



CIVIL APPEALS OFFICE

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<http://www.civilappeals.gov.uk>

Persons Unknown
Unknown
Unknown

DATE: 09-12-2022

OUR REF: CA-2022-001066

Linked Case References: CA-2022-001105

Dear Sir/Madam,

Re: National Highways Limited v Persons Unknown & Ors

I am writing to notify you that the hearing of this appeal under the reference CA-2022-001066 will take place at the Royal Courts of Justice on 16-02-2023. You will receive no further notice of that hearing date. The hearing will take place in a courtroom open to the public.

If you require any special provision to attend a court hearing please contact this office as soon as possible so that arrangements can be made.

If you have access to the Internet you must check the Daily Cause List on our website (www.justice.gov.uk) after 2.30pm on the working day before the hearing date to confirm the courtroom number and the time at which you should attend.

If you do not have Internet access you should telephone this office after 2.30pm on the working day before for details of the hearing.

Bundles

3 sets of paper format bundles must be filed at the court by 05-01-2023. Where the court is already in possession of a set of bundles relied upon at the permission stage which has been appropriately amended for the appeal, one less set of bundles is required. All bundles must contain both the appellant's and respondent's replacement skeleton arguments. A copy of the bundle must also be served on all other parties to the appeal by 05-01-2023.

Please ensure that paper copy bundles show the name of the case (which can be abbreviated), the name of the bundle and the volume number (where relevant) on the spine in at least 14 point font. If there are multiple volumes please also show the tabs or pages numbers in each volume on the spine.

All parties filing bundles with the Court must retain a copy of the bundle:

- (a) for their own use in the proceedings; and
- (b) as an essential back up should the court bundle(s) be accidentally misplaced, damaged or destroyed; and
- (c) for the purposes of any onward appeal.

The parties should ensure that paper format bundles filed with the Court do not contain original material such as original documents, photographs, recording media etc. If it is necessary to use

original material, copies should still be included in the court bundles and the originals should be brought to the hearing. Parties must ensure they retrieve any original material handed up to the judge before leaving court. Any original material placed in the court bundle will be destroyed with the court bundle at the conclusion of proceedings (see paragraph 27(14) and (15) of CPR PD 52C).

If the Court already has a paper format bundle(s) which was used at the permission to appeal stage, the appellant or his representatives must ensure that the bundle(s) the court already has is appropriately amended for the appeal hearing and is identical to all other appeal bundles.

Please also confirm whether you are able to provide any hard copy bundles in mini bundle form (in A5 format).

In addition to paper format bundles you have been ordered pursuant to paragraph 14.4 Practice Direction 51O to file electronic bundles via the E-Filing Service. Guidance on using the E-Filing service can be found at <https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>. Bundles filed electronically must be formatted as one PDF document with bookmarks as appropriate for each document and with section headings within the document, unless its size exceeds 50 megabytes, in which case it can be divided into up to 10 documents of that size, each bearing bookmarks as appropriate (see paragraphs 10.3 and 14.1 Practice Direction 51O). All electronic bundles must have the same format (files, tabs, description, index and pagination) as the paper format bundles and must be updated as and when paper format bundles are updated. Electronic bundles must be filed by the same date that paper format bundles are due to be filed.

Please note all queries about bundles should be directed to your Case Progression Manager on 020 7947 6139 not the Listing Office.

Sending Documents to the Court of Appeal (other than bundles)

Documents must be filed using the E-Filing service in accordance with paragraph 2.2J of Practice Direction 51O. Guidance on using the E-Filing service can be found at <https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>.

Bundles of Authorities

Bundles of authorities should be lodged by no later than 09-02-2023 in accordance with CPR PD 52C paragraph 29. Advocates must ensure that a certificate is included in any bundle of authorities lodged in accordance with CPR PD 52C paragraph 29(5). Where possible bundles of authorities should be submitted via the E-Filing service in electronic format. Electronic authorities bundles should correspond to the paper format bundle.

Documents to be provided at the Appeal hearing

You must bring two additional copies of your appeal skeleton argument, including any supplementary skeleton argument, to the appeal hearing in accordance with CPR PD 52C, paragraph 33. The additional copies should be given to the usher or other court official present in court before the commencement of the hearing. The usher or other court official will provide one copy to the accredited law reporters and the other copy to the accredited media reporters.

Courtroom Requirements

The parties should inform the List Office as soon as possible if a large courtroom is likely to be required for the appeal due to, for example, the volume of documentation, the number of legal representatives or public/press interest.

Disposal of Bundles

Paper format bundles lodged with the court will not be returned to the parties but will be destroyed

at the conclusion of the proceedings in accordance with CPR PD 52C paragraph 27(15). Electronic bundles will be retained for a period of two months following judgment after which they may be deleted (see paragraph 14.5 Practice Direction 51O).

Yours faithfully,

Alam Zaidi
Listing Office
civilappeals.listing@justice.gov.uk

In accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 that came into effect from 25th May 2018 if you would like to know more about how HMCTS handles your personal data please visit our website at www.gov.uk/hmcts. If you require a hard copy of the privacy notice please contact the court.

With effect from 1st February 2018 the Case Progression Section will only answer the phones between the hours of 10am – 12pm and 2pm – 4pm.

Information for people visiting the Royal Courts of Justice

The Royal Courts of Justice (RCJ) has services and facilities available to support you when you visit us.

We know that people with disabilities will sometimes need our help to use or access our services and we will provide reasonable adjustments to help with this.

Many areas of the RCJ are Grade 1 listed and this means there are restrictions to the changes we can make. The RCJ is spread over 8-acres and some of the areas you will need to visit could be up to a 5 to 10-minute walk apart.

We can provide services such as:

- A car park space for blue badge holders. This will need to be pre-booked (contact the Listing Office dealing with your case) *
- Wheelchairs, although these are limited. If you use a wheelchair and have your own please bring this with you. You will need a carer or helper to support you when using a wheelchair as our staff aren't trained or insured to do this **
- The Personal Support Unit (PSU). They can help with giving directions around the building but can't help with personal care or pushing wheelchairs. Please telephone the PSU on 020 7947 7701 before your visit if you need their assistance.
- Accessible counters at most reception areas.
- Leaflets showing accessible routes in the building and information about facilities/ services we can provide.
- Arranging pre-hearing visits to the court to see the court room and to talk about any specific needs.
- Breaks in court proceedings. These can be arranged with the judge before your hearing begins.
- Providing help with reading and writing court forms. Some court documents can be provided in large print or braille <https://www.gov.uk/government/collections/court-and-tribunal-forms>.
- Interpreters, but you'll need to contact your case manager to arrange this.
- Ramps and stair lifts to areas of the building that were previously inaccessible.
- Prayer, quiet and contemplation rooms. These are available in the East Block and Queen's building.
- Hearing enhancement systems at public counters and in certain courts
- Portable hearing loops available on request.
- Accessible toilets and baby changing facilities.
- Refreshments in the main building in Café 26 (back of the main hall) and by trolley service in the Queen's Building.

More information

*If you need a parking space (Blue Badge holders only) please contact the Listing Office, by e-mail or letter at least 24 hours before your hearing.

You'll need to include:

- your case number
- car registration
- make, model and colour
- your Blue Badge number
- issuing authority.

We will give this information to our Security Teams and it will be included in the daily parking list.

If you have any specific needs you need to talk to us about, please contact the Disability Contact Officer – Mr Chowdhury on 0207 947 6915 or Mrs Walker on 020 7949 7943

**Wheelchair access into the RCJ is available at West Green (9am - 4.30pm), Quadrangle (9am - 4.30pm) and Bell Yard North (9.30am - 4.30pm). External intercoms linked to RCJ Security are found at these entrances and at the main entrance.

Information for Listing Officers

The upper levels of the courts in West Green shouldn't be used if any of the court users have mobility problems; as they can only be accessed using a small lift and there are no safe exit areas on these floors.