

Notice of Allocation to the Small Claims Track (Hearing)

| VEHICLE CONTROL SERVICES LIMITED | |
|----------------------------------|----------------------------------|
| | 1 st Defendant Ref |

Deputy District Judge [REDACTED] has considered the statements of case and directions questionnaire filed and allocated the claim to the **small claims track**.

It is ordered that:

- The hearing of the claim will take place at [REDACTED] and should take no longer than 90 minutes. The hearing will take place by telephone, to be arranged by the court office.
- If neither party is legally represented the remote hearing will be organised by the court office by telephone. The court will contact each party at the start of the hearing.
- In such cases, 5 working days before the remote hearing, parties must provide the court with a telephone number on which they can be contacted at the date and time of the hearing. Please email [REDACTED]

Court proceedings may not run to time. The parties must make themselves available for a period 1 ½ hours from the time of the hearing. If a party does not provide a number, or they do not answer the phone at the time of the hearing then the court may proceed with the hearing in their absence.

- Time estimate 90 minutes. If either party at any time believes that the case will take either longer or less time, then they must inform the court. Failure to do so may result in a case having to be adjourned.
- This claim has been listed as part of a block list. There is a possibility that it may not be heard at the time quoted. Cases listed later in the day may not be reached. If this occurs, the matter will be re-listed on the first available date.
- The court must be informed immediately if the claim is settled.
- The parties shall each send to the court and to each other by no later than [REDACTED] written statements [preferably typed] of all persons who are to give evidence at the trial. This includes the parties themselves
 - i. limited to 2 witnesses per party
 - ii. limited to 10 sides double spaced 12 font

Notes

- By [REDACTED] the claimant must send to the court and to the defendant copies of all the documents he intends to rely upon at the final hearing. These must be in a bundle with each page clearly numbered. The claimant **MUST** bring the originals of those documents to the final hearing.
- By [REDACTED] the defendant must send to the court and to the claimant copies of all the documents he intends to rely upon at the final hearing. These must be in a bundle with each page clearly numbered. The defendant **MUST** bring the originals of those documents to the final hearing.

Every party, whether represented or not, should liaise and try to agree the contents of a single hearing bundle with page numbers and without duplication, that should contain only:

- The relevant application
- Copies of the claim form, particulars of claim, defence and counterclaim and any reply;
- Copies of the Directions Order and any other relevant court order;
- Copies of any witness statement(s) relied on by any party;
- Copies of any documents limited to those relevant to the application or hearing

If, but only if, agreement of the contents of the hearing bundle is not possible:

- the claimant will prepare the hearing bundle;
- the defendant will prepare a supplementary bundle limited to documents in the same categories as listed above but not included in the other party's bundle.

Parties must send to the court to arrive by no later than 3 working days before the re-listed remote hearing a copy of the bundle or bundles prepared to comply with paragraphs 5 and 6 above.

- It must be sent to all other parties (preferably by email, if an email address is known, but otherwise by post); and to the court by email to [\[REDACTED\]@justice.gov.uk](mailto:[REDACTED]@justice.gov.uk).

- Responsibility for sending the court bundle:

- Where the claimant/applicant is legally represented, it shall be the responsibility of the claimant/applicant to send the court bundle
- Where the defendant/respondent is legally represented, it shall be the responsibility of the defendant/respondent to send the court bundle

(The free telephone application "Tiny Scanner", available on smart phones via the App Store, enables documents to be scanned onto and then sent from a smart phone).

Because this order has been made without a hearing any party may apply pursuant to CPR Part 3.3(5) to have this order set aside, varied or stayed. A party wishing to make an application must send or deliver the application to the court (together with any appropriate fee) to arrive within seven days of service of this Order.

Unless the claimant does by [REDACTED] 2020 pay to the court the trial fee of **£25.00** or file a properly completed application (i.e. one which provides all the required information in the manner requested) for help with fees, then the claim will be **struck out with effect** [REDACTED] **without further order and, unless the court orders otherwise, you will also be liable for the costs which the defendant has incurred.**

(The trial fee is fee 2.1 in the current Civil Fees Order).

If your claim has been struck out, it will no longer exist. The hearing will be vacated, unless a counterclaim survives the claim being struck out.

If, following strike out of the claim the claimant or defendant wishes to start fresh proceedings a new claim must be filed together with the appropriate fee or application for help with fees.

Information and leaflets explaining more about how to pay a court fee or how to apply for a help with fees are available from the court office **or online at:** <https://www.gov.uk/court-fees-what-they-are>

Further information relating to Mediation of small claims are available from the court office **or online at:** http://hmctsformfinder.justice.gov.uk/HMCTS/GetLeaflet.do?court_leaflets_id=4454

The trial fee is **non refundable**. If parties settle before the trial fee is due, the trial fee will not be payable. If a consent order settling the matter is requested after the trial fee has been paid, the consent order fee will still be payable.