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Rebecca Clutten

Call: 2008

Practice areas:

Compulsory Purchase and Compensation, Major Infrastructure Projects, Planning, Local Government, Environment, Public Law



Practice Profile

Rebecca Clutten was called to the Bar in 2008 and is recognised as a leading junior in the field. She currently holds a top 3 position in Planning Magazine's Planning Law Survey 2022. She is also in Planning Magazine's top three rated barristers for Infrastructure Planning, the highest ranking junior.

Rebecca is listed in both Chambers and Partners' Guide to the UK Bar and the Legal 500, and is a past nominee for Chambers and Partners Planning and Environment Junior of the Year.

Rebecca's practice spans Chambers' core areas, but has a particular focus infrastructure planning and compulsory purchase and compensation matters.

She has acted for and advised utilities, developers, landowners and private individuals, as well as central and local government. Notable clients include National Grid, Network Rail, Peel Group and Transport for London.

Rebecca's experience covers the appellate courts at all levels, as well as the Upper Tribunal and planning inquiries, and she welcomes instructions to act individually or as a junior across all of Chambers' practice areas.

She is a past Chairman of the Compulsory Purchase Association, a former Committee Member to PEBA and a member of NIPA.

Compulsory Purchase and Compensation

Rebecca is regarded as the 'go to' junior in this area, and has been described in Chambers and Partners as "a known expert in compensation" and "star junior counsel for CPO and compensation work". She is a past Chairman of the Compulsory Purchase Association.

Rebecca has extensive experience of advising and representing both claimants and acquiring/compensating authorities on both the compulsory purchase process and on compensation and land valuation, as well as related matters such as blight and statutory wayleaves. She also has experience of advising respect of claims made pursuant to temporary possession powers and discretionary compensation schemes.

Recent or notable work in this area includes:

- Acting for the claimants in a number of multi-million pound claims against HS2 relating to land take at and around Euston Station
- Acting for Network Rail in relation to multiple compensation disputes arising out of the Thameslink project
- Acting for National Grid in relation to the successful Viking Link Interconnector CPO, amongst other National Grid projects
- Several substantial regeneration CPOs, including Meridian Water on behalf of LB Enfield
- Acting for the Manchester Ship Canal Company in an 8 week inquiry into a compulsory purchase order made by United Utilities pursuant to powers under the Water Industry Act 1991

Major Infrastructure Projects

Rebecca has developed a broad practice in the infrastructure sector, with experience covering energy developments, rail infrastructure, water and sewerage and airports, across the Town and Country Planning, DCO and Transport and Works Act regimes. Rebecca's experience also covers the Hybrid Bill procedure, having advised Petitioners to the High Speed 2 Rail Link. In this context, Rebecca has also appeared before the Parliamentary Select Committee.

Recent or notable work in this area includes:

- Promotion of Network Rail Transport and Works Act Orders, including the new Cambridge South railway station
- Advising and acting for National Grid and National Grid Ventures in respect of the Bramford to Twinstead Project, North West Coast Connection Project, Hinkley Point C Connection Project, and North London Reinforcement Project, and the Viking Link and other interconnector projects
- Advising and acting for London Underground Limited, as junior to Andrew Tait KC, in respect of the Bank Station Capacity Upgrade, a £1/2m billion upgrade to Bank Station in the City of London
- As part of her infrastructure practice, Rebecca has significant practical experience of advising in respect of EIA, HRA, consultation and land acquisition matters. She also has experience of highways matters, including stopping up.

Planning

Rebecca's core planning practice covers a diverse range of work, including housing and mixed-use schemes, leisure uses, permitted development rights, planning obligations, and advertisements, as well as complex enforcement matters. She regularly appears in planning and enforcement inquiries, as well as having experience in the appellate courts on planning matters.

As a result of Rebecca's infrastructure planning work, she has particular experience of advising in respect of the EIA and HRA matters, including the adequacy of Environment Statements and Habitat Regulations Assessments. She also has substantial experience in respect of water and sewerage law.

Recent or notable work in this area includes:

- Acting for the successful appellant landowner in a nine-year enforcement case relating to the development of land in the Green Belt for multiple 'bad neighbour' uses
 - Advising multiple authorities in relation to the use of the power contained in section 203 of the Housing and Planning Act 2016
 - Advising Network Rail in respect of their successful planning application for a new light railway depot in Ashford, Kent
 - Acting for National Grid in relation to their planning appeal for the Viking Link Interconnector Project
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Local Government

Rebecca's local government experience covers:

- Local Authority land acquisition, disposal and regeneration
- Application of local authority powers, including the Localism Act power of general competence
- Notable work includes advising Westminster City Council in relation to its Housing Renewal Strategy (and related compulsory acquisition), which aimed to regenerate five estates within the London Borough.

Environment

Public Law

Publications

Rebecca regularly contributes to textbooks and journals. Published work has included contributions to:

- Compulsory Purchase and Compensation Service (Bloomsbury Professional)
- The National Infrastructure Planning Service (Bloomsbury Professional)
- The Habitats Directive: A Developer's Obstacle Course? (Hart, 2012) (see "Are imperative reasons imperilling the Habitats Directive?" (with Isabella Tafur))
- The Law of Regulatory Enforcement and Sanctions (OUP, 2011)
- The Solicitor's Journal and Young Lawyer magazines

Associations

Past Chairman and Committee Member, CPA
Member of PEBA and NIPA

Qualifications

- Exhibitioner of the Inner Temple; recipient of the Michael Hodges Benefactors Award

- BVC, College of Law
- MA (Cantab) Law; Sidney Sussex College, University of Cambridge

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Quotes

"Rebecca is outstandingly diligent and supportive; intelligent and enthusiastic; and good on her feet. She is fun to work with and is the leading junior of her generation at the planning bar."
The Legal 500, 2023

"She is the star junior counsel for CPO and compensation work and is incredibly highly regarded."
Chambers and Partners, 2023

"She is the best junior around for DCO, TWAOs and CPOs."
Chambers and Partners, 2023

"Rebecca is a team player who is very thorough, grapples with complex issues and distils them into client and consultant friendly speak."
Chambers and Partners, 2023

"Rebecca is fantastic. She is really user-friendly and a real rising star." "She is extremely bright and fantastic to work with."
Chambers and Partners, 2022

"Rebecca's strengths are that she is able to provide clear and concise advice on a number of complex matters. She is always friendly and approachable, with a knack for explaining complex legal matters in an accessible way that distils problems simply and helps us to consider the best solutions. Her work is appreciated and highly commended."
The Legal 500, 2022

"Delivers advice which is clear and outcomes-focussed." "She is a known expert in compensation." "She is very popular with clients."
Chambers and Partners, 2020

"A terrific junior, outstanding in hearings under extreme pressure."
The Legal 500, 2020

"She's extremely well organised, extremely strategic and someone who does a great job explaining quite complex issues to clients."
Chambers and Partners, 2018

"A standout at the junior end of the Bar, she's an old head on young shoulders, who possesses brilliant judgement."
Chambers and Partners, 2018

"She is very, very good and down-to-earth and detailed."
Chambers and Partners, 2017

"A truly exceptional barrister and everything you could hope for in a junior."

