

**IN THE HIGH WYCOMBE COUNTY COURT**

The Law Courts  
Easton Street  
High Wycombe  
Buckinghamshire  
HP11 1LR

BEFORE:

**DISTRICT JUDGE DEVLIN**

BETWEEN:

**ParkingEye Limited**

**Claimant**

**- and -**

**James Gosnold**

**Defendant**

**Mrs Newman** on behalf of the **Claimant**

**Mr Carrod (lay representative)** on behalf of the **Defendant**

Hearing date: 23<sup>rd</sup> January 2014

**Discussions after Judgment**

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No of folios in transcript    **12**  
No of words in transcript    **864**

Thursday 23<sup>rd</sup> January 2014

**Mr Carrod:** OK. Do you have any loss of earnings that you wish to claim as --

**Mr Gosnold:** Yeah, yeah.

**Mr Carrod:** As just costs?

(defendant and lay representative confer)

**District Judge Devlin:** OK, have you shown Mrs Newman the claim?

**Mrs Newman:** No.

**Mr Gosnold:** I haven't, no --

**District Judge Devlin:** OK.

**Mr Gosnold:** Sir, no.

**District Judge Devlin:** In respect of costs incurred to attend this court I will be seeking the maximum amount of £90 as I've had to take a day of unpaid annual leave, possibly stretching to a full day depending on length in time. Annual salary, [REDACTED] per annum, divided by 220 is [REDACTED], that's gross presumably? Do you want to ask me any questions about that?

**Mrs Newman:** No, Sir --

**District Judge Devlin:** OK.

**Mrs Newman:** I appreciate it's £90.

**District Judge Devlin:** So the claim is dismissed. The Defendant to recover against the Claimant, have you incurred any travel costs in coming here today?

**Mr Gosnold:** Not that I wish to pursue, no, I live locally, Sir, so it's ...

**District Judge Devlin:** £90.

**Mr Gosnold:** The ParkingEye don't do the car parking across the road, do they? No, they wouldn't.

**Mr Carrod:** That's, that's the council.

**District Judge Devlin:** And it is ordered and adjudged that the Claimants do pay the sum of £90 to the Defendant. Could that be done in 14 days?

**Mrs Newman:** Sir.

**District Judge Devlin:** And that would be, take us to 6<sup>th</sup> February. I mean it would seem that ParkingEye have only got to take a few simple steps in order to effectively be able to bring a claim. But that's really a matter for them to take up with the owners of the, of the site. Anything further?

**Mrs Newman:** No, Sir.

**District Judge Devlin:** OK.

**Mr Carrod:** Right, Sir, thank you very much, Sir.

**District Judge Devlin:** Right.

**Mr Gosnold:** Thank you.

**District Judge Devlin:** Mr Carrod, as to this case, do you, are you, do you go round the country doing advocacy?

**Mr Carrod:** Not the country but the, the south east.

**District Judge Devlin:** Have you been, have you, do you represent ParkingEye's agent in other cases?

**Mrs Newman:** Other cases, this is my second.

**District Judge Devlin:** OK, right.

**Mr Carrod:** Oh, and you've had [REDACTED] on the first?

**Mrs Newman:** Yes.

**Mr Carrod:** Oh dear.

**District Judge Devlin:** Who is [REDACTED]?

**Mrs Newman:** Another one like him.

(laughter)

**Mr Carrod:** He's one of my colleagues and he, he tends to cover the south coast and Hampshire.

**District Judge Devlin:** It's odd, isn't it, I mean it's nothing to do with this particular case but it's odd, isn't it, that something apparently as simple as a sign can generate such a quantity of documentation and legal --

**Mr Carrod:** Well --

**District Judge Devlin:** I mean, again, nothing to do with this case but I don't know what would have happened if we'd got to stage two and worked out whose loss it is.

**Mr Carrod:** Well that, Sir, that's another interesting argument.

**Mrs Newman:** We had conflicting case law on the same point.

**Mr Carrod:** And we had conflicting case law on it. You, you might be interested to know actually that His Honour Judge Moloney on the Eastern circuit has ordered that all cases for Norfolk, all ParkingEye cases --

**District Judge Devlin:** Yeah.

**Mr Carrod:** For Norfolk, Suffolk, Essex and Cambridgeshire are all going to be heard together in one big hearing on the 14<sup>th</sup> March --

**District Judge Devlin:** I see.

**Mr Carrod:** Because he's got fed up with all of these same issues coming up all the time.

**District Judge Devlin:** And Judge Dodd is another Circuit Judge, and of course they're not, they're not binding, they're not binding authorities --

**Mrs Newman:** No.

**District Judge Devlin:** And there's been no Court of Appeal decision as such, but --

**Mrs Newman:** No.

**Mr Carrod:** No, they won't, it's not gone as far as the Court of Appeal yet --

**District Judge Devlin:** No.

**Mr Carrod:** Although I can see it ending up there eventually. It's just that they're, they're issuing something like 1,000 claims a week now.

**District Judge Devlin:** I suspect most people pay up.

**Mr Carrod:** Most of them do.

**District Judge Devlin:** Whether they'll ask for a repayment or not.

**Mrs Newman:** Right.

(laughter)

**District Judge Devlin:** So, right, thank you very much. Have you got else this afternoon or not? OK.

**Mr Carrod:** OK, thank you very much, Sir.

**District Judge Devlin:** Right.

**Mrs Newman:** Thank you, Sir.

**District Judge Devlin:** OK.

(court rises)

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