



Archie Maddan



Year of call: 1993

Areas of Practice

Business & Commercial, Local Authorities & Public Law, Personal Injury, Property, Landlord & Tenant, Direct Public Access Barristers

EDUCATION:

University of Durham B.A. (Hons)
University of Glamorgan
Hilyard Senior Award (Grays Inn)

Archie's principle areas of practice are landlord and tenant, local government and general civil law.

Prior to returning to practice at the Bar in 2003 Archie headed the prosecution and litigation team at the London Borough of Enfield. He regularly represents local authorities in both the civil and criminal courts and is the preferred counsel for the London Borough of Haringey. His prosecution work covers almost the entire range of local authority enforcement law from benefit fraud to trading standards. He has a particular interest in noise nuisance prosecutions. His advice work for local authorities has covered areas as diverse as Tree Preservation Orders and the legal basis of Parks Constabularies.

Archie represents both residential and commercial landlords and tenants in the civil and criminal courts and the Residential Property Tribunal. He has particular interests in the law relating to HMOs and to disrepair of tenanted property. He also handles a range of civil matters including personal injury, contract disputes, nuisance claims and debt recovery.

Equally at home in either an adversarial courtroom or the more consensual mediation environment Archie is skilled at addressing clients' broader interests including the financial and other costs of the litigation and dispute resolution process.

He is a member of the Administrative Law Bar Association.

NOTABLE RECENT MATTERS INCLUDE:

Successfully represented a landlord in *Clark v Manchester City Council* [2015] UKUT 129 (LC), a case that clarified the scope of local authorities' powers to set minimum required room size standards for HMO licences.

Represented a landlord in *Urban Lettings (London) Limited v Haringey L.B.C.* [2015] UKUT 104 (LC),

a case that clarified the meaning of “person having control” for the purposes of section 61 of the Housing Act 2004 and the current law relating to the meaning of the term “rack rent” when used in housing statutes.

R v Goremsandu: Instructed by a London Borough in an ongoing series of prosecutions and appeals relating to HMOs owned by a defendant variously described as “Britain’s worst landlord” (The Guardian”) and “The Bulgarian Queen of run down bedsits” (“The Times”)

R v Genis: Instructed by Haringey Trading Standards in the prosecution of a clothing wholesaler found guilty, after a month long trial, of trading in a range of counterfeit branded clothing items: <http://www.haringey.gov.uk/news/counterfeit-crook-jailed-huge-fake-fashion-stockpile> also instructed to appear for the prosecution in the defendant’s unsuccessful appeal against conviction in the Court of Criminal Appeal.

Currently instructed to advise a London Borough Council regarding the potential HMO licencing status of “guardian” tenured properties.

Acted for a tenant of Lambeth LBC in a private prosecution under the Environmental Protection Act 1990 Section 82. To read more [click here](#).

Gidden v Chief Constable of Humberside [2009] All E. R. (D) 204; successfully represented motorist in appeal by case stated regarding time limits for service of prosecution papers.

Advised Haringey LBC on a number of sensitive noise nuisance cases including a popular public house in conservation area, a Pentecostal church on an industrial estate and a Bulgarian folk festival at a cricket ground. All cases subject to local public and press interest. Successfully represented the local authority at EPA 1990 appeal by the cricket club.

Advised Dacorum BC during central government inspection of their HA 1996 section 202 review procedures; interested party involvement by Shelter.

Hollett v Southwark LBC. RPTS - Case Ref LON/00BE/HMV/2010/0005. Successfully represented HMO landlord at RPT against Southwark LBC regarding variation of conditions imposed on HMO licence. Tribunal found that LA had no power to vary conditions since discovery of their own error in using wrong room standards did not constitute “discovery of fresh information”. Decision potentially affected 150 other licence decisions made under wrong standards.

Advised a London borough council’s EHOs regarding appropriate room standards to be adopted for HMO licences in the borough.

R v Akif Genc. Represented Crown at Court of Criminal Appeal on appeal of sentence and compensation appropriate in Housing Benefit fraud case.

WHAT CLIENTS SAY;

“ I have instructed Archie for a number of years now and would not hesitate in recommending him. He has a ‘can do’ attitude, offers sage advice, is liked very much by clients and is an eloquent and mature advocate” - Ingmar Heil, Lawrence Hamblin Solicitors

Archie is qualified to accept instructions under the [Direct Public Access to Barristers](#) Scheme



5 Pump Court | Temple, London | EC4Y 7AP | 020 7353 2532