



Richard Wald KC

Year of call: 1997 | Silk: 2020

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"Richard is a superb barrister. He exudes a style which is measured, considered, exactly on the point and very persuasive. One of the most effective advocates, but most particularly in the High Court where his intellectual brilliance and gifted advocacy make him stand out as a true star" The Legal 500 2022

Richard Wald KC is a leading environmental, planning and public law silk. He has been ranked by Chambers and Partners and The Legal 500 in the categories of Environmental Law, Planning Law, Aviation Law, Administrative and Public Law and Energy Law. Prior to taking silk he was rated by Planning Magazine Legal Survey as amongst the UK's top planning juniors for over a decade and nominated by Chambers and Partners as Planning and Environment Junior of the Year.

Areas of expertise

Administrative and Public

Administrative and Public (including Local Government and Human Rights)

Planning

-- Aviation and Aerospace

-- Compulsory Purchase and Compensation

-- Development Consent Orders and Infrastructure

-- High Court Planning Challenges

-- Planning Appeals, Hearings and Inquiries

-- Planning Enforcement

Environmental

Energy

Environmental

Richard regularly advises on environmental matters and has appeared in numerous inquiries, local plan examinations and High Court challenges related to climate change and other environmental issues.

Cases of note

- ***R(Harris) v Environment Agency & Natural England* [2022] EWHC 2264 (Admin)** - Richard acted for the successful claimants in this judicial review of the Environment Agency's failure properly to discharge its duties under the Habitats Directive by safeguarding protected species from the adverse effects of water abstraction in the Norfolk Broads. The case has had wide-ranging ramifications for the application in the UK of both the Habitats Directive and EU law more generally, post-Brexit.
- **Barry Biomass Energy from Waste Plant** - Richard acted for the owner and operator of one of the UK's largest energy from waste incinerators in Barry, Vale of Glamorgan, Wales. The Vale of Glamorgan Council has recently served Aviva with an enforcement notice requiring the total demolition of the plant. Aviva has appealed against the notice on various grounds. A major enforcement appeal is due to be heard in 2023.
- ***FFOS Fishermen and Friends of the Sea v Environmental Management Authority* [2018] UKPC 24** - Richard acted in the Privy Council for Trinidad & Tobago's leading environmental NGO in its JR of the grant of a Certificate of Environmental Clearance ("CEC") for a motorway scheme (constituting EIA development) near a protected Savanna in Central Trinidad. Richard had previously acted for the same NGO in its challenge to the permitted of an Aluminium Smelter plant on a protected beach.
- ***R (Jennifer Dawes) v Secretary of State for Transport and Anor* [CO/ 2917/ 2020]** - acted in the first ever successful judicial review challenging the grant of a development consent order re-opening Manston Airport on climate change grounds.
- ***Stansted Airport Inquiry*** - Richard acted in the 2021 30-day inquiry resisting the further expansion of Stansted Airport, inter alia on the grounds of greenhouse gas emissions and the impact on climate change and the ability to meet the "net zero" duty.
- ***R (Ross & Sanders acting on behalf of Stop Stansted Expansion) v Secretary of State for Transport* [2020] EWHC 226 (Admin)** - concerning the carbon emission modelling underpinning the government's "Making Best Use" policy
- ***Environment Agency v (1) Commercial Recycling Limited (2) Greenway Ireland Ltd* (Crown Court Ref: No T2012 0045)** - EA prosecution of an independent waste disposal and recycling company under the Transfrontier Shipment of Waste Allegations 2007, Environmental Permitting (England & Wales) Regulations 2007 & 2010, and Hazardous Waste (England & Wales) Regulations 2005.
- ***Francis Roy Morgan (2) Catherine Margaret Baker (Appellants) v Hinton Organics (Wessex) LTD (Respondent) & CAJE (Intervenor)* [2009] EWCA Civ 107** - Consideration inter alia of the Aarhus Convention that costs in environmental proceedings should not be "prohibitively expensive".

Recommendations

Environment

"Tenacious and inventive - one of the pre-eminent environmental silks in London, and far and away the most skilled and persuasive." The Legal 500 2022

"Measured, confident, persuasive, he is a superb barrister who is good on paper but truly excellent when in court on his feet." Legal 500 2021

Planning

"Richard is an outstanding High Court advocate: clear, insightful and effective on his feet. He has got a brilliantly inventive mind."

"He is an excellent advocate, who is very approachable and easy to work with."

"He is very knowledgeable and very helpful."

"An excellent advocate, who is very approachable and easy to work with."

"Richard is a proper specialist in this area." Chambers and Partners 2023

Energy

"A breadth of knowledge across the many areas of nuclear regulation" The Legal 500 2015

Administrative and Public Law

"He has incredible skill and inventiveness in creating very attractive arguments." *"He is fantastic with clients who are very sophisticated and familiar with the process, but also very wonderful at holding clients' hands through their first judicial review."* Chamber and Partner 2020

"He's very bright and he packages his arguments and opinions in a way that the clients can understand."

"He puts everyone at ease and he gets to what really matters."

"Conscientious and diligent." *"An amazing advocate."* Chambers and Partners 2021

Aviation and Aerospace

"Richard has a very good grasp of the details relating to aviation regulation and control. He is good on papers but excellent in court. He is measured, confident, on the point and very persuasive." The Legal 500 2023

"An up-and-coming new silk" The Legal 500 2022 (Tier 1, Silks in Aviation Category)

Memberships and Appointments

- Planning & Environment Bar Association (PEBA)
- Administrative Law Bar Association (ALBA)
- Chair of Environmental Law Foundation
- Member and former trustee of United Kingdom Environmental Law Foundation
- National Infrastructure Planning Association
- Assistant Commissioner to the Boundary Commission for England (2016)
- General Editor of Sweet & Maxwell Thomson Reuter's Encyclopaedia of Environmental Law (2005-2015)
- Attorney General's B Panel of Counsel to the Crown (2009)
- Attorney General's C Panel of Prosecution Counsel to the Crown (2003)
- University of Brighton Visiting Lecturer (MSc Environmental Policy and Law)
- Judicial Assistant in the Court of Appeal (Assistant to Konrad Schiemann LJ)
- Legal and Administrative Trainee at UN Office of Legal Affairs and DG1A (External Relations) of the European Commission

Qualifications, Scholarships and Prizes

- MA Hon. Spanish & European History, First Class with Distinction (finished 1st in year), University of Edinburgh: 1990-1994
- Erasmus Scholar (Coimbra Group) – University of Granada (Medieval History)

- Brown University – Special Student Scholarship – American Literature and History
- Inns of Court School of Law – Bar Finals
- Diplomas in Law (City University) and EC Law (King’s College, London): 1996
- Gray’s Inn Prince of Wales Scholar 1998
- Inner Temple Pegasus Scholar (Judicial Assistant to Chief Justice of Israel) 2000
- Trained and accredited Mediator and Pupil Supervisor

Additional Information

- General Editor of Thomson Reuters’ Encyclopedia of Environmental Law 2004-2015
- Co-editor of Sweet & Maxwell Thomson Reuter’s Environmental Law Bulletin
- Contributor to Tromans on Nuclear Law 3rd Edition (Hart Publishing, forthcoming)
- Contributor to Tromans on Environmental Impact Assessment: Law and Practice 2nd Edition (Bloomsbury, 2012)
- Co-Author of Butterworths/LexisNexis’ Highways Law and Practice 2002

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