

MICHAEL LEMMY



YEAR OF CALL

1994, Middle Temple

EDUCATION

LLB (Hons), Queen Mary College,
University of London

AREAS OF PRACTICE

Landlord & Tenant
Social Housing
Disability Discrimination
Judicial Review

PRACTICE PROFILE

Michael Lemmy has an extensive Landlord & Tenant practice, with a large Social Housing element. He has acted for most of the major Landlords in the North West and has wide experience of Possession Proceedings, Disrepair Claims, Injunctions, Homelessness, Anti-Social Behaviour Orders, disability discrimination and Judicial Review.

He regularly conducts cases at first instance, on appeal and in the administrative court.

Mr Lemmy is a skilled trial advocate who lectures on the Advocacy Master Class on the Bar Vocational Course at Manchester Metropolitan University.

NOTABLE CASES

- *Manchester City Council v McCann*, CA [1999] QB 1214; [1999] 2WLR 590; [1999] 31HLR 770; [1998] 95 (48) LS9 31; (*The Times* 12 January 1999), (*The Independent*, 20 January 1999) (Lord Woolf MR, Henry & Clarke LJJ) – Case concerning the general jurisdiction of the Court, s118 County Courts Act 1984 and the Court's power to punish for contempt in the face of the Court.
- *NBHA v Sheridan*, CA [1999] 2 EGLR 138; [1999] 78 P&CR D38 (Beldam, Brooke & May LJJ) – Appeal to the Court of Appeal concerning the primacy of statutory grounds of possession as compared to the terms of the tenancy agreement and the need for a notice seeking possession.
- *Manchester City Council v Lee*, [2004] 1 WLR 349 (Pill, Mummery & Chadwick LJJ) – Appeal to the Court of Appeal concerning the construction of section 152 Housing Act 1996 and confirming the decisions in the cases

of Enfield and Thames. Important guidance offered on the form of an injunction.

- *Manchester City Council v Hockey*, 11 August 2003, HHJ Holman, Manchester County Court – Case at first instance concerning an injunction under section 222 Local Government Act 1972 to prohibit begging. This case has attracted national publicity and an appeal was lodged with the Court of Appeal. Sadly Mr Hockey passed away before the appeal was heard.
- *Manchester City Council v Romano* [2004] 4 A11 ER 21 (Brooke and Jacob LJJ & Sir Martin Nourse) – Appeal to the Court of Appeal concerning the effect of the Disability Discrimination Act 1995 on a landlord's ability to evict a tenant where nuisance concerned is related to the tenant's disability.
- *Alker v Collingwood HA*, [2007] HLR 29 [2007] WLR – Appeal to Court of Appeal concerning a landlord's duty of care to a tenant who sustained severe injury when her arm went through a pane of ordinary glass in an external door.
- *Ireland v South Liverpool Housing Group* – Appeal to Court of Appeal concerning whether a housing association is a public body/authority amenable to challenge on Public Law and Human Rights Act grounds



NINE STREET
COMMERCIAL & PROPERTY

Manchester M3 4DN
T 0161 955 9000
F 0161 955 9001
civilclerks@9sjs.com
www.9sjs.com

