



Cain Ormondroyd

Year of call: October 2007



Cain joined Chambers in 2008 on successful completion of his pupillage. He accepts instructions in all areas of Chambers' expertise (and more broadly in public law), and is developing a thriving practice representing public and private sector clients in a range of tribunals. He frequently works with Friends of the Earth, the Environmental Law Foundation and other public interest groups and is prepared to consider acting on a reduced fee or pro bono basis in appropriate cases.

Recent highlights

- Appearing in the Supreme Court as junior counsel for Mr Lewis in *R (Lewis) v Redcar and Cleveland BC* [2010] UKSC 11, a groundbreaking case in the law of town and village greens;
- Representing Cotswold District Council as sole counsel at a nine day inquiry into proposals to construct a new country house in Coln St Aldwyns (result awaited);
- Successfully representing the Garden Square Committee as sole counsel in a two day hearing in the Chancery Division in *Hermann v (1) Royal Borough of Kensington and Chelsea (2) Ovington Garden Square Committee* [2010] EWHC 1706 (Ch), the first case on the garden square provisions in the Kensington Improvement Act 1851.

Recent significant experience

- Part-time secondments with Sevenoaks District Council and Medway Council, advising on the full range of local government law matters;
- Writing guides to equality and human rights law in the environmental field for the Environmental Law Foundation, and working closely with Friends of the Earth on various environmental law matters
- Being instructed by central government through the 'Baby Barrister' scheme to conduct several weeks of hearings before the Criminal Injuries Compensation Appeal Panel;
- Appearing frequently for McDonalds at licensing hearings, enjoying a near-100% success rate.

Practice Profile

Cain accepts instructions in all areas of Chambers' expertise (and more broadly in public law). Brief details of individual areas are set out below:

- **Public law:** Cain frequently advises on prospects of success in judicial review cases. He has appeared in the High Court on several occasions in judicial review cases.
- **Highways:** Cain has a particular interest in highway law. He regularly advises local authorities on highway points and works with the Open Spaces Society and others to promote and defend public rights of way.
- **Local Government:** In addition to his broad experience of advisory work (through instructions and on secondment) Cain regularly appears for (and against) local authorities in the criminal courts.
- **Education:** Cain has had the benefit of training in the law of special educational needs from IPSEA and has experience of drafting and advocacy work in this area of law.
- **Village Greens:** In addition to his Supreme Court appearance in *Lewis*, Cain's keen interest in this area of law is reflected in his advisory work and appearances at non-statutory public inquiries around the country.
- **Planning:** This key area of practice for Chambers is one that Cain enjoys and deals in frequently. He commonly appears at short inquiries, particularly

enforcement and certificate of lawfulness appeals, for and against local planning authorities. He also enjoys conducting longer, more complex appeals involving heritage, nature conservation and landscape issues. He also advises on injunctions and increasingly appears in applications for injunctive relief in the High Court.

- **Licensing:** Cain regularly appears at licensing hearings both before committees and on appeal in the Magistrates' Court.
- **Environmental:** Cain has a keen interest in the environment and is developing a practice in the loose collection of areas known as 'environmental' law (i.e. water, waste, contaminated land, Environmental Impact Assessment). He regularly writes and speaks on these topics and recently appeared as junior counsel, in the case of *R (Redland/Crest) v SSEFRA*, a challenge to an inspector's decision on a contaminated land remediation notice.
- **Rating:** the law of rating and the council tax is a growing area in Cain's practice. He increasingly appears in the Magistrates' Court and advises on points under the Local Government Finance Acts.
- **Ecclesiastical:** Cain is a communicant member of the Church of England and practices in the specialist field of ecclesiastical law. He has written on the topic (with Gregory Jones, a deputy Chancellor) and has appeared in the Consistory Court of Canterbury.

Recent Publications

- *Alternative Sites in Planning Law* [2010] JPL 852 (with Robert McCracken).
- *Security for Costs and (Un)Incorporated Claimants* [2010] JR 92.
- Contributor to new text book on the Regulatory Enforcement and Sanctions Act 2008.
- Equalities and Human Rights booklet for Environmental Law Foundation (with Robert McCracken).
- Recent Solicitor's Journal updates on Environmental Law, Ecclesiastical Law.

Awards, Scholarships and Qualifications

- Magdalen College, University of Oxford - B.A. (Hons) in Modern History (First class).
- UWE, Bristol - CPE (Distinction), BVC (Outstanding, top mark in year).
- Western Circuit Advocacy Prize, for best advocacy on BVC.
- Lord Bowen, Walter Wigglesworth and Hardwicke scholarships from Winner, (jointly with Thomas Cross of FTB) of UKELA Lord Slynn of Hadley mooting competition (final judged by Carnwath LJ).