



Anya Newman

Year of Call: 2007

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Overview

Anya Newman specialises in Property and Business with an emphasis on real property. She is regularly instructed to undertake work on boundary disputes, adverse possession claims, business tenancies and residential leasehold issues. She is nationally recognised for her work in the Housing Sector and her technical knowledge is of particular note. Anya has a reputation for being helpful and supportive to her clients whilst being “no pushover” and always fighting her client’s corner.

Anya regularly appears in the High Court and TCC and has experience of defending large and complex litigation. She is a practical barrister, able to advise clients on the most cost effective options in litigation. For that reason she is frequently instructed to attend mediations and is often engaged at the very beginning of the litigation process, working with her clients to achieve the best possible outcome in each case.

Practice Areas

Housing

Anya Newman is a specialist housing law practitioner who prides herself on her ability to understand her client’s objectives and give practical advice, enabling clients to achieve the best possible outcome in the most efficient manner. She is known as a ferocious advocate and fights hard for her clients.

She frequently undertakes possession claims involving complex succession arguments or difficult human rights and Equality Act 2010 elements, in addition to judicial review work, disrepair and homelessness cases including matters involving the traveller community.

Anya has developed a substantial local government litigation practice across a range of disciplines having been led by Joseph Giret QC in a ground breaking cross-county application to prevent car cruising and its associated nuisances across the Black County, for which she received an award from West Midlands Police. She has also been led by Kelvin Rutledge QC in the successful defence of a care home owner’s claim for the £1m loss of profits following alleged misfeasance in public office.

Her social housing practice includes the following areas:

- Possession
- Injunctions
- Committal
- Homelessness and allocations
- Policy/tenancy terms advice
- Disrepair and dilapidations

- Judicial Review
- Mobile Homes Act work
- Agricultural tenancies
- Succession

Anya is Head of Training for the St Ives Social Housing group and is available for targeted training on request.

Notable Cases

Wolverhampton City Council and Others v Persons Unknown

Anya was led in the High Court by Joseph Giret QC in this case concerning car cruising across the counties of the Black Country. The car cruises were attended by hundreds of individuals who congregate to show-off their modified vehicles, perform dangerous stunts and compete in illegal races on the public roads which traverse the counties.

The application itself was ground breaking because of the broad area which it sought to protect, dispensing with personal service and the power of arrest attached.

Bromford Housing Association v Wallace and Wallace

In this case one of the joint tenants was in prison for sexually abusing a child in the property. The tenant's spouse who had had no knowledge of the offences remained in the property alone but wished for her husband to return to her when he is released several years in the future. In this unusual case Anya made careful submissions drawing on the law concerning serious drug offences and successfully obtained an outright order.

Wolverhampton Landlords Committee Ltd v Wolverhampton City Council

This case involved a judicial review challenge to the consultation process which had taken place prior to the designation of an area of Wolverhampton as a Selective Licensing area. The applicant company claimed to represent dozens of Landlords in the affected area.

The case raised issues such as standing, public interest and delay in addition to the principal question of whether the consultation process had been carried out lawfully.

Anya successfully defeated an interim injunction application which was an attempt to prevent the scheme from coming into force and due to the defeat, the Applicant withdrew its application for judicial review.

Business & Property

Anya has a reputation for fighting hard for her clients, thinking well on her feet and being thoroughly prepared. She frequently undertakes boundary dispute matters and cases concerning easements and adverse possession. She has an in-depth understanding of injunction applications and has recently been undertaking work on obtaining an injunction to ensure compliance with the Party Wall Act. She often undertakes work concerning complex inter-familial property disputes. She is regularly instructed to attend mediations and has the ability to think of creative solutions to otherwise intractable disputes.

Anya prides herself on giving practical and straightforward advice and is therefore often instructed from an early stage in proceedings and works alongside solicitors providing advice and assistance throughout the litigation process.

Notable Cases:

Menon (1) Menon (2) and Autumn Days Ltd (3) v Hereford County Council

In this case Mr and Mrs Menon were suing Hereford County Council for around £1m alleging misfeasance in a public office. The losses claimed included loss of profits and damage to goodwill for which four expert witnesses were involved. There was also a claim for exemplary damages. There were live issues of causation and failure to mitigate loss. The matter was factually complex and Anya worked with Hereford for 18 months, providing advice and assistance on the full litigation process. At trial and in the interlocutory

Court of Appeal matter Ms Newman was led by Kelvin Rutledge QC. Five of the Local Authority's officers were named as misfeasant. With a thorough and detailed approach, Anya successfully defeated the case, clearing the officers of wrongdoing.

Ahktar v Malik

In this matter Anya successfully recovered money informally loaned by the claimant to his father in law. There was no written loan agreement, however, Anya successfully argued for her client in light of the other contemporaneous materials which suggested the money transfer was indeed a loan and not a gift as the defendant contended for. The matter was further complicated by late arising equitable issues.

Shakoor v Aktar

In this matter, the trial of which lasted nine days, Anya successfully defeated an occupiers' attempt to reverse the sale of her property (which was sold at an undervalue) to her landlord. In addition to defeating the claim Anya obtained money judgement, possession and full costs. The matter was complex and hard fought, involving issues of mental capacity. Anya was involved in advising on the matter for over two years.

Abbass v Wahid

Anya appeared for the claimant in this matter which was heard in the High Court. Ms Abbass was claiming for money lent pursuant to a novel loan agreement secured against the defendant's property with a default provision to sell the property to the Claimant for a fixed price.

Qualifications

BVC Nottingham Law School

LLB Birmingham University

Memberships

Social Housing Law Association (SHLA)

Recommendations

Chambers & Partners 2020: "She has excellent attention to detail, exceptional technical knowledge and ability and is always helpful and supportive." "She is very polished and makes good points."

Legal 500 2019: "A well-prepared, knowledgeable and no-nonsense advocate."

Chambers & Partners 2019: "She has great technical knowledge and is always helpful and supportive."

Legal 500 2018: "She has great technical knowledge and always fights her client's corner."

Chambers & Partners 2018: "She provides useful, practical advice on the risks and merits of a case, and on how to strengthen a case. She's very good at cross-examination and has a good rapport with witnesses."

Legal 500 2017: "Unwavering in her style and no pushover."

Chambers & Partners 2017: "Routinely undertakes complex property disputes, antisocial behaviour litigation and possession claims involving human rights issues and the Equality Act. She makes regular appearances in the High Court." "Has an excellent rapport with clients and is always prepared to argue fiercely for the outcome desired by those instructing her."

Chambers & Partners 2016: "She fights tooth and nail for her clients." "She is a very knowledgeable, very smart young barrister who knows the law, thinks well on her feet and is well prepared. She's highly respected."

Chambers & Partners 2015: "She is fresh and determined. She is always enthusiastic, practical and very approachable." "She has an excellent rapport with clients and is always willing to argue hard for the outcome desired by those instructing her."

Chambers & Partners 2014: "She is to be highly commended for the quality of the advice, support and guidance we received throughout our particularly difficult case."

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