



Legal Services Act 2007

2007 CHAPTER 29

PART 8

MISCELLANEOUS PROVISIONS ABOUT LAWYERS ETC

PROSPECTIVE

Employees of housing management bodies

191 Rights of audience etc of employees of housing management bodies

After section 60 of the County Courts Act 1984 (c. 28) insert—

“60A Rights of audience etc of employees of housing management bodies

- (1) An employee of a housing management body who is authorised by that body for the purposes of this section has—
 - (a) a right of audience in relation to any proceedings to which this section applies, and
 - (b) a right to conduct litigation in relation to any such proceedings.
- (2) This section applies to relevant housing proceedings in a county court before a district judge which are brought—
 - (a) in the name of a local housing authority, and
 - (b) by the housing management body in the exercise of functions of that local housing authority delegated to that body under a housing management agreement.
- (3) “Relevant housing proceedings” are—
 - (a) proceedings under section 82A of the Housing Act 1985 (demotion because of anti-social behaviour);

Status: Point in time view as at 06/10/2010. This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Employees of housing management bodies. (See end of Document for details)

- (b) proceedings for possession of a dwelling-house subject to a secure tenancy, where possession is sought on ground 2 in Part 1 of Schedule 2 to that Act (anti-social behaviour);
 - (c) proceedings for possession of a dwelling-house subject to a demoted tenancy;
 - (d) proceedings for a suspension order under section 121A of the Housing Act 1985 (suspension of right to buy);
 - (e) proceedings under section 153A, 153B or 153D of the Housing Act 1996 (injunctions against anti-social behaviour);
 - (f) proceedings for the attachment of a power of arrest to an injunction by virtue of section 91(2) of the Anti-social Behaviour Act 2003 or section 27(2) of the Police and Justice Act 2006 (proceedings under section 222 of the Local Government Act 1972: power of arrest attached to injunction);
 - (g) at a hearing at which a decision is made in relation to proceedings within paragraphs (a) to (f), proceedings for permission to appeal against that decision;
 - (h) such other proceedings as the Lord Chancellor may prescribe by order.
- (4) An authorisation for the purposes of this section must be in writing.
- (5) The power to make an order under subsection (3)(h) is exercisable by statutory instrument subject to annulment by resolution of either House of Parliament.
- (6) In subsection (3)(e) the reference to section 153A of the Housing Act 1996 is a reference to that section—
- (a) as inserted by section 13 of the Anti-social Behaviour Act 2003, or
 - (b) as substituted by section 26 of the Police and Justice Act 2006.
- (7) In this section—
- “dwelling-house” has the same meaning as in Part 4 of the Housing Act 1985;
- “housing management agreement” means an agreement under section 27 of the Housing Act 1985 (including an agreement to which section 27B(2) or (3) of that Act applies);
- “housing management body” means a person who exercises management functions of a local housing authority by virtue of a housing management agreement;
- “local housing authority” has the same meaning as in section 27 of the Housing Act 1985;
- “right of audience” means the right to appear before and address a court, including the right to call and examine witnesses;
- “right to conduct litigation” means the right—
- (a) to issue proceedings before any court in England and Wales,
 - (b) to commence, prosecute and defend such proceedings, and
 - (c) to perform any ancillary functions in relation to such proceedings (such as entering appearances to actions);
- “secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.”

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Employees of housing management bodies.