

MICHAEL RUDD

Year of call: 2002

Clerked by: Gary Smith

AREAS OF EXPERTISE:

Administrative & Public Law Environment Local Government
Planning



Administrative & Public Law

Michael advises in the wider field of public and administrative law. He regularly appears in the First Tier and Upper Tribunal, the Administrative Court and the Court of Appeal. He recently brought a judicial review against the decision of a local authority to change the traditional sodium street lighting in its area to LED lighting.

Significant Cases

R (on the application of Castelli) v London Borough of Merton [2013] EWHC 602 (Admin) - Successfully represented the Local Authority in the first reported case addressing the definition of a “hedge” under the “High Hedges” legislation.

E-A (Article 8: Best Interests of Child: Nigeria) [2011] UKUT 315 (IAC), [2011] Imm. A.R. 872; [2012] I.N.L.R. 273 - Appeal before the President of the Tribunal which focused the issues under ZH(Tanzania) and the UNCRC and clarified at what age the **Tribunal considered children to begin forming relationships beyond the parental family unit.**

R. (on the application of Thangeswarajah) v Secretary of State for the Home Department [2007] EWHC 3288 (Admin) - Judicial review application relating to “fresh claims”, refused in the Administrative Court, successful in the Court of Appeal.

BL(Jamaica) [2016] EWCA Civ 357 - Appeal by the SSHD against a decision of the Upper Tribunal to quash a deportation order pertaining to a foreign criminal; the Court setting down principles in respect of the balance between the public interest in deportation and the best interests of children impacted upon by said deportation.

Profile

Michael practises in the areas of town and country planning and compulsory purchase law, environmental and agricultural law, highways, local government and public and administrative law. He accepts instructions under the Direct Public Access provisions

Michael is also a Fellow of the Geological Society and has academic qualifications in geology, physics and advanced engineering geology. Before being called to the Bar Michael spent fourteen years in the development industry, initially as an Engineering Geologist before moving into the field of Planning and Environmental Consultancy. He was employed by a number of major engineering contractors and international consultancies providing advice on foundation design and construction, highways design and construction, contaminated land and ground water assessment and remediation, dewatering solutions, flood risk assessments, and carrying out environmental impact assessments

He advised on such developments as the Channel Tunnel Rail Link, Heathrow Terminal 5, the Canary Wharf Development, Chapelcross and Sellafeld nuclear power stations and designed the innovative foundations for the Huddersfield Town Football Club stadium. He has particular experience of deep level drilling for the purposes of the installation of complex groundwater monitoring and sampling installations.

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Areas of Expertise

Administrative & Public Law

Environment

Local Government

Planning

Memberships

Planning and Environmental Bar Association

United Kingdom Environmental Law Association

Fellow of the Geological Society (FGS)

Part-time lecturer at Birmingham School of Architecture

Seminars and Lectures

Michael regularly gives seminars and lectures on shale gas and hydraulic fracturing. In 2016 he presented two regional seminars to the Royal Town Planning Institute entitled "Fracking: Planning for an energy nirvana?", a series of in-house seminars to lawyers and engineers entitled "Fracking for Shale Gas - The Story so Far" and a lecture of fracking at Coventry University to a selection of national and international lawyers, environmentalists and conservationists.

Michael regularly presents lectures and seminars on matters relating to human rights, particularly in the context of planning and environmental law.

He presents lectures to MA Architecture (RIBA Pt II) students at the Birmingham School of Architecture on the Principles of the English Legal System.

Qualifications

Michael grew up in the North West and attended the University of Keele where he studied Physics & Geology (BSc(Hons)). He then went on to the University of Durham where he studied for an MSc in Advanced Engineering Geology (Distinction). After working for a number of years he attended the University of Kent where he studied Environmental Law (LLM - Distinction). He then converted to the Bar, attending City University (CPE) and the Inns of Court School of Law (BVC).

Between 1988 and 2002 Michael was employed by a number of major engineering contractors and international consultancies providing advice on foundation design and construction, highways design and construction, contaminated land and ground water assessment and remediation, dewatering solutions, flood risk assessments, and carrying out environmental impact assessments.

Recommendations

'He provides detailed, considered advice, and is able to adapt well to solicitors' needs' **Legal 500 2021**

'Recommended for planning enforcement cases.' **Legal 500 2020**

'He has in-depth knowledge of planning law.' **Legal 500 2018**

'He has an innovative approach to casework.' **Legal 500 2017**

Michael Rudd is 'One of the leading authorities on Traveller cases.' **Legal 500 2016**

Michael Rudd "...has a wide range of experience in development control matters" **Legal 500 2016**

