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Rhodri Williams QC

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Practice Overview

Rhodri Williams QC is Head of the Public@30 Team.

Rhodri has developed a national reputation for his sharp intellect along with being extremely experienced in his areas of practice. He is one of the leading public law silks in Wales and specialises in European Union Law, Local Government and Administrative Law.

Between 1992-1997 he worked with the European Commission in Brussels where he was predominantly responsible for the enforcement of the EU internal market legislation in the UK and Ireland.

Since his return he has maintained a particular interest in all aspects of the enforcement of internal market legislation and has also gained experience dealing with issues such as health and safety aspects of food production and imports (he was instructed on the BSE enquiry on behalf of the Welsh Office and on behalf of National Assembly on the 2005 E-Coli outbreak).

Rhodri also advises the Welsh Government in relation to procurement obligations and strategies for local and regional government and the situation of devolved legislation in Wales (he was a founding member of the Welsh Public Law and Human Rights Association and is currently a member of its Executive Committee). He has also represented the UK government on several occasions before the European Court of Justice in Luxembourg.

As a fluent Welsh speaker Rhodri is able to undertake cases in Welsh.

Notable and Reported cases

- R(Wiggins & Jones)-v-Neath Port Talbot CBC [2015] EWHC 2266 (Admin)
 - Successfully defended claims in judicial review against the local authority in respect of the decisions of the Council to close two separate primary schools.

- R (Diocese of Menevia)-v-City of Swansea and County Council [2015] EWHC 1436 (Admin)
 - Represented local education authority on challenge to its decision to remove discretionary school transport to faith schools.

- R(Dusza)-v-Powys Teaching LHB [2015] EWCA Civ 15.



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- Represented local health board in respect of challenge to interpretation of standard NHS dental contracts and recoupment of monies paid under the contracts

 - R(Wiltshire Council)-v-Hertfordshire CC [2014] EWCA Civ 712.
 - Successfully defended claim in respect of local authorities' duties towards patients detained in hospital under a restriction order and identity of responsible local authority.

 - Montpellier Estates Ltd-v-Leeds City Council [2013] EWHC 166 (QB)
 - Successfully represented a local authority Defendant during a nine week hearing on a claim brought by a private developer for the tort of deceit and for breach of the EU public procurement regime in respect of the authority's decision to abandon a tender procedure for the design and build of a city arena. The case resulted in the claim being dismissed in its entirety a multi million pound cost order being made against the Claimant.

 - Local Government Byelaws (Wales) Bill 2012 – Reference by the Attorney General for England and Wales [2012] UKSC 53; [2012] 3 W.L.R. 1294.
 - Appeared on behalf of the National Assembly for Wales Commission defending the legislative competence of the National Assembly for Wales on the first ever reference to the Supreme Court under the Government of Wales Act 2006. On 30 July 2012, the Attorney General for England and Wales referred the Local Government Byelaws (Wales) Bill (2012) to the Supreme Court contending that certain provisions of the Bill (s.6 and s.9) were outside the legislative competence of the National Assembly for Wales as they removed or modified a pre-commencement function of a Minister of the Crown. The Local Government Byelaws (Wales) Bill (2012) is the first Bill to have been passed by the Assembly since the Assembly has had primary legislative powers in respect of certain subject areas, including local government.

 - Henry Bros (Magherafelt) Ltd-v-Department of Education for Northern Ireland (2011) NICA & McLaughlin & Harvey Ltd-v-Department of Finance and Personnel (2011) NICA.
 - Appeals to Northern Ireland Court of Appeal in respect of claims for breaches of the EU public procurement regime.

 - Brent LBC-v-Risk Management Partners Ltd & London Authorities Mutual Ltd & Harrow LBC [2011] UKSC 7; [2011] LGR 169.
 - Represented the Interested Parties on their successful appeal against the decisions of the High Court and Court of Appeal in respect of a claim for breach of the EU public procurement regime in relation to the establishment by various London authorities of an insurance mutual to provide insurance services.

 - R (Governors of Brynmawr Foundation School)-v-Welsh Ministers & Blaenau Gwent CBC [2011] EWHC 519 (Admin)
 - Successfully defended the local education authority in claim against lawfulness of delegation by the Welsh Ministers of power to reorganise sixth form education in foundation schools and the exercise of that power by the local authority.

 - Lancashire County Council-v-EWC Ltd [2010] EWCA Civ 1381; [2011] LGR 350.



- Successful appeal against finding of breach of the Public Contracts Regulations 2006 in respect of tender for waste management services

- Case C-406/08 Uniplex (UK) Limited-v-NHS Business Services Ltd [2010] ECR I-0000.
 - Reference to the Court of Justice of the European Union by the High Court (Leeds District Registry) for a preliminary ruling on the compatibility and effect of limitation periods under the Public Contracts Regulations 2006.

- Brent LBC-v-Risk Management Partners Ltd & London Authorities Mutual Ltd & Harrow LBC [2010] EWCA Civ 490.
 - Represented the interested parties on appeal to Court of Appeal in respect of a local authority's powers to enter into arrangements for mutual insurance under section 2 LGA 2000 and section 111 LGA 1972.

- Federal Securities Ltd-v-Chief Constable of the Police Service of Northern Ireland [2009] NICA .
 - Appeal against interlocutory injunction granted for breach of the Public Contracts Regulations 2006 by the Police Service in Northern Ireland.

Education

Rhodri Williams frequently represents local education authorities in relation to challenges by way of judicial review. Recent cases include:

- **R (Jones)-v-Denbighshire CC [2016] 2074 (Admin)**; challenge to decision of local education authority to reorganise Welsh Language education in its area

- **R(Wiggins & Jones)-v-Neath Port Talbot CBC [2015] EWHC 2266 (Admin)**: Successfully defended claims in judicial review against the local authority in respect of the decisions of the Council to close two separate primary schools

- **R (Diocese of Menevia)-v-City of Swansea and County Council [2015] EWHA 1436 (Admin)**: Represented local education authority on challenge to its decision to remove discretionary school transport to faith schools

- **R (Governors of Brynmawr Foundation School)-v-Welsh Ministers & Blaenau Gwent CBC [2011] EWHC 519 (Admin)**: Successfully defended the local education authority in claim against lawfulness of delegation by the Welsh Ministers of power to reorganise sixth form education in foundation schools and the exercise of that power by the local authority.

European & Procurement

Rhodri Williams is the leading silk practising in the area of EU law from Chambers in Wales. Significant cases include:

- **Montpellier Estates Ltd-v-Leeds City Council [2013] EWHC 166 (QB)**: Successfully represented a local authority Defendant during a nine week hearing on a claim brought by a private developer for the tort of deceit and for breach of the EU public procurement regime in respect of the authority's decision to abandon a tender procedure for the design and build of a city arena. The case resulted in the claim being dismissed in its entirety a multi million pound cost order being made against the Claimant

- Henry Bros (Magherafelt) Ltd-v-Department of Education for Northern Ireland (2011) NICA &



- **McLaughlin & Harvey Ltd-v-Department of Finance and Personnel (2011) NICA Appeals to Northern Ireland Court of Appeal** in respect of claims for breaches of the EU public procurement regime
- **Brent LBC-v-Risk Management Partners Ltd & London Authorities Mutual Ltd & Harrow LBC [2011] UKSC 7; [2011] LGR 169**: Represented the Interested Parties on their successful appeal against the decisions of the High Court and Court of Appeal in respect of a claim for breach of the EU public procurement regime in relation to the establishment by various London authorities of an insurance mutual to provide insurance services.
- **Lancashire County Council-v-EWC Ltd [2010] EWCA Civ 1381; [2011] LGR 350**: Successful appeal against finding of breach of the Public Contracts Regulations 2006 in respect of tender for waste management services.

Administrative & Public Law

Rhodri Williams is the leading administrative and public law silk practising from chambers in Wales. His recent cases include:

- **Deer-v-Oxford University [2017] EWCA Civ 121**; Appeal to Court of Appeal in relation to definition of “personal data” for purposes Data Protection Act 1998 and extent of Court’s discretion to order compliance with subject access request.
- **Premaittha Ltd-v-Cardiff & Vale UHB [2016] EWHC (TCC)**; Challenge to tender procedure held by Cardiff and Vale UHB for the award of a contract for the implementation of an in-house non-invasive prenatal testing (NIPT) screening service. The execution of the contract was suspended pursuant to the Public Contracts Regulations 2015. Successful application to lift automatic suspension under regulation 96(1)(a).
- **R (Dyer)-v-Welsh Ministers [2015] EWHC 3712 (Admin)**; Challenge to exercise of powers of Welsh Ministers and Local Health Board to organise medium secure mental health accommodation within Wales.
- **R (Dusza)-v-Powys Teaching LHB [2015] EWCA Civ 15**; Represented local health board in respect of challenge to interpretation of standard NHS Dental contracts and recoupment of monies paid under the contracts.
- **R(Wiggins & Jones)-v-Neath Port Talbot CBC [2015] EWHC 2266 (Admin)**: Successfully defended claims in judicial review against the local authority in respect of the decisions of the Council to close two separate primary schools.
- **R (Diocese of Menevia)-v-City of Swansea and County Council [2015] EWHA 1436 (Admin)**: Represented local education authority on challenge to its decision to remove discretionary school transport to faith schools.
- **R(Dusza)-v-Powys Teaching LHB [2015] EWCA Civ 15**: Represented local health board in respect of challenge to interpretation of standard NHS dental contracts and recoupment of monies paid under the contracts.
- **R(Wiltshire Council)-v-Hertfordshire CC [2014] EWCA Civ 712**: Successfully defended claim in respect of local authorities’ duties towards patients detained in hospital under a restriction order and identity of responsible local authority.
- **Local Government Byelaws (Wales) Bill 2012** – Reference by the Attorney General for England and Wales [2012] UKSC 53; [2012] 3 W.L.R. 1294: Appeared on behalf of the National Assembly for Wales Commission defending the legislative competence of the National Assembly for Wales on the first ever reference of the Supreme Court under the Government of Wales Act 2006. On 30 July 2012, the Attorney General for England and Wales referred the Local Government Byelaws (Wales) Bill (2012) to the Supreme Court contending that certain provisions of the Bill (s.6 and s.9) were outside the legislative competence of the National Assembly for Wales as they removed or modified a pre-commencement function of a Minister of the Crown.



Local Government & Planning

Rhodri Williams has a wealth of experience in local government law. Significant cases include:

- **R (Tilley)-v-Vale of Glamorgan Council [2016] EWHC 2272 (Admin)**; Challenge to decision of local authority to close public library.
- **Local Government Byelaws (Wales) Bill 2012 – Reference by the Attorney General for England and Wales [2012] UKSC 53; [2012] 3 W.L.R. 1294**: Appeared on behalf of the National Assembly for Wales Commission defending the legislative competence of the National Assembly for Wales on first ever reference to Supreme Court under Government of Wales Act 2006. On 30 July 2012, the Attorney General for England and Wales referred the Local Government Byelaws (Wales) Bill (2012) to the Supreme Court contending that certain provisions of the Bill (s.6 and s.9) were outside the legislative competence of the National Assembly for Wales as they removed or modified a pre-commencement function of a Minister of the Crown. The Local Government Byelaws (Wales) Bill (2012) is the first Bill to have been passed by the Assembly since the Assembly has had primary legislative powers in respect of certain subject areas, including local government.
- **Brent LBC-v-Risk Management Partners Ltd & London Authorities Mutual Ltd & Harrow LBC [2010] EWCA Civ 490**: Represented the Interested Parties on appeal to the Court of Appeal in respect of a local authority's powers to enter into arrangements for mutual insurance under section 2 LGA 2000 and section 111 LGA 1972.

Public Access

- Rhodri Williams accepts instructions by way of direct public access.

Regulatory, Inquiries & Inquests

- Rhodri Williams has appeared in numerous planning and other public inquiries including E-coli Public Inquiry set up by the Welsh Government in respect of the outbreak of e-coli in South Wales in 2005.

Recommendations

- 'His experience speaks for itself and he is very user-friendly and accessible. His paperwork is first-class.' 'One of the leading QCs in Wales.' 'He's accessible, his advocacy is good and he's commercial in his outlook' (Chambers UK, 2020)
- He has fantastic knowledge of Welsh law matters. (Legal 500, 2020)
- 'Extremely approachable and goes above and beyond what is required.' (Chambers UK, 2019)
- 'Highly experienced across the spectrum of public law matters.' (Legal 500, 2018)
- 'He is client-friendly and offers pragmatic advice. Very good and very easy to work with. He understood what we were trying to achieve and gave us a quick turnaround on the advice.' (Chambers UK, 2018)
- 'A very efficient silk, who is great to work with.' (Legal 500, 2017).
- 'Acts for applicants and respondents in administrative and public law proceedings including judicial reviews. He has particular experience of handling challenges against cuts to public services. His additional areas of expertise include EU and public procurement law. Strengths: "Always very well prepared and a thorough researcher." Recent work: Successfully represented the defendant, Neath Port Talbot CBC, in a judicial review concerning its decision to close two primary schools.' (Chambers UK, 2017)
- 'Vastly experienced in challenges to local authorities' (Legal 500, 2016)



- 'Specialises in the interface between domestic public law and EU public procurement principles. He is also a noted expert on constitutional issues in the context of Welsh devolution. "He is a very bright and effective advocate. He has a national reputation as a leading exponent of public procurement law." (Chambers UK, 2015)
- 'A specialist in European Community law, local government and administrative law.' (Legal 500, 2014)
- 'He is one of those who has the detail of the law at his fingertips. He really knows his stuff. He's very measured in his advice and it is difficult to beat him.' (Chambers UK, 2014)
- "Rhodri Williams QC of 30 Park Place is a highly regarded public law, procurement and EU law specialist, who operates on a national scale and is also a tenant at London set Henderson Chambers." (Chambers UK, 2013)
- "Instructing solicitors welcomed Rhodri Williams QC's "richly deserved appointment to silk." A lawyer who offers "balanced and measured" advice, Williams is known for his lack of shilly-shallying. Solicitors say that rather than just giving clients a range of options he gets to the point by speaking in favour of a certain course of action." (Chambers UK, 2013)
- 'Rhodri Williams QC, who is sought out for his extensive knowledge of EU procurement rules. Sources say: "He has the authority of a top silk, and knows public law backwards"'. (Chambers UK, 2013)
- 'Rhodri Williams QC of Thirty Park Place also operates out of Henderson Chambers in London. A relatively new silk, he is "extremely knowledgeable in public law disputes." He advises local authorities and other public bodies on procurement, competition and state aid matters, and on planning, environment, housing and contract issues.' (Chambers UK, 2012)
- "Rhodri Williams QC....is also a procurement specialist". (Legal 500, 2012)
- 'Rhodri Williams...represents local authorities throughout Wales and England. He is a master of procurement matters and has carved out a reputation for as of the go-to juniors in this area...his practice also covers planning, housing and employment law'. (Chambers UK, 2010)

Appointments

- Bencher Gray's Inn (2015)
- Panel Counsel to the National Assembly for Wales/Welsh Assembly Government - Public law (since 2000)
- National Assembly for Wales Commission Panel – European, Commercial law (since 2007)
- Attorney General's list of Approved Council (since 2000)
- Called to the Bar of Northern Ireland (2009)
- Queen's Counsel (2010)
- Bencher Gray's Inn (2015)
- Member Administrative Law Bar Association
- Member Bar European Group
- Member Procurement Lawyers Association
- Co-founder of the Wales Public Law and Human Rights Association (now Public Law Wales)

Career



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- Called 1987
 - 1992-1997 Sabbatical working for European Commission in Brussels
 - Panel Counsel to the National Assembly for Wales/Welsh Assembly Government - Public law (since 2000)
 - National Assembly for Wales Commission Panel – European, Commercial law (since 2007)
 - Attorney General's list of Approved Council (since 2000)
 - Called to the Bar of Northern Ireland (2009)
 - Queen's Counsel (2010)
 - Bencher Gray's Inn (2015)

Education & Qualification

- BA Modern Languages (Oxon) 1985 (MA 2002)
- Dip Law (PCL) 1986
- Bar Finals (ICSL) 1987

Related Publications

- Member of Editorial Board of Public Procurement Law Review (Sweet & Maxwell)