

**Appendix 22**

**TRF's Claim Form in the proceedings R (Trail Riders Fellowship) v Dorset CC**

# Judicial Review Claim Form

In the High Court of Justice  
Administrative Court

Notes for guidance are available which explain how to complete the judicial review claim form. Please read them carefully before you complete the form.

<i>For Court use only</i>	
Administrative Court Reference No.	CO/899/2011
Date filed	01-02-11



## SECTION 1 Details of the claimant(s) and defendant(s)

Claimant(s) name and address(es)

**name**  
(1) Trail Riders Fellowship; (2) David Leonard Tilbury

**address**  
(1) Business Accountancy Consultants, 2 London Road, Headington, Oxford, OX3 7PA  
(2) Oakbank Cottage, 1 Oakbank Road, Eastleigh, SO50 6PA

**Telephone no.** \_\_\_\_\_ **Fax no.** \_\_\_\_\_

**E-mail address**  
\_\_\_\_\_

1st Defendant

**name**  
Dorset County Council

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

**name**  
Dorset County Council

**address**  
County Hall  
Colliton Park  
Dorchester  
Dorset DT1 1XJ

**Telephone no.** \_\_\_\_\_ **Fax no.** \_\_\_\_\_

01305 251000

**E-mail address**  
\_\_\_\_\_

Claimant's or claimant's solicitors' address to which documents should be sent.

**name**  
Brain Chase Coles

**address**  
BRAIN CHASE COLES  
Haymarket House  
20-24 Wote Street  
Basingstoke Hampshire RG21 7NL

**Telephone no.** \_\_\_\_\_ **Fax no.** \_\_\_\_\_

+44 (0)1256 354481

**E-mail address**  
mstevenson@brainchasecoles.co.uk

2nd Defendant

**name**  
Secretary of State for Environment, Food & Rural Affairs

Defendant's or (where known) Defendant's solicitors' address to which documents should be sent.

**name**  
Secretary of State for Environment, Food & Rural Affairs

**address**  
Nobel House  
17 Smith Square  
London SW1P 3JR

**Telephone no.** \_\_\_\_\_ **Fax no.** \_\_\_\_\_

08459 335577

**E-mail address**  
\_\_\_\_\_

Claimant's Counsel's details

**name**  
Adrian Pay

**address**  
New Square Chambers  
12 New Square  
Lincolns Inn  
WC2A 3SW

**Telephone no.** \_\_\_\_\_ **Fax no.** \_\_\_\_\_

020 7419 8000 020 7419 8050

**E-mail address**  
adrian.pay@newsquarechambers.co.uk

**SECTION 2 Details of other interested parties**

Include name and address and, if appropriate, details of DX, telephone or fax numbers and e-mail

name \_\_\_\_\_

address \_\_\_\_\_

Telephone no. \_\_\_\_\_ Fax no. \_\_\_\_\_

E-mail address \_\_\_\_\_

name \_\_\_\_\_

address \_\_\_\_\_

Telephone no. \_\_\_\_\_ Fax no. \_\_\_\_\_

E-mail address \_\_\_\_\_

**SECTION 3 Details of the decision to be judicially reviewed**

Decision: \_\_\_\_\_  
 Decision of Dorset CC to reject applications as not made within paragraph 1 Schedule 14 Wildlife and Countryside Act 1981; and/or decision of Secretary of State not to entertain appeal against that decision

Date of decision: \_\_\_\_\_  
 Decision of Dorset CC 2/11/10; decision of Secretary of State 8/12/10

Name and address of the court, tribunal, person or body who made the decision to be reviewed.

name \_\_\_\_\_  
 Dorset CC / Secretary of State

address \_\_\_\_\_  
 as above

**SECTION 4 Permission to proceed with a claim for judicial review**

I am seeking permission to proceed with my claim for Judicial Review.

Is this application being made under the terms of Section 18 Practice Direction 54 (Challenging removal)?  Yes  No

Are you making any other applications? If Yes, complete Section 7.  Yes  No

Is the claimant in receipt of a Community Legal Service Fund (CLSF) certificate?  Yes  No

Are you claiming exceptional urgency, or do you need this application determined within a certain time scale? If Yes, complete Form N463 and file this with your application.  Yes  No

Have you complied with the pre-action protocol? If No, give reasons for non-compliance in the box below.  Yes  No

The claim has been made urgently. The Claimants have communicated their intention to bring proceedings to the Defendants and the basis of the claim is largely apparent from the earlier history.

Have you issued this claim in the region with which you have the closest connection? (Give any additional reasons for wanting it to be dealt with in this region in the box below). If No, give reasons in the box below.  Yes  No

\_\_\_\_\_

Does the claim include any issues arising from the Human Rights Act 1998?  
If Yes, state the articles which you contend have been breached in the box below.

Yes  No

**SECTION 5 Detailed statement of grounds**

set out below  attached

**SECTION 6 Details of remedy (including any interim remedy) being sought**

(1) A declaration that the five applications under section 53(5) Wildlife and Countryside Act 1981 were made in accordance with paragraph 1 Schedule 14 Wildlife and Countryside Act 1981;  
(2) A mandatory order requiring Dorset CC to determine those five applications;  
(3) An order quashing Dorset CC's decision to reject the applications as not made in accordance with paragraph 1 Schedule 14 Wildlife and Countryside Act 1981.

Alternatively,  
(4) An order requiring the Secretary of State to determine the appeal against Dorset CC's decision to reject the applications.

Further and in any event,  
(5) Further or other relief  
(6) Costs

**SECTION 7 Other applications**

I wish to make an application for:-  
Permission to adduce further evidence in the nature of expert evidence and/or specialist evidence of fact in relation to map scales and digital mapping.

**SECTION 8 Statement of facts relied on**

- (1) Summary Statement of Facts
- (2) Witness Statement Jonathan Stuart
- (3) Witness Statement David Tilbury

**Statement of Truth**

~~I believe~~ (The claimant believes) that the facts stated in this claim form are true.

Full name Margaret Sarah Stevenson

Name of claimant's solicitor's firm Brain Chase Coles

Signed M.S. Stevenson Position or office held \_\_\_\_\_

Claimant ('s solicitor)

(if signing on behalf of firm or company)

**SECTION 9 Supporting documents**

If you do not have a document that you intend to use to support your claim, identify it, give the date when you expect it to be available and give reasons why it is not currently available in the box below.

Please tick the papers you are filing with this claim form and any you will be filing later.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Statement of grounds  | <input type="checkbox"/> included            | <input checked="" type="checkbox"/> attached |
| <input checked="" type="checkbox"/> Statement of the facts relied on  | <input type="checkbox"/> included            | <input checked="" type="checkbox"/> attached |
| <input type="checkbox"/> Application to extend the time limit for filing the claim form   | <input type="checkbox"/> included            | <input type="checkbox"/> attached            |
| <input checked="" type="checkbox"/> Application for directions  | <input checked="" type="checkbox"/> included | <input type="checkbox"/> attached            |
| <input type="checkbox"/> Any written evidence in support of the claim or application to extend time   |  |  |
| <input type="checkbox"/> Where the claim for judicial review relates to a decision of a court or tribunal, an approved copy of the reasons for reaching that decision |  |  |
| <input checked="" type="checkbox"/> Copies of any documents on which the claimant proposes to rely  |  |  |
| <input type="checkbox"/> A copy of the legal aid or CSLF certificate <i>(if legally represented)</i>  |  |  |
| <input checked="" type="checkbox"/> Copies of any relevant statutory material   |  |  |
| <input checked="" type="checkbox"/> A list of essential documents for advance reading by the court <i>(with page references to the passages relied upon)</i>          |  |  |

If Section 18 Practice Direction 54 applies, please tick the relevant box(es) below to indicate which papers you are filing with this claim form:

- |  |                                   |                                   |
|--|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> a copy of the removal directions and the decision to which the application relates  | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a copy of the documents served with the removal directions including any documents which contains the Immigration and Nationality Directorate's factual summary of the case | <input type="checkbox"/> included | <input type="checkbox"/> attached |
| <input type="checkbox"/> a detailed statement of the grounds   | <input type="checkbox"/> included | <input type="checkbox"/> attached |

Reasons why you have not supplied a document and date when you expect it to be available:-

The Claimants have included the key documents on which they propose to rely within the witness statements of Jonathan Stuart and David Tilbury. There may, however, be further documents upon which they intend to rely which have been omitted due to time pressure.

Signed M. S. Stevenson Claimant ('s Solicitor) Brian Charles Cole