



## Richard Wald KC

Year of call: 1997 | Silk: 2020

Email: richard.wald@39essex.com

Phone: +44 (0)20 7832 1111

*"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

## Administrative and Public

Richard regularly appears as an advocate in the higher courts for Claimants, Defendants and Interested Parties in public law cases.

## Cases of note

***Ocado Retail Ltd v London Borough of Islington & (1) Telereal Trillium Ltd (2) Concerned Residents of Tufnell Park* [2021] EWHC 1509 (Admin)** - Richard acts for residents local to a proposed new Ocado depot on an industrial estate next to a primary school. Those residents successfully applied for the revocation of a certificate of lawfulness permitting unfettered storage and distribution activities at the site on the basis that the determining local planning authority had been materially misled by the application and using a seldom deployed power under section 193(7) of the Town and Country Planning Act 1990 ("TCPA 1990"). Ocado filed a judicial review claim which sought to quash Islington LBC's revocation decision but CRTP together with Islington LBC successfully defended that claim. Ocado then applied for a fresh certificate on the basis of further evidence, CRTP raised a number of objections to that application and Islington refused it in February 2022. An appeal against that appeal is pending.

***R(Bancoult) v Secretary of State for Foreign & Commonwealth Affairs* [2018] UKSC 3 see also [2014] EWCA Civ 708 [2012] EWHC 2115 (Admin), [2012] EWHC 3281 (Admin) 2013] EWHC 1502 (Admin))** - JR of decision to enact the world's largest Marine Protected Area in the waters surrounding the British Indian Ocean Territory. Richard has acted for the Claimant/Appellant since 2011 in this long-running attempt to repatriate Chagossians expelled from their native islands in the 1960s and at each stage of this litigation from the Divisional to the Supreme Court. He took the lead in devising an argument that the decision was vitiated by an improper purpose based on WikiLeaks evidence of relevant discussions between diplomats. The Supreme Court dismissed the appeal but found in the Appellant's favour on WikiLeaks admissibility.

***R (Hillingdon LBC & Ors.) (Claimants) v Secretary of State for Transport (Defendant) & Transport for London (Interested Party)* [2010] EWHC 626 (Admin)**

- Judicial review challenge to government support for a third runway at Heathrow airport. Richard was subsequently instructed also in related proceedings ***R(Hillingdon LBC & Ors) v Secretary of State for Transport & Ors.* [2017] EWHC 121 (Admin)** comprising a strike out application (founded on s13(1) of the Planning Act 2008) by Hillingdon LBC and others (principally west London local authorities) against the SSfT's decision to select for inclusion in a draft national policy statement (NPS) a proposal for a third runway at Heathrow Airport on grounds of a flawed approach to air quality and breach of legitimate expectation.

***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 in Trinidad.

## 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

---

### London

81 Chancery Lane,  
London  
WC2A 1DD  
Tel: +44 (0)20 7832 1111  
DX: London/Chancery Lane 298  
Fax: +44 (0)20 7353 3978

### MANCHESTER

82 King Street,  
Manchester  
M2 4WQ  
Tel: +44 (0)16 1870 0333  
Fax: +44 (0)20 7353 3978

### SINGAPORE

Maxwell Chambers,  
28 Maxwell Road,  
WC2A 1DD  
04-03 & 04-04, Maxwell Chamber  
Suites  
Singapore 069120  
Tel: +65 6320 9272

### KUALA LUMPUR

#02-9, Bangunan Sulaiman  
Jalan Sultan Hishamuddin,  
50000 Kuala Lumpur,  
Malaysia  
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com