Falcon Chambers

Barry Denyer-Green

Called 1972



Practice Summary

The principal part of Barry Denyer-Green's practice concerns compulsory purchase and compensation; his book on the subject, widely used by practitioners, is now in its twelfth edition. He regularly appeared in the Lands Tribunal and the Upper Tribunal (Lands Tribunal), and has appeared in the Court of Appeal, the House of Lords and the Privy Council on cases concerning compensation issues.

He was chairman of the Compulsory Purchase Association in 2008-2009. His practice also includes other local government and public highways matters, as well as those concerning landlord and tenant, restrictive covenants, easements, common land, village greens, development agreements, and other aspects of land law and conveyancing.

Education

- LLM (Lond)(1978)
- PhD (Lond)(1987)

Professional

- Hon RICS
- Called to the Bar 1972, Middle Temple
- Member of the Department of the Environment, Transport and the Regions Working Party on compulsory purchase, which resulted in the publication of a report in July 2000 "Fundamental review of the laws and procedures relating to compulsory purchase and compensation".
- Elected Honorary Member of the Central Association of Agricultural Valuers.

Recent Cases

- **Clarise Property v Rees** [2018] 1 P & CR 7 - Constriction of a rent review clause - meaning of "open market value".

- **Mohammed v Newcastle City Council** [2016] RVR 212 - Compulsory purchase - claim for compensation.
- **Brickkiln Waste v Northern Ireland Electricity** [2015] RVR 197 - Correct measurement of a landowner's loss caused by the grant of a necessary wayleave to an electricity company was the diminution in the value of the land.
- **Brickkiln Waste v Northern Ireland Electricity** [2014] Lands Tri (NI) **-** Compensation for wayleaves was to be assessed on the general principles applicable to compensation for compulsory purchase of land.
- **Thomas Newall Ltd v Lancaster City Council (No.2) Court of Appeal (Civil Division)** [2013] EWCA Civ 802[2010] UKUT 2 (LC); [2010] R.V.R. 223; [2010] J.P.L. 811 (Disturbance compensation)
- **Holliday v Breckland DC Upper Tribunal (Lands Chamber)** [2012] 3 E.G.L.R. 95; [2012] 49 E.G. 68; [2013] R.V.R. 43; [2013] J.P.L. 116 (basis of compensation under s.237 of Town and Country Planning Act 1990)
- **Nottinghamshire and City of Nottingham Fire Authority v Gladman Commercial Properties Ltd Chancery Division,**[2011] 1 W.L.R. 3235 (late application to rely on witness statement)
- **Thomas Newall Ltd v Lancaster City Council Upper Tribunal (Lands Chamber)**[2010] UKUT 2 (LC); [2010] R.V.R. 223; [2010] J.P.L. 811 (statutory planning asmptions)
- **L&B Holdings Ltd v Brent LBC Upper Tribunal (Lands Chamber),** [2010] UKUT 24 (LC); [2010] R.V.R. 304 (Costs)
- **Union Railways (North) Ltd v Kent CC Court of Appeal (Civil Division),**[2009] EWCA Civ 363; [2010] P.T.S.R. 90; [2009] 30 E.G.L.R. 68; [2009] 30 E.G. 68; [2009] R.V.R. 146; [2009] J.P.L. 1607; (Notice to treat)
- **Coleman v Ibstock Brick Ltd Court of Appeal (Civil Division),** [2008] EWCA Civ 73; [2008] N.P.C. 18 (meaning of minerals)
- **Roberts v Swangrove Estates Ltd Chancery Division,** [2007] EWHC 513 (Ch); [2007] 2 P. & C.R. 17; (manorial rights)
- **Dearnley v National Trust for Places of Historic Interest or Natural Beauty Court of Appeal (Civil Division),**[2006] EWCA Civ 995; (alleged nuisance and negligence against canal owner)
- **Earl Cadogan v 27/29 Sloane Gardens Ltd Lands Tribunal,** [2006] L. & T.R. 18 (leasehold enfranchisement)
- **Ocean Leisure Ltd v Westminster City Council** [2004] EWCA Civ 970
- **Christos v Secretary of State for Tansport CA** [2003] EWCA Civ 1073. (where an acquiring authority reneged on an offer to pay a certain price for a property subject to compulsory purchase, whether it was prevented from so reneging by the doctrine of estoppel).

Publications

- Compulsory Purchase and Compensation (12th Ed. November 2024)
- Encyclopedia of Forms and Precedents, *Compulsory Acquisition* vol 8(2) (2025) published by Lexis Nexis
- Atkins Court Forms, *Compulsory Acquisition*, vol 10(1), (2025) published by Lexis Nexis
- Development and Planning Law (joint author) (4th Ed. 2012)
- The Law of Commons and Town and Village Greens. 2nd ed (2006)
- Halsburys Laws of England, Vol 27 on Landlord and Tenant (contributor with others) (1994) published by Butterworths.
- Encyclopaedia of Forms and Precedents, Vol 16(1), Fences, Boundaries and Party walls (5th Edition, Vol 1995 Reissue); Published by Butterworths

- Past Editor of Estates Gazette Law Reports
- Past Joint Editor Planning Law Reports.

Published Comments

Barry Denyer-Green is a strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. He covers a range of matters including restrictive covenants, easements and development agreements. "The leading individual on compulsory purchase matters. He is delightful to deal with." *Chambers UK Guide 2022 (Real Estate Litigation)*

A strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. He covers a range of matters including restrictive covenants, easements and development agreements. Strengths: "A highly academic barrister who does not shy away from giving a direct opinion." "He has a wealth of knowledge in telecommunication matters and is always willing to provide a detailed analysis of the legal issues." *Chambers and Partners UK Guide 2021 (Real Estate Litigation)*

A strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. He covers a range of matters including restrictive covenants, easements and development agreements. Strengths: "Very knowledgeable and resourceful." "He produces exceptionally clear and helpful opinions." "Has a great legal understanding and an excellent bedside manner. *Chambers and Partners UK Guide 2020 (Real Estate Litigation)*

"A strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. He covers a range of matters including restrictive covenants, easements and development agreements. Strengths: 'Very knowledgeable and resourceful; he is a mine of information on manorial mineral rights and an expert on compulsory purchase'." *Chambers UK Guide 2019 (Real Estate Litigation)*

"Recommended for compulsory purchase and compensation." *Legal 500 2018*

"A strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. Strengths: 'Very knowledgeable and resourceful, he is a mine of information on manorial rights and an expert on compulsory purchase'." *Chambers UK Guide 2018 (Real Estate Litigation)*

"Recommended for CPO and compensation cases". *Legal 500, 2017*

"A strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. Strengths: 'Possesses strong legal understanding and an excellent bedside manner.' 'Extremely knowledgeable when it comes to CPO claims and very user-friendly.' Recent work: Acted in a compulsory purchase case in the Upper Tribunal and handled the subsequent claim for compensation." *Barry Denyer-Green is a strong performer in compulsory purchase and compensation cases. He also has experience in the Lands Tribunal. He covers a range of matters including restrictive covenants, easements and development agreements. "The leading individua*