

## BRENDON MOORHOUSE

CALL: 1992

"A highly regarded junior with particular expertise in environmental law and regulatory matters"

*Chambers UK 2021*

Email: [brendon.moorhouse@guildhallchambers.co.uk](mailto:brendon.moorhouse@guildhallchambers.co.uk)

Tel: 0117 930 9000



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Brendon is head of Guildhall Chambers Public Law Team and practices in environmental, planning and regulatory law.

He also deals with serious crime, white collar crime and regulatory crime cases.

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### PRACTICE AREAS

- Environment
- Planning
- Court of Protection

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### ENVIRONMENT

Brendon Moorhouse is a member of the UK Environmental Law Association Litigation Working Group and Waste Working Group and a Visiting Research Fellow in the Environment and Technology Department at University of West of England.

He deals with both civil and criminal environmental cases.

Recent work includes successfully representing Gwent Wildlife Trust, Friends of the Earth, the Woodland Trust and CPRW in the M4 (Newport) Highways Act public inquiry and work on enforcement in a Marine Protection Area that is part of a UK Overseas Territory.

He has acted on judicial review/EU Commission complaint of the Welsh Government in relation to river pollution on behalf of Afonydd Cymru (The Welsh Rivers Trust)

He dealt with the first ever appeal against dredging permit conditions imposed by NRW that went to a 'hearing' before an inspector.

He has been instructed to work for diverse clients from ClientEarth and LEAPPP to FTSE 100 companies. His environmental practice includes dealing with nuisance cases, pollution incidents, clinical waste, planning breaches, dredging permits as well as advisory work, such as advising corporate entities of preventive measures against nuisance action as well as on permitting cases. He has dealt with all manner of planning enforcement cases in both magistrates and Crown Court for both local authorities and defence.

He also deals with serious and complicated Environmental Criminal cases and has recently been approved as a Category A (top) prosecutor on the Attorney Generals Panel of Specialist prosecutors.

He is as comfortable in the High Court as the Crown and Magistrates Courts handling all manner of serious environmental, regulatory and planning cases.

### SIGNIFICANT CASES

- The M4 Newport Planning Inquiry
  - Fuller and McVeigh v Milton Keynes District Council [2011] EWHC 1967 (Admin) - a leading case on the definition of 'depositing' waste under Section 33 Environmental Protection Act;
  - Moss and Sons Ltd v CPS [2012] EWHC 3658 (Admin) - the first ever Administrative Court case in Bristol, involving a challenge to the prosecution decision to bring charges.
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## PLANNING

Brendon Moorhouse deals with a variety of contentious and non-contentious planning matters.

As well as advising on smaller matters, he has been instructed to represent Gwent Wildlife Trust, Friends of the Earth, the Woodland Trust and CPRW at the public inquiry in their successful opposition to the M4 (Newport) Highways Act proposal. He has also been instructed to provide legal planning support for a team involved in one of Europe's largest anaerobic digester projects.

He regularly deals with planning breaches - both prosecuting for local authorities, or representing those prosecuted and also in matters where recovery strategies are required.

As part of his planning and environmental law practise he is also instructed to deal with permitting applications and appeals, especially those involving environmentally sensitive locations including dredging applications and appeals in Natura 2000 designated sites.

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## COURT OF PROTECTION

Brendon Moorhouse is the head of Chambers Public Law team, with oversight of the Court of Protection Team.

He is a member of COPPA, and is responsible for regular legal updates within Guildhall's COP team.

He has received instructions from the Official Solicitor, the Public Guardian and other privately instructed work.

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## RECOMMENDATIONS

### CHAMBERS UK 2021

#### Environment

A highly regarded junior with particular expertise in environmental law and regulatory matters. He has a wealth of experience of handling noise abatement, marine and watercourse pollution, waste packaging and illegal deposits of waste cases. He is also well known for his work on conservation matters. He is experienced appearing for his clients in public inquiries.

Strengths: "He is really user-friendly and personable. He is fluent in the criminal procedure, and the confidence that he brings with his experience is a big benefit." "Approachable and accessible."

Recent work: Acted for Neyland Yacht Haven in the first ever appeal hearing against the terms of a dredging permit issued by Natural Resources Wales in a Natura 2000 special area of conservation.

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### LEGAL 500 2021

#### Planning and Environment

'Brendon's strengths are his ability to think on his feet, his client friendly nature and his overall encyclopaedic knowledge of the regulatory regime. He is very easy to work with, practical and pragmatic and has a good grasp of the subject matter.'

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### CHAMBERS UK 2020

## Environment

A highly regarded junior with particular expertise in environmental law and regulatory matters. He has a wealth of experience of handling noise abatement, watercourse pollution, waste packaging and illegal deposits of waste cases. He is also well known for his work on conservation matters. He is experienced appearing for his clients in public inquiries.

Strengths: "An excellent advocate and an exquisite cross-examiner." "Very personable, pragmatic and easy to work with. He provides a sense of authority and gives one confidence that he really knows what he's doing." Recent work: Acted for Crouchland Biogas in a planning and environmental enforcement case involving a large unlawful anaerobic digestion plant.

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## LEGAL 500 2020

### Construction, Planning and Environment

"An environmental law specialist."

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## CHAMBERS UK 2019

### Environment

A highly regarded junior with particular expertise in environmental law and regulatory matters. He has a wealth of experience of handling noise abatement, watercourse pollution, waste packaging and illegal deposits of waste cases. He is also well known for his work on conservation matters. He is experienced appearing for his clients in public inquiries.

"He is an impressive junior and very easy to work with."

Recent work: Acted for Gwent Wildlife Trust and others in a public inquiry concerning the protection of a 10 kilometre stretch of an SSSI from destruction by the M4 Newport project.

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## LEGAL 500 2019

### Construction, planning and environment

He builds good rapport with clients, judges and juries.

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## CHAMBERS UK 2018

### Environment

Leading Junior - Band 1

A highly regarded junior with particular expertise in environmental law and regulatory matters. He has a wealth of experience of handling noise abatement, watercourse pollution, waste packaging and illegal deposits of waste cases. He is also well known for his work on conservation matters.

Strengths: "He is very personable and knows his stuff."

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## LEGAL 500 2017

### Construction, Planning & Environment

Leading juniors

'His lovely client manner instils confidence.'

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## CHAMBERS UK 2017

### Environment

Leading Junior - Band 1

A highly regarded junior with particular expertise in environmental law and regulatory matters. He has a wealth of experience handling noise abatement, watercourse pollution, waste packaging and illegal deposits of waste cases.

Strengths: "The main environmental junior on the Western Circuit." "His criminal background provides him with a wide knowledge base. Clients count on his experience to know how to proceed with a case."

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## LEGAL 500 2016

### Construction, Planning & Environment

Leading juniors

'Easy to work with and experienced in environmental prosecutions.'

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## CHAMBERS UK 2016

### Environment

Leading Junior - Band 1

Is the most prominent environmental junior on the Western Circuit, with particular strength in criminal regulatory work. He has significant experience in waste, pollution, nuisance and permitting.

Strengths: "A real environmental specialist who is great to work with and highly responsive." "He has a very good reputation in dealing with contentious environmental work."

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## LEGAL 500 2015

### Construction, Planning & Environment

Leading juniors

'He is extremely practical, and can think outside the box to find solutions'.

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## CHAMBERS UK 2015

### Environment

Leading Junior - Band 1

Acclaimed for his expertise in prosecutions and defence work in the environmental field. He is frequently instructed to defend a range of clients in Environmental Agency prosecutions, and is well versed in regulatory matters.

Strengths: "He's very easy to work with and he knows his stuff. it's a mix of knowledge of the criminal system with a good understanding of regulatory practices"

Recent work: Successfully prosecuted R v Beavan, a high-profile Convention on International Trade in Endangered Species (CITES) case involving the illegal movement and theft of rare birds at the National Birds of Prey Centre.

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## LEGAL 500 2014

## Construction, Planning & Environment

Leading juniors

'He is experienced in all stages of environmental litigation.'

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## CHAMBERS UK 2014

### Environment

Tier 1 on the Western Circuit

"His practice is focused on the criminal aspects of environmental law; he regularly defends clients facing prosecutions by the Environment Agency or local authorities on environmental grounds.

Expertise: "He is an exceptional advocate with an encyclopaedic knowledge of the criminal justice system." "He is a quick thinker with a real detective brain."

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## CHAMBERS UK 2012

"Brendon Moorhouse is a convincing advocate."

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## CHAMBERS UK 2011

'A leader in the field of criminal law' - 'Brendon Moorhouse is "excellent and constantly manages to pick out the hidden details in each case.'"

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## APPOINTMENTS:

- Attorney General's Unified List of Prosecuting Advocates
  - CPS Advocate Panel - Grade 4
  - CPS Fraud Panel - Level 3
  - CPS Proceeds of Crime Panel - Level 3
  - CPS Serious Crime Group Panel - Level 3
  - A' list panel of specialist regulatory advocates for Environmental and Health and Safety work
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## MEMBERSHIPS:

- UKELA Waste Working Group and UKELA Litigation Group
  - COPPA
  - On the South West Administrative Law (SWALA) committee.
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## EDUCATION:

- Inns of Court School of Law
  - LLB Hons, Bristol Polytechnic
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## RECENT NEWS

- Practical Advocacy in the Crown Court has been published today!
- We are very excited to announce publication of our book 'Practical Advocacy in the Crown Court' written by members of our Crime Team
- Coronavirus Regulations Update - 6 July 2020
- Guildhall Chambers is delighted to announce that Peter Binder will join our Crime Team on 1 September 2020
- We are pleased to announce our Crime Team will have their book published by Bloomsbury Legal
- Coronavirus Regulations - Update 23 June 2020
- Coronavirus Regulations - Update 1 June 2020
- Crime Team Newsletter - April 2020
- Brendon Moorhouse considers the role of an Inspector in a dredging licence appeal
- Brendon Moorhouse represents Gwent Wildlife Trust, Friends of the Earth, CPRW and the Woodland Trust
- Brendon Moorhouse represented and made closing submissions to the M4 extension Public Enquiry
- Brendon Moorhouse to chair at the UKELA South West Regional Group Seminar
- Brendon Moorhouse accepts role at UWE
- Welcome to another edition of the Guildhall Chambers Property & Estates Team Newsletter, June 2016

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

[brendon.moorhouse@guildhallchambers.co.uk](mailto:brendon.moorhouse@guildhallchambers.co.uk) | [www.guildhallchambers.co.uk](http://www.guildhallchambers.co.uk)