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Michael Fry

Practice Profile



Year of call 2011

Michael specialises in planning and public law. His practice encompasses environmental, regulatory, local government, European and administrative law. Michael practiced as an employed barrister at a prestigious international law firm for 5 years, and has also spent a 9 month secondment in house, so has experienced the pressures and level of service required by professional and lay clients. In 2017, Michael was a finalist for Young Employed Barrister of the Year.

Michael has a broad practice, and examples of his recent work include:

- Advising High Speed 2 on blight, compulsory purchase and planning matters;
- Planning inquiries and hearings for significant housing schemes;
- Sole counsel in judicial review hearings;
- Successfully securing Disability Living Allowance for a deaf child following an appeal to the Upper Tribunal; and
- Advising the Government of Afghanistan on cultural heritage matters.
- Major infrastructure development, particularly the promotion of schemes, has been a cornerstone of Michael's practice, and he has acted in a number of DCOs. Michael has also acted for the Government in relation to the draft Airports National Policy Statement, and has advised High Speed 2, including on secondment.

Michael is able to receive direct access instructions, and also is authorised to conduct litigation - which means that he is able to act without a solicitor in many circumstances.

Experience

INFRASTRUCTURE

Michael has led application for national significant infrastructure and has expert knowledge of infrastructure development. Although in danger of becoming a linear infrastructure specialist, Michael is keen to advise on any infrastructure matters, and is particularly interested in advising on business and commercial projects. He is familiar with the life-cycle of an infrastructure project, and has advised from pre-application, through the examination process and into implementation. Areas of niche interest are the interpretation of the powers granted and the cross-over between town and country planning and infrastructure development.

DCOs worked on include: Rookery South Resource Recovery Facility, M4 (Junctions 3 - 12) Smart Motorway, Tidal Lagoon Swansea Bay, North Killingholme Power Project, North London Heat and Power Project and North West Coast Connections.

Michael was also involved in the drafting of the National Policy Statement for Airports. He has also spent nine months on secondment to HS2 Ltd advising it on the use of its powers.

DEVELOPMENT AND REGENERATION

As a senior planning lawyer in a busy City practice, Michael advised corporate and private clients on a wide range of matters under the Town and Country Planning regime. Due diligence and planning reports for major property acquisitions, and reviewing the planning position of assets was a large part of Michael's practice. He has particular expertise in statutory interpretation, and advises regularly on permitted development and CIL issues. He has drafted many complex section 106, 38 and 278 agreements so is well versed in the construction of planning conditions. Some of Michael's recent work includes:

Promotion

Michael has advised upon and led planning applications from major schemes from conception to grant of permission. He has experience of securing permission for research/medical facilities, residential, private members' clubs, retail, storage and corporate headquarters. Most recently, Michael has been advising on building hardening to protect staff from external threats, particularly in heritage areas.

Michael has appeared in appeals and hearings for significant and luxury housing development on behalf of promoters. He has acted on behalf of local residents opposing wind farm development.

Enforcement

Michael has protected corporate clients from enforcement issues arising from their property assets. Litigation risk means that court attendance must be a last resort, and in most cases, Michael has successfully negotiated with the Local Planning Authority to avoid court action.

Heritage

Michael has specialist knowledge of heritage matters, and has advised on a number of high profile and controversial cases with heritage impacts. He has advised the Government of Afghanistan on cultural heritage matters. Domestically, he acted in securing planning permission for the redevelopment and amalgamation of two Grade II listed buildings in Kensington Palace Gardens, and advised HS2 on the application of heritage law to the redevelopment of Euston Station.

COMPULSORY PURCHASE AND COMPENSATION

As a pupil, Michael acted in the Winchester Silver Hill CPO inquiry. He has continued to advise corporate and infrastructure clients on the exercise of compulsory purchase powers, and has acted for statutory undertakers in compulsory purchase matters. Recently, Michael has been advising HS2 on its land assembly powers.

ENVIRONMENTAL

Michael has a particular interest in the environmental aspects of major infrastructure projects, and has specialist knowledge of air quality and water issues. Michael led environmental and consenting work on the North West Coast Connection project for National Grid, and performed a similar role for Tidal Lagoon Power on Tidal Lagoon Swansea Bay.

Recent cases include R (on the application of Silke Roskilly) v Cornwall Council & Shire Oak Quarries Limited [2015] EWHC 3711 (Admin), in which Michael appeared on behalf of the interested party as sole counsel.

ADVERTISEMENTS

Michael is experienced in advertisement matters, including the promotion of sites and enforcement matters. He is very familiar with advertisement enforcement in London, and has acted for operators, advertisers and corporates to defend against advertisement enforcement. He has experience of Proceeds of Crime issues relating to breaches of advertisement consent. He led the successful application for the Manchester Two Towers site and protected the RS Hispaniola from enforcement when it rebranded to the Good Ship Benefit complete with lurid pink livery.

ASSETS OF COMMUNITY VALUE

Michael has advised on ACVs since the inception of the regime, and has acted to promote and defeat applications, including for The Gunners pub.

OTHER LEGAL EXPERIENCE

Michael has broad legal experience, and has acted in matters outside of traditional public law planning. Michael has appeared in family, personal injury and property hearings in the county courts, and acted in the First Tier and Upper Tribunals for immigration and social security matters. He has experience of advising individuals and corporations as to the scope of their data duties and has led appeals to the Information Commissioner's Office.

INTERNATIONAL

Michael managed the legal work for the international real estate portfolio of the European Bank for Reconstruction and Development, leading commercial property transactions across the globe.

Michael advised the Government of Afghanistan on cultural heritage matters and municipality law.

Education & Scholarships

Michael holds a MA (Hons) in Social and Political Sciences from Christ's College, Cambridge. He was graded Outstanding on the Bar Professional Training Course, and received a Commendation for his Graduate Diploma in Law. He is a Major Scholar and Exhibitioner of the Inner Temple and received a BPTC Outstanding Award.

Michael completed the commissioning course at the Royal Military Academy Sandhurst, and holds a City and Guild Graduateship in Leadership and Management.

Other Experience

Before starting his career at the Bar, Michael was an Army officer for almost a decade, serving in the Blues & Royals. He continued in the Army Reserve for a further four years. Michael is a governor of the Marsh Academy in Kent, and a trustee of the Neurofibromatosis Association. He is a liveryman of the Skinner's Company.

Michael had a wide variety of roles before joining the Army, including running nightclubs, analysing public policy and working as a lobbyist.

Professional Memberships

- PEBA (Planning and Environmental Law Bar Association)
- NIPA (National Infrastructure Planning Association)
- SAL (Society of Asian Lawyers)

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