

General Form of Judgment or Order

In the County Court at Luton	
Claim Number	3HF00045
Date	30 June 2015



SEAN BEST	1 st Claimant Ref ARB.GL.EST
SARAH JANE BEST	2 nd Claimant Ref
JOHN PARKINS	1 st Defendant Ref RIM /SH/89402-5-2
ESTHER ANN DENNIS	2 nd Defendant Ref

Before Her Honour Judge Hildyard Qc sitting at the County Court at Luton, 2nd Floor, Cresta House, Alma Street, Luton, Beds, LU1 2PU.

Upon the trial of this matter

And upon hearing counsel for the Claimants and for the Defendants

IT IS DECLARED that:

1. The boundary between the properties at No. 26 High Street, Puckeridge and No. 28 High Street, Puckeridge lies along the line drawn in red on the plan at page 7 of the bundle of documents attached to the Amended Particulars of Claim herein;
2. The Defendants' Property at No. 28 High Street, Puckeridge benefits from a right of way over that part of the 2 feet strip (as defined in paragraph 9.1.1 of the Amended Particulars of Claim herein) which has habitually been used for vehicles.

IT IS ORDERED THAT

The court office at the County Court at Luton, Cresta House, Alma Street, Luton, Beds, LU1 2PU is open between 10:00 am and 2:00 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577

3. There be judgment for the Claimants in the sum of £3,500.
4. The Defendants or either of them by themselves, their workmen or agents or otherwise howsoever be restrained from doing any act which would constitute an actionable interference with the Claimants' free use of the right of way set out at paragraph 4 of the Particulars of Claim herein.
5. The Defendants do pay to the Claimant's the sum of £50,000 on account of costs, such sum to be paid in the following instalments;
£15,000 by 4 June 2015;
£15,000 by 18 June 2015;
£20,000 by 2 July 2015.
6. There be a further hearing on **21st July 2015 at 10.00am, at the County Court at Luton, with a time estimate of 3 hours**, to consider (i) the extent of the right of way over the 2 feet strip referred to in paragraph 2 above, and (ii) further orders as to costs.
7. Each party shall file and serve written submissions in advance of the hearing referred to at paragraph 8 above by 4pm on 10 July 2015. Any written submissions in response shall be filed by 4pm on 17 July 2015.
8. The Defendant's application for permission to appeal is refused.

It is Declared that until further Order herein the Defendants are entitled to a right of way over that party of the 2 foot strip referred to in the plan attached to the Particulars of Claim which has habitually been used for vehicles.

Dated 21 May 2015

Notice of Hearing

In the County Court at Luton	
Claim Number	3HF00045
Date	30 June 2015



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SARAH JANE BEST	2 nd Claimant Ref
JOHN PARKINS	1 st Defendant Ref RIM /SH/89402-5-2
ESTHER ANN DENNIS	2 nd Defendant Ref

TAKE NOTICE that the Hearing will take place on

21 July 2015 at 10:00 AM

at the County Court at Luton, 2nd Floor, Cresta House, Alma Street, Luton, Beds, LU1 2PU

When you should attend

3 hours has been allowed for the Hearing

Please Note: This case may be released to another Judge, possibly at a different Court