

Alice Richardson

Call 2013

"Very creative and excellent at spotting a new point, Alice is very thorough in her work and has strong advocacy skills"
Legal 500

EXPERTISE

Alice specialises in housing, property and public law. She has recently returned to Trinity Chambers having spent three years working in-house in the Dispute Resolution team of a Top 100 UK law firm.

Prior to her hiatus from the self-employed Bar Alice was ranked by Legal 500 as a "Rising Star" in Property & Construction, Social Housing and Administrative & Public Law.

Alice is a member of the Attorney General's 'B' Panel of Counsel.

Housing

Alice has over ten year's experience working with the social housing sector. She was described in the Legal 500 as "the go-to Barrister in Newcastle for this kind of work". Her practice covers all aspects of landlord and tenant and social housing litigation, including:

- Possession
- Homelessness & allocations
- Anti-social behaviour
- Unlawful eviction
- Disrepair & housing conditions
- Tenancy fraud
- Succession & assignment
- Equality Act & Human Rights

Business & Property

Alice's practice in the Business & Property Courts includes:

- Landlord & tenant (commercial & residential)
- Forfeiture & relief
- Nuisance
- Trespass
- Business tenancies
- Covenants & easements
- Rights of way
- Boundary disputes
- TOLATA claims



Expertise

Social Housing

Property

Administrative & Public Law

Civil Liberties & Human Rights

Regulatory

She also appears in the First Tier Tribunal (Property Chamber) and the Upper Tribunal (Lands Chamber) in matters including leasehold disputes, service charges, HMO/property licensing, rent repayment orders, improvement notices and prohibition orders under the Housing Act 2004.

Public Law & Judicial Review

Alice's public law practice covers local government, social security, housing and homelessness, housing benefit and council tax schemes, anti-social behaviour, community care, environmental law and prison law.

Alice has significant experience in cases concerning alleged breaches of the Human Rights Act 1998 and the Equality Act 2010.

APPOINTMENTS

- Attorney General's Regional B Panel of Counsel (2021 - 2029)
- Attorney General's Regional C Panel of Counsel (2018 - 2021)
- Equality & Human Rights Commission Panel of Counsel for England & Wales (2019 - 2023)

PUBLICATIONS

- The 'reasonable recipient' test and possession notices (*Pease v Carter*), Lexis PSL, 20th February 2020.
- Conviction for managing an unlicensed HMO quashed on appeal: an application must be decided before instigating a prosecution, *LondonPropertyLicensing.co.uk*, 19th July 2018.
- The right to rent and local authorities' duties (*R v Milton Keynes Council*), Lexis PSL, 19th January 2018.
- Proportionality and Private Landlords, *Solicitor's Journal* 2016, 160(36) Supp (Bar Focus), 24-27.
- *Ali v United Kingdom*: Homelessness Appeals and the Right to a Fair Trial, *Journal of Housing Law* 2016, Vol.19(2), 38-42.

MEMBERSHIPS

- Social Housing Law Association
- Constitutional & Administrative Law Bar Association
- Property Bar Association

EDUCATION & AWARDS

- Sir Joseph Priestly Scholarship 2013- The Honourable Society of the Inner Temple
- Duke of Edinburgh Scholarship 2012 - The Honourable Society of the Inner Temple
- BPTC - College of Law, London Bloomsbury
- LLB 2.1 (Hons)- The University of Newcastle-upon-Tyne

ADDITIONAL INFORMATION

Alice is qualified to accept instructions directly from members of the public through the Direct Access scheme.

Clerking team



Steve Walker
Lead Civil Clerk
0191 245 9589



Josh Stewart-Tilling
Lead Employment Clerk
& Civil Clerk
0191 300 9359



Aimee Bloxham
Civil Clerk
0191 245 9556



Paul McNab
Civil & Criminal Silks'
Clerk
0113 3235 955



Fiona Bullock
Direct Access Clerk
01642 247 569



Chris Gibbin
Clerk
01642 247 569



What Others Say

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"Alice is a confident and highly-organised barrister. She is open and transparent at all times when dealing with her client."
Legal 500 2022

"A rising star of the Bar"
Social Housing - Rising Star, Legal 500 2022

"An exceptionally well-rounded performer; real depth of knowledge in residential property law"
Rising Star - Property & Construction, Legal 500 2021

"Very creative and excellent at spotting a new point, Alice is very thorough in her work and has strong advocacy skills"
Rising Star - Administrative & Public Law, Legal 500 2021

"Extremely knowledgeable about Administrative and equality law", "relaxed and calm and with a very good paper presentation of a case" and also "knowledgeable about funding possibilities which can appear as an adjunct to many other areas"
Rising Star - Administrative & Public Law, Legal 500 2021

"The go-to barrister in Newcastle for this kind of work"
Rising Star - Social Housing, Legal 500 2021

Notable Cases

MOC (by his litigation friend MG) v The Secretary of State for Work & Pensions [2022] EWCA Civ 1

Lack of capacity was not an 'other status' under Article 14 and Regulations 8, 10, 12A and 12B of the Social Security (Disability Living Allowance) Regulations 1991 (the 'hospitalisation rule') had an objective and reasonable justification.

Houldsworth Village Management Co Ltd v Barton [2020] EWCA Civ 980 [2020] EWCA Civ 980 | [2020] 4 W.L.R. 107 | [2020] 7 WLUK 418 | [2020] B.C.C. 953 | [2020] H.L.R. 46 | [2020] L. & T.R. 25 (junior counsel)

The Court of Appeal considered the correct approach to requests made to lessee-owned property management companies under s.116 Companies Act 2006. It was not improper to obtain contact information for other members to propose resolutions to replace the existing directors and managing agent. Whilst rights as a leaseholder and as a shareholder are distinct, it was impossible to draw a sharp dividing line between the covenants under the lease and the affairs of the company.

MOC (by MG) v SSWP (DLA) [2020] UKUT 0134 (AAC), [2020] WLR (D) 295

Successfully represented the Secretary of State for Work and Pensions defending a challenge to the lawfulness of the 28 day 'hospitalisation rule' in the Social Security (Disability Living Allowance) Regulations 1991. The Upper Tribunal held that a lack of capacity was not an 'other status' for the purposes of Art.14 and the rule did not unlawfully discriminate against disabled adults in hospital.

R (Fisher) v Durham County Council [2020] EWHC 1277 (Admin), [2020] All ER (D) 139 (May) [2020] Env. L.R. 28 | [2020] H.L.R. 41 | [2020] L.L.R. 565 | [2020] A.C.D. 85 (junior counsel)

Judicial review of a decision to serve a noise abatement notice on a person with an involuntary vocalisation disorder primarily on the basis of disability discrimination under the Equality Act. The High Court agreed that the matter could proceed by way of judicial review notwithstanding the existence of a right to a statutory appeal as it was ‘uncertain’ whether the Magistrates’ Court had jurisdiction to consider the EA points.

Pease v Carter & Anr [2020] EWCA Civ 175, [2020] WLR 1429, [2020] All ER (D) 94 (Feb), [2020] EGLR 15, Times, April 28 2020, [2020] 2 P&CR DG 2

Successfully represented a private landlord in a second appeal, to the Court of Appeal, on the applicability of the “reasonable recipient” test and “substantially to the same effect” provisions to possession notices served under s.8 Housing Act 1988.

Houldsworth Village Management Company Ltd v Barton [2019] EWHC (Ch), [2019] All ER (D) 208 (Oct), [2020] BCC 213

It was an entirely proper and legitimate purpose for a member of a lessee-owned property management company to seek to inspect the register of members in order to pursue the objective of effecting a change of managing agents.

Wilson v Campbell [2019] UKUT 363 (LC)

Successfully represented a tenant, pro-bono, in an appeal against the decision of the First Tier Tribunal (Property Chamber) to grant a Rent Repayment Order of £1. The judge held that there had been a breach of natural justice, the appeal was allowed on all grounds and the matter remitted to the FTT for a re-hearing.

Pandongate House Management Co Ltd v Barton [2019] L&TR 23, [2019] CLY 527

Successfully represented a lessee-owned property management company in an application to the High Court seeking a direction that it need not comply with a shareholder’s request to inspect the register of members. The request was not made for a “proper purpose” because Mr Barton sought to pursue his rights as a leaseholder, not as a member of the company.

KD v SSWP (CJSA/1156/2018) (UT(AAC))

Represented the Secretary of State in this appeal concerning the test for “genuine and effective work” in relation to an EU citizen’s right to reside in the UK. The judge praised Alice’s “measured and thoughtful questioning and submissions

Mirza (1) City Based Lettings Limited (2) v Newcastle City Council, Newcastle Crown Court, HHJ Gittins, 8th June 2018

Successful appeal against conviction for failure to license an HMO under s.72(1) Housing Act 2004 on the basis of abuse of process. The authority had taken the decision to prosecute despite failing to deal with the landlord’s application for a license pursuant to the Act.

R (Sambotin) v Brent LBC [2018] EWCA Civ 1826, [2019] PTSR 371, [2019] HLR 5, [2019] 3 CL 125

Successfully defeated the local authority’s appeal to the Court of Appeal. The authority were not entitled to ‘revise’ their positive decision on Mr Sambotin’s homelessness application notwithstanding the fact that a local connection referral was outstanding.

Birmingham City Council v Jerome Jones & 17 others, Birmingham County Court, 12th July 2017 (junior counsel)

Successfully represented the local authority in the largest ever gang-injunction application against 18 members of rival gangs engaging in serious anti-social behaviour. The case received national media attention.

R (Sambotin) v Brent LBC [2017] EWHC 1190 (Admin), [2017] PTSR 1154, [2017] HLR 31

Successfully represented the claimant in a judicial review of a local authority’s decision to revoke a decision made under Part 7, Housing Act 1996.

Christie v Birmingham CC [2016] EWCA Civ 1339

Successfully opposed an appeal to the Court of Appeal on the lawfulness of a suspended sentence for breach of a gang injunction.

McDonald v McDonald [2016] UKSC 28, [2017] AC 273, [2016] 3 WLR 45, [2017] 1 All ER 961, [2016] HRLR 18, [2017] BPIR 728, [2016] HLR 28, [2017] L & TR 9, [2016] 2 P& CR.DG 22, Times, June 29, 2016 (junior counsel)

Successfully acted for the RLA, an intervener, in the Supreme Court on the applicability of an Article 8 defence in possession proceedings brought by a private landlord.