

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Proceedings were issued electronically via the CCBC on [redacted] for the sum of [redacted] (including interest), together with a Court fee of [redacted] and Fixed costs of [redacted]. The claim relates to monies outstanding under unpaid parking charge notices. The Defendant subsequently filed a Defence to the Court proceedings.

By way of Order dated [redacted] the Claim was allocated to the Small Claims Track and listed for a hearing on [redacted]. The Order also contained the following directions:-

- Hearing fee of [redacted] to be paid by [redacted]; and
- Documents, including Witness Statement to be filed and served no later than 14 days before the hearing, i.e. by [redacted]

The Claimant complied with the Order and filed and served the documents on [redacted]. No documents were served by the Defendant. An email was also sent by [redacted] to the Court at civil@romford.countycourt.gsi.gov.uk on [redacted] requested that the Court debits the £80.00 hearing fee by utilising my firm's PBA account. Attached to this application is a copy of the email.

By way of Order dated [redacted] which was typed on [redacted] the claim was struck out as the Claimant had allegedly failed to pay the hearing fee. The court, however, listed the Defendant's application for costs for [redacted] (i.e. the third working day after the Order was typed). The Order was received on [redacted], however, due to an administrative error it was not placed on the file until [redacted], i.e. the day of the hearing. Upon notification of the Order my firm emailed the Court at [redacted] advising that the hearing fee had been paid and requested that any order made on [redacted] be set aside. Unfortunately, by way of Order dated [redacted] the Claimant was ordered to pay the Defendant's costs of £1,500.00.

In light of the above, as the Order dated [redacted] was not reviewed until the day of the hearing, attendance for the hearing could not be arranged. Had the Claimant been aware of the hearing earlier it would have ensured that either an advocate or an employee of the Claimant Company would have attended. Alternatively, had the Court actioned the email sent by my firm on [redacted] (for the hearing fee to be paid) the small claims track hearing would have never been vacated. As such, there is a good reason why the Order dated [redacted] be set aside.

Further, the Order dated [redacted] states that "upon the Claimant having been given notice of today's hearing, which included notice of the costs of application". At no point has my firm been served with a copy of any such costs application. One was not received with the Order dated [redacted]. The Defendant failed to serve documents it intends to rely upon let alone a costs application.

With all due respect, the Claimant's case is simple; the Defendant parked on the land at [redacted] in a restricted area. The charges were issued pursuant to the signs that are situated on that land. The Claimant has been instructed to manage a parking enforcement scheme on [redacted]. Correspondence in relation to the charges were sent to the Defendant, however, the charges remained unpaid which subsequently led to these proceedings being issued. In view of this, the Claimant submits that it has a reasonable prospect of success at the hearing.