



Brian Ash KC

Year of call: 1975 | Silk: 1990

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"An excellent advocate, particularly for CPO matters; his cross-examination is very effective." The Legal 500 (2015)

Following a career in television journalism, Brian Ash KC was called to the bar in 1975 and took silk in 1990. The main area of his practice is within the broad ambit of Public Law, with a particular focus on Planning, Compulsory Purchase and Compensation, Highways and Local Government administration. The focus on his main area of expertise began in about 1977 and he has had a continuous, busy practice since that time with projects and hearings too numerous to cite in detail.

Areas of expertise

Planning

Compulsory Purchase and Compensation

Administrative and Public

Compulsory Purchase and Compensation

Appearances at numerous CPO inquiries, such as Royal Docks, Bristol Temple Meads, Trafford Park Village CPO. Numerous town centre redevelopment CPOs, mostly appearing for the acquiring authority, including Dorchester, Tunbridge Wells, Staines, Derby, Lichfield, Chester, Gloucester Quays and Salford Central.

Advising on many compensation issues arising from the listed CPOs, or otherwise. Appearing in references to the Lands Tribunal and associated High Court challenges, including redevelopment proposals for the Guinness brewery at Park Royal and land or rights acquired for Civil Aviation Authority navigation masts.

Cases of note

- ***R v SoS for Transport ex p de Rothschild (1989) 57 P&CR 330*** - No special rules apply to an administrative decision on compulsory acquisition of land beyond the ordinary Wednesbury principles.
- ***Royal Life Insurance v SOSE [1992] 43 EG 145*** - No obligation upon the Secretary of State to analyse the viability of a scheme subject to a CPO as a condition precedent to its justification.

Recommendations

- *"Highly recommended for judicial reviews."*The Legal 500 (2018)
- *"His ability to grasp quite difficult technical issues, such as those relating to noise, daylight and air quality concerns, is impressive. He has a great way of undermining the other side's witnesses."* Chambers and Partners (2018)
- *"He spots the issues and delivers cases calmly and strongly – he is also very approachable."* Chambers and Partners, (2014)
- *"Exceptional advocate... he possesses fantastic people skills and attracts instructions as a consequence of his bright and inspector-friendly disposition"*(2009)

Qualifications

Education

1960-64 / New College, Oxford / BA (modern languages)

Scholarships and Prizes

1960/Open Exhibition, New College, Oxford

Additional Information

Appointments

- 1986 / Chairman EIP Panel, Devon County Structure Plan, First Alteration

Languages

- French
- German
- Spanish (relatively basic)
- Italian (relatively basic)

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