



Francis Taylor Building  
Inner Temple  
London EC4Y 7BY

Francis Taylor Building

DX: 402 LDE

T: 020 7353 8415 F: 020 7353 7622  
E: clerks@ftbchambers.co.uk W: www.ftbchambers.co.uk

---

## Michael Rhimes



Year of call 2019

Michael Rhimes is free to accept instructions across all of Chambers? practice areas from 7 October 2021. During pupillage, he was supervised by Isabella Tafur, Hugh Flanagan and Melissa Murphy.

Michael read law at Queen Mary where he graduated with First Class Honours in 2014, and completed the BCL at Oxford University in 2015. He then worked as a law clerk to the British Judge at the Court of Justice of the European Union for two years. His main areas of interest include:

- Planning law;
- Public law and human rights;
- Licensing;
- Rating;
- Enforcement;
- Local Government;
- Infrastructure;
- Village greens and Public Rights of Way and
- Environmental law, in particular with an EU law dimension;

## Practice Areas

### Planning

Michael has gained experience of a wide variety of planning issues during his pupillage, including:

- Judicial review & statutory challenges;
- Challenges to officers' reports;
- Lawful development certificates;
- Enforcement notices;
- The interpretation of planning policy (including the NPPF 2021);
- Listed buildings & conservation areas;
- Interpretation & enforceability of planning conditions;

### Public Law and Human Rights

Michael is interested in public law and human rights. He welcomes instructions in any field that involve the application of general principles of public law.

Michael assisted Isabella Tafur on the right to reasons under Article 6 of the European Convention on Human Rights, and references to the Court of Justice of the European Union in *R(Wingfield) v Canterbury City Council, Redrow Homes and HNC Developments LLP* [2020] EWCA Civ 1588.

Michael also assisted Hugh Flanagan (lead by James Strachan QC) defending an application to the European Court of Human Rights in two cases involving the legality of detention under Article 5, pending administrative delays in transfer to a bail hostel (?Approved Premises?). (*Stanton and Bowen v United Kingdom*).

Previously, as part of the Oxford Pro Bono Group, Michael has advised on legal issues arising from an inquiry into the death of 44 people in a strike in South Africa (the Marikana Commission of Inquiry) and the compatibility of a restriction on home births in Czechia with Article 8 of the European Convention on Human Rights.

### Licensing

Michael has experience in acting for a range of parties in licensing matters, both at committee level and at Magistrate Court level.

He acted as legal advisor to a Gambling Sub-Committee which was considering an application for a premises license under the Gambling Act 2005. He has also represented the metropolitan police in a summary review under the Licensing Act 2003, and been instructed by a former Uber driver seeking to appeal Transport for London's decision to revoke his private hire license in the Magistrates' Courts.

He has also authored an article challenging the widely accepted view that it is lawful to conduct licensing sub-committee hearings remotely.

## **Rating**

Michael has assisted members of Chambers on two rating matters before the Valuation Tribunal for England and the Upper Tribunal (Lands Chamber) that considered, first, the scope of a hereditament for the purposes of rating and, second, what hereditaments are non-domestic and liable for rates.

Michael has also assisted a member of Chambers in a matter where a company (in administration) seeks to recover unlawfully levied non-domestic rates. This advice covered complex points of restitution at common law, and recovery under the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989.

## **Compulsory Purchase / Compensation**

Michael assisted Isabella Tafur in a multi-million pound compensation case before the Upper Tribunal (Lands Chamber), which settled during trial. At issue was whether a proposed development on the site would have been granted permission. The principal policy was a complex, 'tiered' policy, and there were significant heritage issues involving multiple Listed Buildings.

Michael also assisted Isabella Tafur preparing for a blight case under the Town and Country Planning Act 1990, Part VI, Chapter II, advising, in particular, on whether a diminution in value of a property could constitute 'material detriment'.

## **Enforcement**

Michael assisted Hugh Flanagan in an enforcement case involving an appeal against an Inspector's decision on a restaurant/night club with multiple uses (some of which were authorised). The matter also raised question regarding Inspectors' powers to amend the enforcement notice under s 174(2)(f) Town and Country Planning Act 1990.

Michael also assisted Hugh provide advice on the power of a local authority to enforce the sale of a property under section 101 Law of Property Act 1925 where the owners had repeatedly failed to pay the authority's costs of taking enforcement action.

## **Local Government**

Michael assisted in drafting an opinion for a local authority on a number of issues arising under the Road Traffic Regulation Act 1984 including issues of vires, procedure, and the powers of local authorities over public and private land.

Michael also assisted Suzanne Ornsby QC on whether a hotel could be listed as an Asset of Community Value under the 2011 Localism Act.

### **Village Greens and Public Rights of Way**

Michael successfully represented a local community group (acting *pro bono*) in a non-statutory Inquiry concerning whether a 'trigger' event had taken place under the Commons Act 2006.

He also assisted other members of Chambers on whether 'cul-de-sac' ways could be dedicated under section 31 of the Highways Act 1980, and on potential recourses against an individual who submits a vexatious Definitive Map Modification Order.

### **Advertising**

Michael assisted in the drafting of a defence to a pre-action protocol letter for advertisement consent for a well-known high street brand on Oxford Circus. The case involved a complex interaction between the regimes of express and deemed consent under the Control of Advertisement Regulations 2007.

### **Infrastructure**

Michael assisted Rebecca Clutten on an important point of principle concerning the powers of an applicant for a development consent order to enter private land to carry out surveying and related matters under the Planning Act 2008 and the Housing and Planning Act 2016. The case settled as it became academic.

Michael will also be junior to Rebecca Clutten on a three week-long Inquiry into a Transport and Works Act Order for a proposed station in Cambridge.

### **Environmental Law**

Michael assisted Isabella Tafur in two cases before the Court of Appeal that raised broad-ranging issues in relation to Environmental Impact Assessments (after *People Over Wind*) and Appropriate Assessments under the Habitats Regulations: *R(Wingfield) v Canterbury City Council, Redrow Homes and HNC Developments LLP* [2020] EWCA Civ 1588.

Michael also assisted Isabella Tafur (lead by Andrew Tait QC) resisting the appeal of *R(oao Girling) v East Suffolk Council* [2020] EWHC 2579 (Admin) to the Court of Appeal, which raised issues surrounding the NPPF policies on Areas of Outstanding Natural Beauty and environmental information required under the EIA Regulations.

---

## Qualifications

- Queen Mary, Law (First Class Honours) (2011 ? 2014)
  - University of Oxford, Bachelor of Civil Law (2014 ? 2015)
  - BPP University Law School, Bar Professional Training Course (Outstanding) (2018 ? 2019)
- 

## Scholarships, Awards and Other Experience

### Bar Awards & Scholarships

- Sir Joseph Priestly Award (Inner Temple) (2019) (awarded to undertake a clerkship at the Constitutional Court of South Africa)
- Princess Royal Scholarship (Inner Temple) (2018) (awarded to study the Bar Professional Training Course)
- Pro Bono Award ? awarded by BPP to study the BPTC (2018)
- Excellence Award ? awarded by BPP to study the BPTC (2018)
- Gilbert Murray Trust Award; Global Justice Internship Fund; Southern African Judicial Assistance Project (awarded for various projects in 2015)

### University Awards & Scholarships

- Leverhulme trust Prize (excellence in final year at University) (2014)
- Oxford University Prize (award for top marks Equity & Trust Law) (2013)
- Property Law Prize (award for top marks in Property Law) (2012)

Privacy Notice

---

## Selected Publications

Forfeiting proceeds: civil forfeiture, the right to property and the Constitution. South African Law Journal (forthcoming, May 2021)

Greening the Law: the Reception of Environmental Law and Its Enforcement in International Law and European Union Law 2018 Columbia Journal of European Law

Charting the Charter: A UK Guide to the Application of the EU Charter, 2017 (3) Judicial Review 295.

Standing their Ground: Why are EU Standing Rules for Direct Actions (still) so

Restrictive? 2016 European Journal of Legal Studies (online)  
Cited with approval in Opinion of Advocate General Wathelet in C-244/16 P Industrias  
Quiñicas del Valle's v Commission ECLI:EU:C:2017:635.

Michael is also a regular contributor to the UK Human Rights Blog.

---

## **Professional Memberships**

- UKELA
  - PEBA
  - ALBA
- 
-