



THE ADMINISTRATIVE COURT IN MANCHESTER

User Group Meeting (UGM)

Monday 22.5.2023 4.45pm by MS Teams

Minutes

Attendees

Mr Justice Fordham (Liaison Judge)	HHJ Pearce
Judge Plimmer	DHCJ Ridge
Jessica Turner (Clerk to Fordham J)	David Pountney
Juliet Mbam	Michael Blackwood
Sophia Khan	Mathieu Culverhouse
Josie Hicklin	Christina Parkinson
Nicola Hoolickin	Rowan Smith
Stephanie Hill	Craig Holmes
Natasha Gaffey (ACM)	Laura McMullan (ACM)

Apologies: None

Introduction

Mr Justice Fordham welcomed all those joining the meeting and encouraged all court users to communicate with the ACO by email in-between these meetings.

Matters arising from minutes of meeting 7.12.2022: None

Discussion topics

Raised by David Pountney:

- 1) When will CE-filing become mandatory? Laura McMullan explained that there was no date for commencement, but that the court users would be kept updated.
- 2) When transferring age dispute cases from ACO to UTIAC, do they have still go to Field House? Laura McMullan confirmed that they do. David Pountney recorded the concern that this practice is adding further delay to cases.

- 3) Staffing issues and consequent delays in progressing cases, including delays in issuing claims. Natasha Gaffey acknowledged the current difficulties and explained that there had been a high turnover of staff and unexpected staff absence. The ACO team was working hard at trying to resolve the difficulties and she hoped that by the next meeting the court users she would be able to report progress. Court users could contact her directly if there were difficulties needing to be resolved. Laura McMullan invited case references so any specific case of concern could be looked into. Mr Justice Fordham said that specific examples of past difficulties could be helpful to identify any lessons and improvements, that the ACO team was working hard and that the feedback was embraced.

AOB. Nicola Hoolickin referred to concerns which had been raised by a colleague by email, about listing notification letters possibly containing references to out of date rules. Mr Justice Fordham asked for the email to be forwarded so this could be looked into*. He concluded by thanking all for attending and asked for views by email on whether the ACO in Leeds and Manchester should have a combined or separate court user group meetings.

Date of next ACM:UGM. To be confirmed by email.

Minutes by: Laura McMullan

Approved by: Fordham J

* The email concerns a form of listing letter for appeals which says: "Papers for the Court. If this matter is governed by CPR Part 52 (appeals) including appeals by way of case stated, skeleton arguments should already have been lodged by the parties - see PD 52, paragraphs 5.9 and 5.10 (appellant) and paragraphs 7.6 and 7.7 (respondent). If this matter is governed by Part 8, the advocate for the applicant/appellant must lodge, and serve, two copies of their skeleton arguments at least 3 weeks before the hearing date. Advocates for the defendant or other party wishing to be heard must lodge, and serve, two copies of their skeleton arguments at least 14 days before the hearing..." The concerns raised are these: "this information appears to be inaccurate. It seems that the guidance in the court's letter is based upon paragraphs 5.9 and 5.10 of the old PD52 (see pages 12-13). However, Rule 8(a) of The Civil Procedure (Amendment No.2) Rules 2012 confirms that PD52 was substituted by PDs 52A to 52E on 1 October 2012. The new PDs (i.e. 52A to 52E) do not contain the same requirements regarding the filing / service of skeleton arguments". A further point was also made: "section 7 of the Appellant's Notice, which requires the Appellant to certify that its skeleton argument is attached or will be provided within 14 days, also appears to have been drafted to ensure compliance with paragraph 5.9(1) and (2) of the old PD52. There's no similar 14-day deadline appearing in PDs 52A to 52E, so this aspect of the Appellant's Notice, denoting a 14-day deadline, also appears to be based upon the legal position pre-October 2012 and no longer applicable".

Annexes:

- (1) Notes (at 19.5.23)
- (2) Update from ACM (26.7.23)

ANNEX (1): NOTES (at 19.5.23)

- Materials for information

Divisional Court Cases.

- ACL
 - Ryan v DPP CO/2568/2019 judgment 19.10.22
 - [Cook \[2022\] EWHC 2963 \(Admin\)](#)
 - [Officer B50 \[2023\] EWHC 81 \(Admin\)](#)
- ACM
 - Greater Manchester Chief Constable CO/593/2022 judgment 1.11.22
 - [Leeson \[2023\] EWHC 62 \(Admin\)](#)
 - [Makki \[2023\] EWHC 80 \(Admin\)](#)

Local Hearings.

- [ACO Listing Policy](#) §23: “A case allocated to any of the circuit offices will be listed for hearing on that circuit at the most geographically appropriate hearing centre, subject to judicial availability”.
- An example in the Planning Court (heard in Newcastle) is [Newcastle City Council \[2022\] EWHC 2752 \(Admin\)](#).

NALA (Northern Administrative Law Association) Liaison.

- [NALA Practical Tips Webinar 13.6.22 video](#)
- [NALA The Future of the HRA 13.12.22](#)

User Group Meetings. UGMs are open to all ACN users and all Minutes are online:

- [ACM UGM Minutes 28/04/2022](#)
- [ACL UGM Minutes 17/05/2022](#)
- [ACL UGM 26/07/2022](#)
- [ACM UGM Minutes 28/07/2022](#)
- [ACN Combined UGM Minutes 7/12/2022](#)

Venue Determinations.

- [Fortt \[2022\] EWHC 152 \(Admin\) 27.1.22 transfer to ACM](#)
- [Smart \[2022\] EWHC 509 \(Admin\) 9.3.22 transfer to ACL](#)
- [Assent \[2022\] EWHC 510 \(Admin\) 9.3.22 transfer to ACL](#)
- [Assurant \[2022\] EWHC 511 \(Admin\) 9.3.22 non-transfer](#)
- [Orekoya \[2022\] EWHC 540 \(Admin\) 15.3.22 transfer to ACL](#)
- [Khyam \[2022\] EWHC 993 \(Admin\) 4.5.22 transfer to ACL](#)
- [Ellis \[2022\] EWHC 1263 \(Admin\) 25.5.22 transfer to ACL](#)
- [Porky Pint \[2022\] EWHC 1705 \(Admin\) 6.7.22 transfer to ACL](#)
- [Bhimsinhji \[2022\] EWHC 2556 \(Admin\) 11.10.22 transfer to ACL](#)
- [Newcastle United \[2022\] EWHC 2555 \(Admin\) 11.10.22 non-transfer](#)
- [Airedale \[2022\] EWHC 2937 \(Admin\) 16.11.22 transfer to ACL](#)
- [Group for Action \[2022\] EWHC 3296 \(Admin\) 21.12.22 non-transfer](#)
- [O'Brien \[2022\] EWHC 3297 \(Admin\) 21.12.22 non-transfer](#)
- [Subramaniam \[2022\] EWHC 3294 \(Admin\) 21.12.22 transfer to ACL](#)
- [Cleugh \[2023\] EWHC 374 \(Admin\) 24.2.23 transfer to ACL from ACM](#)

ANNEX (2): UPDATE FROM ACM (26.7.23)

- The ACM team (21.7.23) is: Natasha Gaffey (Team Leader), Laura McMullan (Lawyer), Michael Hand, Barry Grundy and Steve Morris (Team Members). We will have a new Team Member from 18.8.23 when Michael Hand leaves ACM, with or thanks and best wishes, for a career at the Bar.
- By way of a response to a recent enquiry about delays and difficulties in communications, the Team Leader (Natasha Gaffey) was able to explain the following (17.7.23): “Unfortunately due to a high staff turnover and unexpected staff absence the team are currently working in a backlog situation. We’re currently reviewing our processes and undertaking staff training to make sure we give all our customers the best service we can. We’ve been looking into what went wrong to see what we can do differently to make sure delays of this kind do not happen again, Please do not hesitate to bring anything further – bad or good – to our attention. It would also be excellent if you or a colleague were willing to attend User Group Meetings and speak openly at those. It helps us when people alert us and give us frank views.”
- The Judges who regularly sit in the ACM are: HHJ Adrian Bever; HHJ Nigel Bird; HHJ Mark Cawson KC; HHJ Stephen Davies; Fordham J; HHJ Mark Halliwell; HHJ Richard Pearce; UTJ Melanie Plimmer; DHCJ Karen Ridge; HHJ Craig Sephton KC; HHJ Graham Wood KC. Biographies can be found at the following link:
[Biographies | Subjects | Courts and Tribunals Judiciary](#)
- ACM has three newly-ticketed Planning Court Judges: HHJ Mark Cawson KC; HHJ Mark Halliwell; HHJ Richard Pearce. They join HHJ Nigel Bird, HHJ Stephen Davies, Fordham J and DHCJ Karen Ridge as the 7 planning-ticketed Judges at ACM.
- The Liaison Judge (Fordham J) is next scheduled to be at ACM 23.10.23-10.11.23 and 4.11.23-21.12.23. He is contactable via his clerk: Jessica.Turner1@justice.gov.uk

ACM 26.7.23