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## Flora Curtis

### Experience



Year of call 2019

Flora joined Chambers in October 2021 following the successful completion of her pupillage under the supervision of Gregory Jones QC, Ned Westaway, and Mark Westmoreland Smith. Flora welcomes instructions across all of Chambers' practice areas.

Flora's main areas of interest include:

- Planning;
- Environment and statutory nuisance;
- Public and human rights law;
- Prison Law and claims under the Equality Act 2010;
- EU law;
- Local government;
- Licensing;
- Rights of way and highways;
- Village greens and commons;
- Infrastructure;
- Public order and anti-social behaviour law.

In appropriate cases, Flora is happy to work on a pro-bono basis.

## **Practice Areas**

### **Planning**

Flora gained experience of a wide range of planning matters during pupillage. These include:

- Judicial review and statutory challenges;
- Permitted development rights;
- Challenges to officers' reports;
- Lawful development certificates;
- Enforcement notices;
- The interpretation of planning policy;
- The interpretation of planning conditions;
- Challenges to draft local plans during the plan-making stage;
- The distinction between supplementary planning documents and other types of local development document;
- The meaning of 'development' under s.55 of the Town and Country Planning Act 1990.

Flora assisted Alexander Greaves and Gregory Jones QC during a four-week call-in inquiry in September 2021 into the development of a metallurgical coal mine in West Cumbria. The inquiry raised a range of issues such as the need for coking coal in the domestic and international market, the impact of the proposals on climate change, and the extent to which downstream emissions can be taken into account at the consenting stage.

Flora has also advised a local residents' group on the ways in which a draft local plan can be challenged prior to its examination and adoption.

### **Environmental Law**

Flora has a keen interest in developing an environmental law practice. She has gained experience in a variety of environmental matters during pupillage, including:

- The Habitats Directive and Regulations;
- Environmental impact assessments;
- Strategic environmental assessment and the circumstances in which it will be necessary;
- Statutory nuisance and the Environmental Protection Act 1990;
- The Climate Change Act 2008 and the Paris Agreement.

Flora was instructed by the Secretary of State to defend a challenge brought by Plan B Earth and four individual claimants, which raised questions of international environmental law and the Paris Agreement, the Climate Change Act 2008, and the intersection between environmental law and Articles 2, 8 and 14 of the Human Rights Act 1998.

## **Public and Human Rights Law**

Flora is keen to develop a broad public law practice. During pupillage Flora has gained experience in a variety of public law matters, including the following:

- Judicial review;
- Human rights in an environmental context, in particular Articles 2, 8 and 14 of the ECHR;
- The interaction between Article 6 ECHR and the strict time limits for statutory review;
- Prison law and
- The *Padfield* principle;
- The limited nature of judicial review in the context of decisions relating to resource allocation.

## **Infrastructure**

During pupillage, Flora gained experience in cases involving the interpretation of the Planning Act 2008, the independent examination process for development consent orders, and the interpretation of national policy statements.

## **Local Government**

During pupillage, Flora gained experience in a wide range of matters relating to local government. This included planning decisions, as well as decisions under the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## **Licensing**

Flora has acted for and advised a variety of clients in licensing matters including appellants, licensing authorities and the police. She has particular experience in alcohol licensing and related appeals.

Flora advised a London borough council in relation to two licensing appeals, and is currently instructed to appear at an appeal hearing brought by a bar and restaurant against a review of its licence by the authority.

## **Compulsory Purchase/Compensation**

During pupillage, Flora assisted in drafting advice on a range of compulsory purchase and compensation matters, such as:

- The level of compensation payable for the compulsory purchase of land by HS2;
- The applicability of the *Bishopsgate* principle;
- The limits to compensation where land has been used unlawfully; and
- The date at which compensation should be determined.

## **Rights of Way and Highways**

During pupillage, Flora gained experience in a number of matters relating to the Highways Act 1980, and the Countryside Rights of Way Act 2000. She is interested in developing her practice in highways law further.

## **Rating**

During pupillage, Flora gained experience in several rating matters, such the number of hereditaments present in a single building, the service of invalidity notices, and the rateable values of properties.

## **Public Order and Anti-Social Behaviour Law**

Flora has appeared frequently in the Magistrates' Court and the Crown Court on matters relating to anti-social behaviour and public order. She has particular experience in the following:

- Stalking Protection Orders and the Stalking Protection Act 2019;
  - Sexual Risk Orders;
  - Sexual Harm Prevention Orders and variations to Sexual Offences Prevention Orders;
  - Closure Orders.
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## **Qualifications**

- City, University of London, Bar Professional Training Course (Very Competent) (2019)
  - City, University of London, Graduate Diploma in Law (Distinction) (2018)
  - St Catharine's College, University of Cambridge, MPhil in Early Modern History (Distinction) (2017)
  - University of Edinburgh, MA in History (First) (2016)
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## **Scholarships and Awards**

- EFTA Court Scholarship (Lincoln's Inn) (2019)
  - Thomas More Scholarship (Lincoln's Inn) (2018)
  - Lady Katherine Barnardiston Scholarship (St Catharine's College) (2018)
  - College Award (St Catharine's College) (2018)
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## **Other Experience**

Before commencing pupillage, Flora spent four months as a trainee in the cabinet of Judge Bernd Hammermann at the Court of Justice of the European Free Trade Association. She gained experience in the application of EEA law in various different factual circumstances. Flora also spent three months volunteering as a research assistant to Professor Meg Russell, Director of the UCL Constitution Unit, conducting research into Brexit, parliament, and parliamentary sovereignty.

Flora volunteered with the School Exclusion Project for two years, during which time she represented the parents of permanently excluded schoolchildren at school disciplinary hearings and local authority review panels. She also volunteered as a caseworker with Advocate, and continues to volunteer with Advocate as a barrister. Flora is also a mentor with the Bridging the Bar scheme.

Flora was a finalist and semi-finalist in a number of mooting competitions such as the McKay Cup Canadian Law Mooting Competition, the LSE-Featherstone Moot, and the City University GDL Moot.

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## **Memberships**

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