

JORREN KNIBBE

CALL: 2005

"Very personable and client-friendly."
Legal 500 2019



Email: jorren.knibbe@guildhallchambers.co.uk
Tel: 0117 930 9000

Jorren specialises in commercial litigation and disputes raising public and EU law issues.

Alongside his general commercial work, Jorren's experience includes competition and State aid, public procurement and data protection matters.

Jorren has spent time working as an employed barrister in a top-20 UK law firm, and is recognised for his client-friendly approach and understanding of business objectives.

PRACTICE AREAS

- Commercial
 - Competition & State Aid
 - Public Procurement
 - Planning and Environment
 - Data protection
-

COMMERCIAL

Jorren's past cases include:

- Representing a grocery retailer in a contractual dispute with its wholesaler, involving issues of discounts and overdue rebates, achieving a significant pre-trial settlement.
- Representing a homeowner in a dispute involving breach of quality stipulations in a construction contract.
- Representing events and promotions organisers in disputes arising out of sporting fixtures.
- Advising in a trading dispute between a manufacturer of sports equipment and an online retailer.
- Advising in a claim for unpaid instalments in a commercial finance agreement.
- Advising in proceedings raising allegations of breach of confidence, unlawful restraint of trade and inducement to breach contracts.

PUBLICATIONS

- [Multi-track disclosure: a reminder](#), Guildhall Chambers seminar paper, April 2015
-

COMPETITION & STATE AID

Jorren's experience includes:

Cartels

- Advising on investigation processes in the OFT's Airlines (passenger fuel surcharge) investigation.
- Advising on parent/subsidiary liability issues in the OFT's Construction investigation.

Vertical & Horizontal Co-operation

- Design and implementation of a selective distribution system complying with EU competition laws, on behalf of a consumer electronics manufacturer.
- Advising on competition law aspects of cooperation between shareholders in the context of a company dispute.
- Advising on joint tendering and consortium bids between competitors for large-scale public contracts.

Mergers

- Acting for the purchaser in the successful merger notification in HPI/CarweB.
- Obtaining Phase II clearance on the basis of a successful failing firm defence in Optimax/Ultralase.
- Advising on definition of online television product markets in Project Kangaroo.

State Aid

- Advising on the structuring of Government subsidies to support climate change targets.
- Advising on State aid compliance in a corporate support package provided by a German regional investment bank.
- Advising on the structuring of two public/private town centre regeneration projects to avoid unlawful State aid.
- Advising on State aid compliance in charity grant applications.

Intellectual Property Agreements

- Advising on the competition law compliance of a suite of research and development cooperation agreements to enable future high-tech manufacturing.
- Advising on a medical research collaboration and allocations of future IP rights.
- Advising on the compatibility with EU competition law of an international dispute settlement regarding chemical patents.

PUBLICATIONS

- Abuse of dominance and *Speed Medical v Secretary of State for Justice* [2016] ECLR 173
 - Selective Distribution and the ECJ's Judgment in *Pierre Fabre* [2012] ECLR 450.
 - *Emerald Supplies v British Airways* [2010] ECLR 139.
-

PUBLIC PROCUREMENT

Jorren's experience includes:

- Advising a local authority on proposed modifications to a £500m+ public contract for waste treatment and disposal
- Advising an NHS provider in relation to a CCG's refusal to enter into a healthcare services contract, and on a complaint to Monitor
- Acting for a supplier of pipe equipment in a challenge under the Utilities Contracts Regulations, successfully persuading the utility to re-run the procurement process
- Advising a local authority on proposed modifications to a £100m+ contract for the refurbishment of school buildings
- Advising a supplier of medical consumables on maximising its chances in NHS procurement, and on challenges to NHS contracts
- Representing an ICT provider in a challenge to a local authority decision awarding a contract for broadband infrastructure, achieving a successful six-figure settlement
- Advising a construction company in a challenge to a local authority decision to award an NEC3 roads contract to a competitor
- Representing a supplier of medical equipment in a challenge to a research body procurement decision, successfully achieving a re-run of the procurement process
- Advising an SME provider of IT services on maximising access to Government procurement

PUBLICATIONS

- [Low value procurement under the Public Contracts Regulations 2015](#), presentation to the Chartered Institute of Procurement and Supply (South Wales branch), 10 February 2015.
 - [The draft Public Contracts Regulations 2015 - some points of interest](#), Guildhall Chambers news, 31 October 2014.
 - Ask no questions, tell no lies (confidentiality in public procurement) Procurement and Outsourcing Journal, May/June 2012, pp.8-10.
 - Don't rule it out! (joint ventures in public procurement) Procurement and Outsourcing Journal, March/April 2012, pp. 4-6.
 - Whether the award procedures laid down by Directive 2004/18 are exhaustive: Commission v France (C-299/08) [2010] PPLR NA91.
 - Commission v Italy (Case C-412/04) [2008] PPLR NA135.
-

PLANNING AND ENVIRONMENT

Jorren's experience includes:

- Advising a homeowner on permissible alterations to a listed building.
- Advising on breach of planning conditions restricting noise emissions.
- Advising a manufacturer of building site equipment on safety and waste recycling requirements (including WEEE Regulations).
- Advising an energy licensee in response to an Ofgem initial letter, successfully avoiding a formal investigation procedure.
- Advising in an investigation into breach of gas licence conditions, leading to successful negotiated settlement.
- Representing a local authority in statutory nuisance proceedings.

PUBLICATIONS

- New Costs Limits for Environmental Claims under the Aarhus Convention [2017] JPL 663
 - Viability Assessments, Dead Rubber Appeals, and EU Law [2017] JPL 473
 - Decision of the Supreme Court in *R (Champion) v North Norfolk DC*: An assessment [2016] JPL 1
 - An Analysis of *Turner v Secretary of State for Communities and Local Government* [2015] JPL 1247
 - [Viability assessments and challenges to planning decisions](#), Guildhall Chambers seminar paper, May 2015
 - Take a Letter (responding to Ofgem information requests) Utility Week, 30 August 2013.
-

DATA PROTECTION

Jorren advises on issues and claims under the Data Protection Act 1998.

With the benefit of his general EU law background, he is also an active speaker and advisor on compliance with the EU General Data Protection Regulation.

Current and recent work includes:

- defending a damages claim based on misuse of call centre information;
- advising on enforcement proceedings relating to data loss;
- advising on a GDPR audit and compliance programme for a complex data-heavy business.

EDUCATION:

- BVC (City University, London): Outstanding (rank 2nd)
- Junior Scarman Prize (City University); Baron Dr Ver Heyden de Lancey Prize (Middle Temple); Ede & Ravenscroft Legal Prize; Diplock Scholar (Middle Temple); Finalist, Middle Temple mooted competition
- LLM German Law (Universität Konstanz): 1,6 (equiv: distinction)
- BA Law with Law Studies in Europe (Hertford College, Oxford): 2:1
- Littleton Chambers Prize for Labour Law

RECENT NEWS

- White Paper on the Brexit Great Repeal Bill - some points of interest
- New amendments to the costs limits for environmental claims
- Guildhall Chambers quiz night goes down a "sturm" - September 2015
- Breakfast Bites Seminar: Viability assessments and challenges to planning decisions - April 2015

Guildhall Chambers, 23 Broad Street, Bristol BS1 2HG Tel: 0117 930 9000 DX: 7823 Bristol

jorren.knibbe@guildhallchambers.co.uk | www.guildhallchambers.co.uk

