



Andrew Arden QC

Year of Call: 1974 | Year of Silk: 1991

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Introduction

Andrew is recognised as being at the forefront of the development of housing law and has been described by Chambers and Partners UK as the “pre-eminent expert on housing and local government law”, “the godfather of housing law”, “consistently involved in the biggest and best cases”, “head and shoulders above anyone else in housing litigation”, “a genius who wins and wins” and as having “created housing law as a discrete subject”. He founded Arden Chambers in 1993 to provide a centre for specialist practice primarily in the area of housing law.

He has appeared in more than 130 reported cases – 29 of them in the House of Lords and Supreme Court – from the early homelessness cases of the 1980s to the recent human rights cases and in a range of local government finance matters, including audit from rate-capping to “Homes for Votes,” and procurement from CCT to EU. He has also conducted five local government inquiries/reviews.

Andrew is a leading author on both housing and local government matters, whose titles include the principal practitioner works in each area (Housing Law Reports, Housing Encyclopedia, Journal of Housing Law, Arden & Partington’s Housing Law, Homelessness and Allocations, Manual of Housing Law, Local Government Constitutional and Administrative Law and Local Government Finance Law).

Quotes

“Still the housing law silk par excellence for landlords”

– *Legal 500*

“Works seamlessly with solicitor colleagues in time-critical situations”

– *Legal 500*

“Provides authoritative advice on difficult technical areas”

– *Chambers and Partners*

“Very impressive. A housing law expert with a national reputation”

– *Chambers and Partners*

“A leader in this field, he is extremely well known and produces a lot of the case law in this area”

– *Chambers and Partners*

“Still the housing law silk par excellence for landlords”

– *Legal 500*

"Works seamlessly with solicitor, colleagues in time-critical situations"

– *Legal 500*

"He is roundly praised for his advocacy skills, which are "natural, engaging, persuasive and effective"

– *Chambers and Partners*

"The "pre-eminent expert on housing and local government law"

– *Chambers and Partners*

"His powers of analysis are unrivalled in this field"

– *Chambers and Partners*

Practice Areas

Anti-Social Behaviour

Injunctions; possession proceedings; criminal proceedings.

Housing

Finance; acquisitions and disposals; LSVTs; structures and status; powers and procedures; partnership arrangements; housing conditions; licensing; HMO's; right to buy/acquire and enfranchisement; rents; homelessness and allocations.

Landlord and Tenant

Security; rents; leases and service charges; disrepair, licensing and environmental health.

Local Government

Powers, procedures and *vires*; finance and asset management; constitution; reorganisation; CAA; standards and ethics; regeneration and redevelopment; procurement; best value; access to information/data protection; PFI/public private partnerships; local authority companies; pensions; waste disposal.

Public Law, Equality & Human Rights

Human rights; judicial review; statutory and non-statutory inquiries.

Property

Adverse possession; easements; estoppel; leases.

Mediation

Andrew is also an accredited mediator.

Public Access

Andrew can accept public access instructions.

Legal Publications

Author / co-author

- Local Government Constitutional and Administrative Law, Sweet & Maxwell
- Arden & Partington's Housing Law, Sweet & Maxwell
- Local Government Finance Law and Practice, Sweet & Maxwell
- Assured Tenancies (Vol. 3, The Rent Acts), Stevens
- Quiet Enjoyment, LAG
- Manual of Housing Law, Sweet & Maxwell
- Homelessness and Allocations, LAG
- [Housing Law Blog, LAG](#)

Annotations

- Annotated Statutes (Sweet & Maxwell)
- Rent Acts & Regulations
- Housing Act 1980
- Housing & Building Control Act 1984
- Housing Act 1985
- Landlord & Tenant Act 1985
- Housing Associations Act 1985
- Housing Act 1988
- Local Government & Housing Act 1989
- Housing Act 1996
- Housing Grants, Construction and Regeneration Act 1996
- Homelessness Act 2002
- Local Government and Public Involvement in Health Act 2007
- Mortgage (Protection of Tenants, etc.) Act 2010

General Editor

- Encyclopedia of Housing Law & Practice (1978 – date), Sweet & Maxwell
- Housing Law Reports (1981 – date), Sweet & Maxwell
- Journal of Housing Law (1997 – date), Sweet & Maxwell

Fiction

Andrew Arden, writing as such and as Bernard Bannerman, is also a published author. Several of his previously published novels have recently been made available again both as paperbacks and as e-books for downloading. Visit www.andrewarden.com

Recommendations

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- Social Housing (London: the only Star Individual; Birmingham: Band 1) – “He has an excellent handle on housing law, and the pressures on the public purse.” “He has deep expertise in the sector and a common-sense approach that means he can provide swift and solid advice.”
- Local Government (Band 2) – “He is very clever, bright and intelligent. He works on a solution for the client, and tries to be flexible within the law.” “Has fantastic knowledge and unrivalled experience.”

Legal 500, 2016

- Social Housing: “Still the housing law silk par excellence”.
- Administrative and Public Law (including Local Government) – “Works seamlessly with solicitor colleagues in time-critical situations”.

Noteworthy Cases

Housing standards/ Enforcement powers/ grants

- *Nottingham CC v Parr* [2017] EWCA Civ 188
- *Islington LBC v Unite Group Plc* [2013] EWHC 508 (Admin); [2013] HLR 33
- *Brent LBC v Reynolds* [2001] EWCA Civ 1843; [2002] HLR 15
- *R v Greenwich LBC, ex p Glen International Ltd* (2000) 33 HLR 21, CA
- *Dover DC v Sherred* (1997) 29 HLR 864, CA
- *Nolan v Leeds CC* (1990) 23 HLR 135, CA
- *R v Lambeth LBC, ex p Clayhope Properties Ltd* [1988] QB 563, CA
- *R v Cardiff CC, ex p Cross* (1982) 6 HLR 1, CA

Local Government & Housing

- *Dixon v Rochdale MBC* [2011] EWCA Civ 1173; [2012] HLR 6
- *Nessa v Tower Hamlets LBC* [2010] EWCA Civ 559; [2010] HLR 37
- *Swindon BC v Redpath* [2009] EWCA Civ 943; [2010] HLR 13
- *R (Kilby) v Basildon DC* [2007] EWCA Civ 479; [2007] HLR 39
- *R (Vella) v Lambeth LBC* [2005] EWHC 2473; [2006] HLR 12
- *Akumah v Hackney LBC* [2005] UKHL 17; [2005] 1 WLR 985
- *Norwich CC v Stringer* [2001] 33 HLR 15, C.A.
- *R v Braintree DC, ex p Halls* (1999) 32 HLR 770, CA
- *Payne v Barnet LBC* (1997) 30 HLR 76, CA
- *R v Lambeth LBC, ex p Wilson* (1997) 30 HLR, CA
- *R v Secretary of State for Social Services, ex p A.M.A.* (1992) 25 HLR 131
- *R v Ealing LBC, ex p Lewis* (1992) 24 HLR 484, CA
- *R v Manchester CC, ex p Baragrove Properties Ltd* (1991) 23 HLR 337
- *R v Hammersmith & Fulham LBC, ex p Beddowes* [1987] QB 1050, CA

Homelessness & Allocations

- *Haque v Hackney LBC* [2017] EWCA Civ 4
- *R (Edwards) Birmingham CC* [2016] EWHC 173 (Admin); [2016] HLR 11
- *Haile v Waltham Forest LBC* [2015] UKSC 34; [2015] AC 1471; [2015] HLR 24
- *R (CN) v Lewisham LBC; R (ZH) v Newham LBC* [2014] UKSC 62; [2015] AC 1259; [2015] HLR 6
- *Mohammed v Islington LBC* [2013] EWCA Civ 739; [2013] HLR 41
- *Camden LBC v Sharif* [2013] UKHL 10; [2013] HLR 16
- *Bubb v Wandsworth LBC* [2011] EWCA Civ 1283; [2012] HLR 13
- *Oxford CC v Bull* [2011] EWCA Civ 609; [2011] HLR 35
- *Ravichandran v Lewisham LBC* [2010] EWCA Civ 755; [2010] HLR 42
- *Tomlinson v Birmingham CC* [2010] UKSC 8; [2010] 2 AC 39; [2010] HLR 22
- *Birmingham CC v Qasim* [2009] EWCA Civ 1080; [2010] HLR 19
- *R (Ahmad) v Newham LBC* [2009] UKHL 14; [2009] HLR 31
- *Holmes-Moorhouse v Richmond RLBC* [2009] UKHL 7; [2009] 1 WLR 413; [2009] HLR 34
- *R (Lin) v Barnet LBC* [2007] EWCA Civ 132; [2007] HLR 1
- *Robinson v Hammersmith & Fulham LBC* [2006] EWCA Civ 1122; [2007] HLR 7
- *Desnousse v Newham LBC* [2006] EWCA Civ 547; [2006] QB 831; [2006] HLR 38
- *Griffiths v St Helens Council* [2006] EWCA Civ 160; [2006] HLR 29
- *Feld v Barnet LBC* [2004] EWCA Civ 1307; [2005] HLR 9
- *Porteous v West Dorset DC* [2004] EWCA Civ 244; [2004] HLR 30
- *O'Connor v Kensington & Chelsea RLBC* [2004] EWCA Civ 394; [2004] HLR 37
- *Stewart v Lambeth LBC* [2002] EWCA Civ 753; [2002] HLR 40
- *R (A & Lindsay) v Lambeth LBC* [2002] EWCA Civ 1084; [2002] HLR 57
- *Mohamed v Hammersmith & Fulham LBC* [2001] UKHL 57; [2002] 1 AC 547
- *Bond v Leicester CC* [2001] EWCA Civ 1544; [2002] HLR 6
- *R v Crawley BC, ex p B* [1996] QB 13, CA
- *R v Oldham MBC, ex p G* [1993] AC 509, HL
- *R v Wycombe DC, ex p Hazeltine* (1993) 25 HLR 313, CA

- *R v Tower Hamlets LBC, ex p Ali* (1992) 25 HLR 158, CA
- *R v Hammersmith & Fulham LBC, ex p P* (1989) 22 HLR 21
- *R v Tower Hamlets LBC, ex p Monaf* (1988) 80 HLR 529, CA
- *R v Ealing LBC, ex p McBain* [1985] 1 WLR 1352, CA
- *R v Waveney DC, ex p Bowers* [1983] QB 238, CA
- *R v Waveney DC, ex p Bowers* [1983] QB 238, CA
- *R v Hillingdon LBC, ex p Islam* [1983] 1 AC 688, HL
- *R v Hillingdon LBC, ex p Streeting* [1980] 1 WLR 1430, CA

Landlord & Tenant

- *Lambeth LBC v Loveridge* [2014] UKSC 65; [2014] 1 WLR 4516; [2015] HLR 12
- *Holt v Reading BC* [2013] EWCA Civ 641; [2013] HLR 40
- *Burr v OM Property Management Ltd* [2013] EWCA Civ 479; [2013] 1 WLR 3071; [2013] HLR 29
- *Camden LBC v Stafford* [2012] EWCA Civ 839; [2012] HLR 39
- *Leicester CC v Master LRX/175/2007*, Land Tribunal, December 12, 2008
- *Knowsley Housing Trust v White* [2008] UKHL 70; [2009] 1 AC 636
- *Truro Diocesan Board of Finance v Foley* [2008] EWCA Civ 1162; [2009] 1 All ER 814
- *Newport CC v Charles* [2008] EWCA Civ 1541; [2009] 1 WLR 1884
- *Riverside Housing Association v White* [2007] UKHL 20; [2007] HLR 32
- *Islington LBC v Uckac* [2006] EWCA Civ 340; [2006] 1 WLR 1303
- *Brick Farm Management Ltd v Richmond Housing Partnership Ltd* [2005] EWHC 1650; [2005] 1 WLR 3934
- *Manchester CC v Romano* [2004] EWCA Civ 834; [2005] 1 WLR 2775
- *Manchester CC v Finn* [2002] EWCA Civ 1998; [2003] 35 HLR 41
- *Uratemp Ventures Ltd v Collins* [2001] UKHL 45; [2002] 1 AC 301; [2001] 33 HLR 38
- *Lambeth LBC v Howard* [2001] 33 HLR 58, CA
- *Williams v Southwark LBC* [2000] LGR 646, Ch
- *Field v Leeds CC* (2000) 32 HLR 618, CA
- *Baxter v Camden LBC (No 2)* [2001] 1 A.C. 1, (1999) 32 HLR 148, HL
- *Portsmouth CC v Bryant* (2000) 32 HLR 906, CA
- *Gay v Enfield LBC* [2000] 1 WLR 673, CA
- *Manchester CC v Cochrane* [1999] 1 WLR 809, CA
- *Wandsworth LBC v Osei-Bonsu* [1999] 1 All ER 265, CA
- *Newlon Housing Trust v Alsulaimen* [1999] 1 AC 313, HL
- *Bristol CC v Lovell* [1998] 1 WLR 446, HL
- *Bristol CC v Mousah* (1997) 30 HLR 32, CA
- *Darlington BC v Sterling* (1996) 29 HLR 309, CA
- *Harrow LBC v Johnstone* [1997] 1 WLR 459, HL
- *Crawley BC v Ure* (1995) 27 HLR 524, CA
- *Corporation of City of London v Fell* [1994] 1 AC 458, HL
- *Family Housing Association v Jones* [1990] 1 WLR 779, CA
- *R v Rent Officer for Camden LBC, ex p. Felix* (1989) 21 HLR 34, QBD
- *Hadjiloucas v Crean* [1988] 1 WLR 1006, CA
- *Hammersmith & Fulham LBC v Harrison* [1981] 2 All ER 588, CA
- *Williams v Khan* (1982) 43 P&CR 1, CA
- *Landau v Sloane* [1982] AC 490, HL
- *Re Leeds Federated Housing Association* (1981) 260 EG 813, LT
- *R v South Middlesex Rent Tribunal, ex p Beswick* (1976) 32 P&CR 67

Tendering & Procurement

- *Mears v Leeds CC* [2011] EWHC 40 (QB); [2011] BLR 155; [2011] EWHC 1031 (TCC); [2011] Eu LR 764.
- *General Building & Maintenance Plc v Greenwich LBC* (1993) 92 LGR 21
- *R v Hackney LBC, ex p Secretary of State for the Environment* (1989) 88 LGR 96
- *R v Secretary of State for the Environment, ex p Hackney LBC* (1986) 84 LGR 32

Local Government

- *R (Offerton Parish Council) v Stockport MBC* [2011] EWHC 2247 (Admin); [2011] ACD 120 (appeal allowed by written submission)

- *R (W) v Birmingham CC* [2011] EWHC 1147 (Admin); [2011] Eq LR 721
- *R (Technoprint Plc) v Leeds CC* [2009] EWHC 581 (Admin)
- *R (Breckland DC) v The Boundary Committee; R (East Devon DC) v Boundary Committee for England* [2009] EWCA Civ 239; [2009] BLGR 589
- *R (Shrewsbury & Atcham BC and Congleton BC) v Secretary of State for Communities and Local Government* [2008] EWCA Civ 148
- *R (Ealing LBC) v Audit Commission* [2005] EWCA Civ 556; (2005) 8 CCL Rep 317
- *Crédit Suisse Plc v Waltham Forest LBC* [1997] QB 362, CA
- *Fleming v Lees* [1991] COD 50
- *R v Secretary of State for the Environment, ex p Greenwich LBC* (1990) 22 HLR 543
- *R v GLC, ex p LRB* (1986) 19 HLR 175

Human Rights

- *Sims v Dacorum BC* [2014] UKSC 63; [2015] AC 1336; [2015] HLR 7
- *R (CN) v Lewisham LBC; R (ZH) v Newham LBC* [2014] UKSC 62; [2015] AC 1259; [2015] HLR 6
- *Lana Wilson v Harrow LBC* [2010] EWHC 1574 (QB)
- *Hounslow LBC v Powell; Leeds CC v Hall; Birmingham CC v Frisby* [2011] UKSC 8; [2011] 2 AC 186; [2011] HLR 23
- *Manchester CC v Pinnock* [2010] UKSC 45; [2011] UKSC 6; [2011] 2 AC 104; [2011] HLR 7
- *Doherty v Birmingham CC* [2008] UKHL 57; [2009] 1 AC 367; [2008] HLR 45
- *R (Weaver) v London & Quadrant Housing Trust* [2009] EWCA Civ 587; [2010] 1 WLR 363; [2009] HLR 40
- *YL v Birmingham CC & others* [2007] UKHL 27; [2007] 3 WLR 112
- *Kay & others v Lambeth LBC* [2006] UKHL 10; [2006] 2 AC 465; [2006] HLR 22
- *Qazi v Harrow LBC* [2003] UKHL 43; [2004] 1 AC 983; [2003] HLR 75
- *Lee v Leeds CC; Ratcliffe v Sandwell MBC* [2002] EWCA Civ 06; [2002] 1 WLR 1488; [2003] HLR 17
- *McLellan v Bracknell Forest DC & Secretary of State for Transport, Local Government and the Regions; Reigate & Banstead BC v Benfield, Forest & Secretary of State for Transport, Local Government and the Regions* [2001] EWCA Civ 1510; 33 HLR 36

Ombudsman

- *Westminster CC v Haywood* [1998] Ch 377, CA

Planning

- *R (Island Farm Development Ltd) v Bridgend CBC* [2006] EWHC 2189 (Admin)
- *Bushell v Secretary of State for the Environment* [1981] AC 75

Adverse Possession

- *Lambeth LBC v Blackburn* [2001] 33 HLR 74, CA
- *Lambeth LBC v Bigden, Lambeth LBC v Archangel* [2001] 33 HLR 43, CA

Other Public Law

- *R (Enfield LBC) v Barnet Clinical commissioning Group and others* [2013] EWHC 3496 (Admin)
- *R (Mahmood) v Royal Pharmaceutical Society of Great Britain* [2001] EWCA Civ 1245; [2002] 1 WLR 879

Local government enquiries & reviews

- Disrepair Cases, L.B. Hackney (1993-94).
- A Deferred Purchase Agreement, L.B. Camden (1992).
- Freemasonry, Institutional Deficiencies of the Authority, L.B. Hackney (1985-87).
- Housing Improvement Grants, Bristol City Council (1985).
- Housing Association Funding, G.L.C. (1982-83).