Review proceedings related to the development of an animal-by-products rendering plant
- Defence of landowner in relation to alleged illegal deposit of waste tyres raising issues concerning definition of waste and EA interim regulatory Position Statement (precedent setting potential for waste tyres industry)
- Defence of animal-by-products rendering company in relation to alleged illegal deposit of animal-by-products on agricultural land
- Defence of Landfill Operator in relation to breach of permit allegations and pollution of controlled waters
- Defence of Landfill Operator in North West in relation to alleged breach of consent limits for trade effluent discharge
- Defence of Landfill Operator in Mid Wales in relation to alleged breach of Permit and alleged pollution to surface and groundwater
- Defence of Waste Recycling Operator in North Wales in relation to proceedings brought under Proceeds of Crime Act
- S59 Appeal proceedings on behalf of Waste Recycling Operator in South Wales
- S42 Appeal proceedings on behalf of Waste Recycling Operator in South Wales

### Transport

- Appeal on behalf of Plant Operator in connection with alleged misuse of red diesel (setting an important precedent for the industry)
- Defence of Volumetric Truck Operators in connection with various alleged breaches of Construction & Use, Vehicle Excise and Drivers' Hours offences (setting important precedents for the industry)
- Advising BSA in relation to the development and drafting of the BSA Code of Practice
- Handling Operator Licensing Public Inquiries for large international as well as national Plc client companies
- Representation of coach and bus operators, general haulage operators, skip and waste operators and multinational logistics companies at disciplinary and environmental public Inquiries
- Defence of general haulage and Special Types operators in relation to a variety of construction and use offences
- Defence of operators of Mobile Volumetric Batching Plant relating to proceedings under VERA 1994 and Road Traffic Act 1988
- Condemnation proceedings against HMRC in relation to red diesel related vehicle seizures
- Defence of dangerous driving allegation



With the Public Inquiry imminent, James Mannouch of Dyne Solicitors had just 7 days to put the case together. “He pulled out all the stops for me, so I am very, very pleased,” says Mr McDermott. “James put forward a solid case, and we were very successful. The Traffic Commissioner granted us 20 vehicles on the operator's license.”  
*Cleanline UK Ltd*

“Thanks to John, I believe that the procedures we now have in place ensure we are fully compliant with the regulatory requirements incumbent on the haulage business and I have every faith that with his ongoing support, we will remain so.”  
*Amic Haulage*



**Health & Safety**

- Defence of crane operator in overturning case
- Defence of line markings company in connection with serious injury to employee
- Defence of paper printing company in relation to health & safety breaches
- Defence of waste recycling company in relation to serious injury to skip lorry driver
- Defence of commercial landlord in relation to breaches of health & safety requirements relating to services installation
- Defence of recycling and demolition company in relation to breaches of asbestos regulations
- Health & Safety audits and related health & safety advice for large financial institution
- Drafting and advising on health & safety policies

**Employment**

- Advised large skip hire & demolition firm on procedures relating to redundancy and short-time working
- Produced Driver Drug & Alcohol Policy on behalf of specialist heavy equipment transporter
- Defended unfair dismissal and sex discrimination claims on behalf of major waste management & civil engineering firm
- Re-drafted driver contracts for national haulage company
- Helped waste management & haulage business streamline its workforce through advice on redundancy & retirement
- Defended waste disposal company against EU worker race discrimination claims

**Planning**

- Advice to scrap metal business on compulsory purchase compensation and validity of CPO procedures in West Yorkshire
- Acting for landowner in planning enforcement appeal relating to deposit of inert waste on agricultural land in Cheshire
- Interpreting planning permissions to facilitate a renewable energy scheme for energy company in North Wales
- Enforcement appeal and planning obligation to allow continued use of a mobile home site in Cumbria
- Establishing right to retain unauthorised commercial building for a skip hire business in Blackpool



“John has been very good in steering us in the right direction, so that we have the right systems in place and everything is regularly refreshed. He’s helped us with a whole range of issues, including health and safety, drivers’ hours, vehicle maintenance and paperwork and record keeping.

I like his hands on approach and the personal way he deals with clients – when you ring up, you talk to him and are not passed on to someone else – and we have people here who attend his seminars, which we find very good.”

*Nick Brookes*



**Other information**

**Legal work within the public and business community**

- We facilitate and sponsor the work of sector specific charities e.g. BRAKE, co-hosting educational conferences with CIWM, Envirolink and Country Land & Business Association
- We promote health & safety through the development of Codes of Practice (e.g. BSA Code of Practice) and training schemes
- Legal editor of Eco-law, a web-based site providing guidance and support for developers



**Events and Exhibitions in 2009**

**20 March:**  
Funding, planning & public perception of new waste management facilities (Manchester)

**24 April:**  
CIWM AGM  
Managing recyclables in a failing market (Preston)

**8 May:**  
FedEx & Brake Road Safety  
Company Driver Training (Chester)

12, 13, 14 May:  
SED - The National Event for Construction (Corby)

29 May, 19 June, 17 July, 21 August,  
25 September, 23 October:  
Fire Marshal Training (Chester)

9, 10, 11 June:  
Futuresource ExCel (London)

26 June:  
CIWM - Managing Difficult Waste,  
Westmoreland County Show Ground, Cumbria

20, 21, 22 October:  
British Wind Energy Association (BWEA):  
Annual Conference & Exhibition (Liverpool)

“Kathryn Lucas of Dyne Solicitors is very, very good. The level of service and quality of work is indicative of what I have come to expect from Dyne Solicitors.”  
*David Parry, Managing Director,  
Shrewsbury Transport Training*



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