

# Landmark Chambers

## Barrister CV

Camilla Lamont



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## Camilla Lamont

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Camilla is a leading senior junior who specialises in all aspects of real estate litigation, but with a particular focus on commercial property and property development. She is also an established mediator.



### Expertise

Property, Environment

## Contact Practice Managers

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## Practice Summary

Camilla has been consistently recognised as a leading junior in real estate litigation by Legal 500 and Chambers and Partners, and as a national and global leader by WWL UK Bar and WWL Global Real Estate. She has twice been named Real Estate Junior of the Year at the Chambers UK Bar Awards, in both 2017 and 2021, and is currently ranked as a Tier 1 senior junior in real estate litigation.

**Camilla has a well established reputation in the field as a user friendly adviser and advocate who combines intellectual acumen with an understanding of the commercial realities facing clients. Her clients include developers, institutional landlords and national retailers as well as individuals. She has appeared in high**

## **profile property cases in both the High Court and Court of Appeal.**

Her practice covers all aspects of real property including conveyancing and title disputes. She regularly acts for clients in relation to development agreements as well as options, restrictive covenants, easements and rights to light that affect property development. She also handles property related environmental and professional negligence claims.

Her landlord and tenant practice encompasses, amongst other things, dilapidations, tenant default and insolvency, forfeiture, break clauses, rent review, service charges, ESG and 1954 Act renewals. Camilla also has considerable experience in disputes relating to the management of both residential and commercial premises.

Camilla has previously held posts as a tutor and lecturer of land law, equity & trusts and commercial leases at Oxford University. In 2019 she was appointed a fellow of the Society for Advanced Legal Studies (University of London) and is a member of its advisory board. She has published widely in her field and has been an editor of Hill & Redman on Landlord and Tenant since 2002.

### **Appointments**

As the former Chair of both Landmark Chambers' Equality and Diversity and Wellbeing Committee and Retention of Women Working Group, and a current member of Chambers' Management Committee, she takes a keen interest in diversity, inclusion and wellbeing at the Bar.

Camilla is also committed to pro bono work which she accepts through Advocate (formerly the Bar Pro Bono Unit). She has been one of Advocate's Senior Reviewers for property and landlord and tenant cases for a number of years.

She has previously sat on the Independent Decision making Body (IDB) of the Bar Standards Board and served as Vice Chair of its Qualifications Committee

Camilla has been a qualified mediator since 2009 and accepts instructions to act as a mediator in relation to property disputes. She is on the Chancery Bar Association's panel of pro bono mediators.

## **Property**

**Camilla has been consistently recognised as a leading junior in real estate litigation by Legal 500 and Chambers and Partners and as a national and global leader by WWL UK Bar and WWL Global Real Estate. She has twice been named Real Estate Junior of the Year at the Chambers UK Bar Awards, in both 2017 and 2021, and is currently ranked as a Tier 1 senior junior in real estate litigation.**

Her practice covers all aspects of real property including conveyancing and title disputes. She regularly acts for clients in relation to development agreements as well as options, restrictive covenants, easements and rights to light that affect property development. She also handles property related environmental work, in particular relating to nuisance, as well as professional negligence claims.

Camilla's landlord and tenant practice encompasses, amongst other things, dilapidations, tenant default and insolvency, forfeiture, break clauses, rent review, service charges, ESG and 1954 Act renewals. She also has considerable experience of disputes relating to the management of both residential and commercial premises.

She has appeared in high profile property cases in both the High Court and Court of Appeal. Significant property cases in which she has acted include:

- ***Crest Nicholson Residential (South) Ltd v McAllister*** [2004] 1 WLR 2409 (restrictive covenants)(petition to House of Lords)
- ***Carter and another v Cole and another*** [2006] EWCA Civ 398 (easements)
- ***G & S Brough Ltd v Salvage Wharf Ltd & Birmingham Development Company*** (2008) Ch D, (rights of light)
- ***Chappell v Chappell*** (2013) Ch D (rectification of transfer of landed estate)
- ***Christofi v National Bank of Greece*** [2015] All ER (D) 84 (charging orders, recognition of foreign judgments under the Judgments Regulations)
- ***Leaseholders of Foundling Court and O'Donnell Court v Camden LBC*** [2017] L & TR 7 (service charges)
- ***Discovery (Northampton) Ltd v Debenhams Retail Ltd*** [2019] EWHC 2441 (Ch) (CVAs)
- ***Davies-Gilbert v Goacher & Chester*** [2022] EWHC 969 (reasonableness of refusal of consent for development under restrictive covenant).

Camilla has previously held posts as a tutor and lecturer of land law, equity & trusts and commercial leases at Oxford University. In 2019 she was appointed a fellow of the Society for Advanced Legal Studies (University of London) and is a member of its advisory board. She has published widely in her field and has been an editor of Hill & Redman on Landlord and Tenant since 2002.

She regularly lectures on property law and practice. She was a speaker at the PLA Midlands CPD updates in 2023 (on the MEES Regulations) and 2019 (on electronic signatures), the Insolvency Lawyers' Association Annual Conference 2018 (on property issues in CVAs), the ChBA Shanghai Conference 2018 (on good faith in development contracts), the ChBA Property Seminar 2018 (on the 1954 Act), the PLA Annual Conference 2018 (on landlord's consents) and the PLA Annual Training Day 2017 (on rating for property lawyers), the 2016 ChBA Conference (on nuisance), the 2015 UKELA Conference (on flooding and nuisance claims) and the 2015 Property Bar Association Conference (on service charges).

Camilla has been a qualified mediator since 2009 and accepts instructions to act as a mediator in relation to property disputes.

Commercial Landlord and Tenant

Camilla's commercial landlord and tenant practice encompasses, amongst other things, dilapidations, tenant default and insolvency, forfeiture, break clauses, rent review, service charges, the electronic communications code, ESG and 1954 Act renewals.

Camilla is regularly instructed in respect of opposed and unopposed lease renewals, most frequently relating to retail and warehousing units. She has co-authored a book for the RICS on the subject. She has recently acted for the Crown Estate Commissioners in a ground (f) case relating to a building on Piccadilly, as well as for both landlord and tenants in unopposed lease renewal proceedings relating to retail units occupied by Next, Dunelm, Poundland and WHSmith.

Camilla has considerable experience in the field of tenant default and commercial forfeiture, including tenant insolvency. She was a speaker at the Insolvency Lawyers' Association Annual Conference on the topic of property issues arising in CVAs and formed part of the team that successfully acted for Debenhams Retail Ltd in opposing the challenge to its CVA in the High Court. She represented a superior landlord in successfully forfeiting the head lease of an apartment building at Princes Dock in Liverpool following an allegedly fraudulent transfer.

Her service charge expertise extends to commercial leases and mixed-use schemes. She has advised a number of institutional landlords and retail tenants as to the apportionment of services charges in shopping centres. She acted for head lessors in a multi-party service charge dispute before the Upper Tribunal in respect of the Brunswick Centre.

In the field of rent review, Camilla receives instructions to advise as to the correct construction of rent review provisions and to make submissions in the context of expert determination.

Camilla has been appointed to act as a single joint expert in this field and welcomes such instructions. She was awarded the RICS Award in Arbitration in 2012. Camilla is also an established mediator and has experience of successfully mediating commercial property disputes.

## Residential Leasehold Management and Disputes

Camilla undertakes residential work, particularly relating to service charges, management, building safety and the development and disposal of mixed-use estates. She has considerable experience in service charge litigation and is the editor of the chapter in Hill & Redman's Law of Landlord and Tenant on residential service charges and management.

She acted for a number of the respondents in ***Leaseholders of Foundling Court and O'Donnell Court v Camden LBC*** [2016] UKUT 366, [2017] L & TR 7, a multi-party service charge dispute before the Upper Tribunal relating to the Brunswick Centre in which it was held that obligation to consult fell upon a superior landlord. She has acted in contested proceedings for the appointment of a manager of a residential building in Chelsea under Part 2 of the 1987 Act.

She represented a superior landlord in successfully forfeiting the head lease of an apartment building at Princes Dock in Liverpool following an allegedly fraudulent transfer, and dealing with multiple applications for relief by way of vesting order made by leaseholders and lenders.

Camilla has recently advised both landlords and tenants as to the implications of the Supreme Court decision in ***Duval v 11-13 Randolph Crescent Ltd*** [2020] UKSC 18 for the management of residential buildings and in particular the treatment of applications for landlord's consent to alterations.

She also provides advice in relation to the application of tenants' rights of first refusal under Part I of the 1987 Act.

## Environment

Camilla's environmental practice is property-related and includes nuisance and contaminated land. She has a particular interest in claims arising out of flooding, a subject on which she has published articles. She was a speaker at the UKELA Annual Conference 2015 on the issue of liability for flooding.

Camilla has "recognised skill in dealing with property disputes with an environmental angle" (Chambers and Partners 2015) and "has been extremely active this year handling commercial development and property-related environmental matters" (Who's Who Legal UK Bar, 2015).

Clients that Camilla has acted for in her environmental practice include:

- A statutory body whose estate had been affected by coal mining subsidence.
- A developer in relation to flooding of a disused railway tunnel.
- National Grid in litigation arising out of the installation of a gas pipeline.
- A factory operator in a claim regarding alleged pollution by discharge of organic effluent.
- Owners of a flat alleging noise nuisance from ventilation plant.
- Factory owners seeking to establish rights to abstract water from and discharge into a river.
- Local authorities in respect of contaminated land and coastal protection schemes.
- A public body regarding the interpretation of a "green lease" and the provision of CHP Plant.

## Qualifications

- Camilla read Jurisprudence at Lincoln College, Oxford (1991 to 1994) where she attained a first class honours on the BCL in 1996
- She was called to the Bar by Middle Temple in 1995
- She qualified as an accredited mediator in 2009

## Recommendations

"Solid junior used for complex matters." "She is very bright, knows her stuff and is fearless but balanced." "She is technically excellent."

**Real Estate Litigation, Chambers and Partners, 2024**

"Camilla is very clear thinking and an excellent communicator with lay clients and the legal team alike. Her drafting is highly effective. She understands and fights the client's corner, at all times with a firm grasp of how the judge is likely to receive and respond to the information. Always a pleasure to work with."

**Property Litigation, Legal 500, 2024**

"Camilla is first class in her advice, really good technically and really good with clients." "She is very effective, works very hard and fights her corner for her clients." "Camilla's cross-examination is excellent, as is her analysis."

**Real Estate Litigation, Chambers and Partners, 2023**

"Quietly skilled in her approach, Camilla is technically and academically brilliant. She is dependable and sees the big picture from a commercial perspective, must be heading towards silk and rightly so."

**Property Litigation, Legal 500, 2023**

"A direct, commercial barrister and a joy to work with." "She gives clear, concise advice for the client to reassure and help them understand the positives and risks." "Camilla seems to really enjoy the underlying law and discussing different angles with others."

**Chambers and Partners, 2022**

"Very responsive and accessible. Clearly mindful of the need to be commercial, rather than treating instructions purely as a legal puzzle. Very adaptable in terms of strategic approach."

**Property Litigation, Legal 500, 2022**

"Undoubtedly one of the best senior juniors. Delightful to work with and intellectually impressive." "An excellent advocate, responsive, turns papers around quickly, very thorough and good to deal with."

**Real Estate Litigation, Chambers and Partners, 2021**

"She is robust, clever and sees all the angles."

**Legal 500, 2021**

"Extremely user-friendly and intelligent. She provides clear, effective and commercial written advice and is a well-respected advocate." "She is approachable, easy to get on with and goes the extra mile." "Straight-talking and very commercial. She rolls her sleeves up and gets stuck in."

**Real Estate Litigation, Chambers and Partners, 2020**

"A tenacious, bright and creative advocate" who "is always happy to get stuck in and fight the client's corner."

**Who's Who Legal: UK Bar Real Estate, 2020**

"Very user-friendly, practical, and commercial."

**Legal 500, 2020**

"Delightful to work with and intellectually impressive." "Has superb attention to detail as well as a great strategic view." "A rising star of the property Bar who has a well-earned reputation as a deep thinker."

**Chambers and Partners, 2019**

"She has an encyclopedic knowledge in a number of areas of property law."

**Legal 500, 2019**

"She absolutely lives and breathes the case and thinks through every issue. She is very user-friendly, easy to deal with and gives very clear advice."

**Chambers and Partners, 2018**

"A guiding light who cuts through reams of papers to get to the nub of issues."

**Legal 500, 2017**

"Camilla is able to present her advice in a way which appeals to clients of all types. She can be firm when she needs to be and does not sit on the fence. Her advice is pragmatic and shows a real understanding of the commercial realities faced by clients". Her practice is "impressive."

**Who's Who Legal: UK Bar Real Estate, 2017**

"A well-respected property barrister with expertise pertaining to service charge litigation, mixed-use schemes and commercial property disputes. She is also known for her work in environmental litigation." "She is unbelievably bright. She can put things into layman's terms for clients."

**Chambers and Partners, 2017**

"She is approachable, always available on the phone and able to work things through."

**Chambers and Partners, 2017**

"She is very pragmatic and understands what life is like at the coal face of property matters. She gets her sleeves rolled up and helps steer the client through the litigation minefield." "She is a strong opponent who is very clever and determined."

**Chambers and Partners, 2016**

"Knowledgeable on commercial and development matters."

**Legal 500, 2016**

"Technically excellent, good on her feet, but also down to earth with a relaxed but authoritative manner with clients... She cuts to the chase, and provides quality advice and sensible solutions... She has recognised skill in dealing with property disputes with an environmental angle."

**Chambers and Partners, 2015**



"Very commercial, user-friendly and an extremely bright and able barrister."

**Legal 500, 2015**

## Cases and inquiries

08 12 23	Court of Appeal delivers important judgment in Holland Park dispute as to parking rights
28 04 22	Davies-Gilbert v Goacher & Chester [2022] EWHC 969
19 11 19	Discovery (Northampton) Ltd v Debenhams Retail Ltd [2019] EWHC 2441 (Ch)
19 11 19	National Bank of Greece (Cyprus) Ltd v Christofi [2019] 1 WLR 1435 (CA)
28 06 18	Charles Russell LLP v Rehman [2010] EWHC 202 (Ch) 15.1.10
28 06 18	Crest Nicholson Residential (South) Limited v McAllister (2004) HL
26 06 18	Advisory work arising out of the Buncefield Oil Explosion
13 06 18	Shinereach Ltd v Residents of Penny Court and Tower Court (LRX/94 and 97 /2005)
07 06 18	Brown v Deacy & ors
05 06 18	Dunbrik (Yorks) Ltd v Norton & Norton
05 06 18	73 Denmark Villas Hove Ltd v Elbaccush [2006] PLSCS 164
05 06 18	Carter v Cole [2006] EWCA Civ 398
31 05 18	Dependable Homes Ltd v Mann [2009] UKUT 171 (LC) 25.6.09
31 05 18	Squirrel Films Distribution Ltd v SPP Opportunities Fund LLP [2010] PLSCS 68 5.3.10
30 05 18	Christofi v National Bank of Greece (Cyprus) Ltd [2015] EWHC 986 (QB)
25 05 18	Leaseholders of Foundling Court and O'Donnell Court v Camden LBC [2016] UKUT 366, [2017] L & TR 7