

N244

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them

when you fill in a form:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

**Notice of hearing Application will be heard at 7 Rolls Building,**

**London, EC4A 1NL**

**Date: 26/05/2023**

**Time: N.B. 10:30 AM**

**Court: 10**



<b>Name of court</b> The High Court of Justice, The Business and Property Courts of England and Wales, Chancery Division	<b>Claim no.</b> 22 May 2023
<b>Fee account no.</b> (if applicable)	<b>Help with Fees - Ref. no.</b> (if applicable) BL-2023-000713
	H W F - - - - -
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name (including ref.)</b>  Jockey Club Racecourses Limited	
<b>Defendant's name (including ref.)</b> (1) Daniel Frank Peter Kidby (2) Persons Unknown entering the area described in the draft Order as the "Race Track" on the day of a "Racing Fixture", except at "Crossing Points" with "Authorisation", as described in the draft Order (3) Persons Unknown entering and/or remaining on any "Crossing Points" without "Authorisation" on the day of a "Racing Fixture", as described in the draft Order (4) Persons Unknown entering the area described in the draft Order as the "Parade Ring" without "Authorisation" on the day of a "Racing Fixture", as described in the draft Order (5) Persons Unknown entering and/or remaining on any part of the areas described in the draft Order as the "Horses' Route to the Parade Ring" and/or the "Horses' Route to the Race Track" without "Authorisation" on the day of a "Racing Fixture", as described in the draft Order (6) Persons Unknown intentionally obstructing the "Horse Races", as described in the draft Order (7) Persons Unknown intentionally causing any object to enter onto and/or remain on the "Race Track" without "Authorisation" on the day of a "Racing Fixture", as described in the draft Order (8) Persons Unknown intentionally endangering any person at the location described in the draft Order as the "Epsom Racecourse" on the day of a "Racing Fixture", as described in the draft Order	
<b>Date</b>	22 May 2023

1. What is your name or, if you are a legal representative, the name of your firm?

Pinsent Masons LLP

2. Are you a  Claimant  Defendant  Legal Representative

Other (please specify)

If you are a legal representative whom do you represent?

Claimants

3. What order are you asking the court to make and why?

1. An interim injunction restraining the Defendants from:
  - a. committing acts of trespass on the Claimant's land, as set out at subparagraphs 2(1)-(5) and 2(5)-(7) of the draft Order;
  - b. breaching s. 2(2)(e) of the Byelaws made by The Epsom & Walton Downs Conservators by virtue of s. 11 of the Epsom and Walton Regulation Act 1984 (18 October 2005), as set out at subparagraphs 2(6)-(8) of the draft Order.
2. Permission to serve the Claim Documents (as defined in the draft Order) and the Order on the Second to Eighth Defendants by alternative means as set out at paragraph 3 of the draft Order, pursuant to CPR 6.15 and 6.27 (and for the purposes of 81.4(c) and (d)).
3. Directions for future case management.

The reasons for seeking the relief are set out in the witness statements listed under section 10 below.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing

at a telephone hearing

6. How long do you think the hearing will last? Is this time estimate agreed by all parties?  Yes  No

2 Hours

30 Minutes

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

Each of the Defendants, as set out at paragraph 3 of the draft Order.

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

the attached witness statement

the statement of case

the evidence set out in the box below

If necessary, please continue on a separate sheet.

Please see the attached witness statements of:

1. Nevin Truesdale, the Claimant's Group Chief Executive;
2. Dickon White, the Claimant's Aintree and North-West Regional Director;
3. Amy Starkey, the Claimant's Managing Director; and
4. Simon Knapp, the Claimant's Senior Veterinary Surgeon for London Region Races.

# Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in section 10 (and any continuation sheets) are true.

The Applicant believes that the facts stated in section 10 (and any continuation sheets) are true. I am authorised by the applicant to sign this statement.

## Signature



Applicant

Litigation friend (where applicant is a child or a Protected Party)

Applicant's legal representative (as defined by CPR 2.3(1))

## Date

Day

22

Month

05

Year

2023

## Full name

Julian Diaz-Rainey

## Name of applicant's legal representative's firm

Pinsent Masons LLP

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

30 Crown Place

Second line of address

Earl Street

Town or city

London

County (optional)

Postcode

E | C | 2 | A | 4 | E | S

If applicable

Phone number

+44 (0) 20 7418 7000

Fax number

DX number

Your Ref.

JDR\645003.07183

Email