

Mistry, Pritej

From: Cooke, Lilangi
Sent: 22 July 2016 13:09
To: Ian Trehearne (iantrehearne1@gmail.com); Philip GC
Cc: [REDACTED] Bakall, Gary; Traynor, Deirdre
Subject: RE: 15 Gayton Crescent - Highbury Corner Magistrates' Court - Mr and Mrs Wendy Galway Cooper

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Dear Sirs,

**LB Camden v Mr and Mr Galway-Cooper
Highbury Corner Magistrates Court
Pre-Trial Review – Thursday 28 July 2016 at 10.00 a.m.**

Thank you for your e-mail below.

Please be advised the pre-trial review was listed approximately three months ago for the Court to be updated on matters since the last hearing, namely, on 14 April 2016. As you are aware, your clients, Mr and Mrs Galway-Cooper, have to apply to the Court for an adjournment of the trial. The Council is of course entitled to be heard at that hearing.

Thank you for advising the Council why the expert reports were not served in accordance to the Court directions. The Council (or the Court I believe) was advised of this before.

Kind regards,

Lilangi Cooke
Lawyer

Telephone: 020 7974 3533



From: Ian Trehearne [mailto:iantrehearne1@gmail.com]
Sent: 21 July 2016 13:41
To: Cooke, Lilangi
Cc: Philip GC
Subject: Fwd: 15 Gayton Crescent - Highbury Corner Magistrates' Court - Mrs Wendy Galway Cooper

Dear Ms Cooke

As you know the Planning Inspectorate have now determined that the Appeal of our client against the decision of the Council to refuse the Certificate of Lawful Existing Development in relation to the Rear South Eastern Corner Extension, which is the subject of the Council's enforcement proceedings in the Highbury Corner Magistrates' Court, shall be determined at a Public Inquiry. We do not yet have a date for this but it probably will be held in about February 2017.

It is plain, therefore, that the enforcement proceedings that the Council is pursuing in the Highbury Corner Magistrates' Court cannot now continue until after the Public Inquiry has determined the issue of whether the Rear South Eastern Corner Extension was lawfully constructed in accordance with the provisions of The Town and Country Planning (General Permitted Development) Order 1995.

Further, it is a huge waste of legal costs and expert fees to require our clients, and also the Council, to prepare Expert Structural Engineers Reports and Expert Surveyors Reports in relation to the statutory defence that our clients will, in any event have, if for any reason the Appeal before the Public Inquiry is not successful.

Please explain, therefore, why the Council intends to proceed with the Pre-Trial Review on 28 July 2016.

If the Council insist on proceeding with the Pre-Trial Review on 28 July 2016 then our clients will have to be represented by Stephen Morgan of Counsel. Our clients have been quoted a fee of £4,500 + VAT and our clients will seek an order that the Council pay those wasted costs.

Instructions to Mr Morgan will have to be confirmed today and, therefore, I shall be grateful if you would kindly respond at your earliest convenience.

Yours sincerely

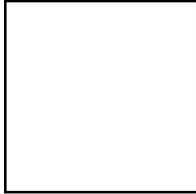
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