Jane Oldham



Call: 1985

E: Jane.Oldham@11kbw.com
T: +44 (0)20 7632 8500

Jane Oldham specialises in public, local government, information and education law. She has appeared at all appellate levels. The directories have for many years ranked Jane consistently as a leading junior in public and administrative, local government and education law, saying that "she has a fine track record of handling sophisticated public, information and education law matters". Jane is Chambers UK 2026's top-ranked local government junior at the London Bar.

> ***Interviewees praised Jane Oldham for her "genius and sheer hard work"***
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Expertise

Local Government

Jane advises and appears regularly in cases at all levels concerning local government.

She is Chambers UK 2023's top-ranked junior at the London Bar.

Recent work includes:

- *Breckland DC v Information Commissioner* (2023) UKFTT 103 (GRC) on commercial confidentiality exemption and the relationship between EIR rights and the statutory rights of electors and auditors to information.
- Closure of nurseries
- Use of interest rate swaps
- Local election law problems
- Disputes arising from closure of leisure centres during lockdown
- BID disputes arising from impact of lockdown on businesses
- Advice and advocacy concerning innovative investment schemes.
- Issues arising from public consultations.
- Public sector equality duty issues.
- Governance issues (including lawfulness of certain council appointments).
- Advice on an authority's regeneration scheme (vires).
- Councillors' rights to see information.
- Councillors' conduct.
- Advising on dispute between fire authority and local authority as to calculation of precept.
- Auditor's investigation of money spent by authority on its regeneration scheme.
- Auditor's investigation concerning whether an authority sold land in breach of its section 123 LGA 1972 consideration duty.
- Whether a local authority had to repay penalties it had imposed ultra vires, and if so to what extent.
- Whether a local authority's proposed scheme engaged procurement rules.
- Whether a local authority's policy on applications for discretionary reductions of council tax was lawful.

> ***A high-profile senior junior who advises in substantial local government matters, including funding challenges and issues relating to council tax benefit arrangements.***
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Examples of the breadth of Jane's local government practice include:

- Vires.
- Budget setting.
- Council tax (including council tax reduction schemes).
- Governance (including changing from one form to another).
- Monitoring issues.
- Public sector equality duty (particularly in the context of spending cuts).
- Consultation.
- Local authority interaction with commercial and third sector bodies.
- Testing the scope of the Localism Act general power of competence.
- Issues arising from large capital projects undertaken by public bodies.
- District auditor investigations and public interest reports (one involving proceedings about £120 million of challenged expenditure of public funds) for both local authority and auditing body.
- Restitution claims arising from ultra vires activity.
- Capital finance.
- Public procurement.
- FOIA and Environmental Information Regulations.
- Data protection and GDPR (including sensitive data sharing with other agencies), subject access requests, release of reports on social care matters and serious case reviews.
- Education.
- Disputes with central government about grants.
- Local authority funding disputes with health bodies including resisting NHS claims for restitution of continuing health funding payments.
- Disputes about exemptions and discounts from business rates.
- BID levies.
- Applications to list assets of community value – including listing, for the first time, an entire mountain, Blencathra.
- Disputes with transport bodies eg TfL.
- Private landlord licensing schemes.
- Social impact bonds.
- Successfully resisting DCLG attempts to claw back ERDF funding.
- Service-sharing agreements with other councils.
- Provision of services to non-council entities.
- Representing local authorities in mediations.

Jane has particular experience in cases at the intersection of local government/public and commercial issues, such as the Interest Rate Swap litigation between banks and local authorities, public procurement, European Regional Development Fund disputes, information law disputes concerning commercial matters, restitution claims arising from ultra vires activity, and litigation about wrongful trading through companies in which local authorities have interests.

Achievements

Education

MA (Cantab). (Law, Trinity College, Cambridge.)

Other

Languages, scholarships, memberships:

Jane was called to the Bar in 1985 and was awarded prizes and scholarships by Trinity College, Cambridge, where she read law, and Middle Temple. She is a member of the Administrative Law Bar Association, the Commercial Bar Association, the Procurement Lawyers' Association and (in relation to her local government practice) the Planning and Environmental Law Bar Association. Jane practised part-time between 1992 and 2010, plus various periods of family leave during that time, and returned to full-time practice at the end of 2010.

> ***Jane Oldham also covers a wide canvas but is particularly known for the work she does relating to local authorities and their business relations with the private sector***
>
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> ***barrister of choice in commercial matters***
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> CHAMBERS & PARTNERS

> ***immensely sensible, thorough and driven***
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> CHAMBERS & PARTNERS

With bucket loads of experience and calm approach to advocacy that never fails to impress

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Interviewees praised Jane Oldham for her "genius and sheer hard work"

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Her client care is also highlighted as a particular strength

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Jane Oldham is perceived as "a feisty lawyer who goes from strength to strength"

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Jane Oldham is "on the ball straight away" and handles complex cases well. She is further considered an advocate who "understands the law, works well with clients, and possesses intellectual weight"

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She handles everything from pre-dispute advisory work to judicial review, and has experience of the Supreme Court disputes.

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