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14th July 2021

Dear Mr Miles

**Deed of Grant Proceedings (formerly Objection to Land Registry) – D00CT632**

Further to the Order of His Honour Judge Simpkiss dated 26 May 2020, and execution of the Deed of Grant, we write in connection with the recovery of the Claimant's costs.

Please find enclosed:

1. Notice of Commencement;
2. Copy Order of His Honour Judge Simpkiss dated 26 May 2020;
3. Copy Order of District Judge Eyley dated 5 November 2019;
4. Statement of Parties;
5. Copy signed bill of costs in form Precedent S;
6. Copy supporting disbursement invoices.

In accordance with PD 5.1A to CPR 47.6, an electronic spreadsheet version of the Precedent S has also been provided by email to Peter Miles at [prmiles@hotmail.co.uk](mailto:prmiles@hotmail.co.uk). Please advise us immediately if for any reason you do not receive this by email.

In all the circumstances, we trust that you will put forward your best offer in the first instance so as to avoid incurring the costs of Detailed Assessment proceedings. We refer you to the principles laid down in *Wills & Others v The Crown Estate Commissioners [2003] EWHC 1718 (Ch)*.

Should the bill of costs not be agreed we look forward to receiving your Points of Dispute in accordance with the Notice of Commencement. Please note that should you wish to serve Points of Dispute upon us, this must be in the prescribed format. The prescribed format is known as Precedent G and can be found here: <https://www.justice.gov.uk/courts/procedure-rules/civil/pdf/update/new-precedent-g.pdf>

We also refer you to Practice Direction 47 which can be found here: <https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part-47-procedure-for-detailed-assessment/practice-direction-46-costs-special-cases2> and in particular PD 47 8.2 which states:

*8.2 Points of dispute must be short and to the point. They must follow Precedent G in the Schedule of Costs Precedents annexed to this Practice Direction, so far as practicable. They must:*

*(a) identify any general points or matters of principle which require decision before the individual items in the bill are addressed; and*

*(b) identify specific points, stating concisely the nature and grounds of dispute.*

*Once a point has been made it should not be repeated but the item numbers where the point arises should be inserted in the left hand box as shown in Precedent G.*

*8.3 The paying party must state in an open letter accompanying the points of dispute what sum, if any, that party offers to pay in settlement of the total costs claimed. The paying party may also make an offer under Part 36.*

Should you not understand the position and or the requirements of you within the procedure as set out above, we recommend that you obtain independent legal advice.

We will immediately request a Default Costs Certificate if you fail to serve Points of Dispute upon us within the time as specified within the Notice of Commencement. However, we will be prepared to offer you an extension of time to serve Points of Dispute of 14 days in addition to the 21 days afforded to you by CPR 47.9(2) if you request the same within 7 days of receipt of this letter - this will enable you reasonable time to obtain legal advice if you so wish to do so. However, we will not consider any requests for extensions of time to the 21 days afforded by the rule if any request is made after 7 days of receipt of this letter.

You will note that the total costs claimed within these proceedings total £271,354.39 and you have paid three payments on account of those costs to date amounting to £50,000:

1. £10,000 on 19 November 2019 (relating to Strike-Out Application);
2. £25,000 on 9 June 2020;
3. £15,000 on 10 June 2020.

Taking into account the balance of costs as claimed (£221,354.39), we request from you that a further payment on account of costs be made in the sum of £150,000, with such payment being made within 14 days of receipt of this letter. Due to this outstanding balance, interest is significant and continues to accrue, however a further payment on account of costs will not only reduce this balance but will also greatly reduce your liability for interest.


You are liable for Judgment debt interest at the prevailing rate, which is calculated from 5 November 2019 in relation to costs regarding your application for Strike-Out and is calculated from 26 May 2020 in relation to all other costs claimed within these proceedings and under the indemnity. Judgment debt interest continues to accrue on all outstanding costs.

The bill of costs includes a claim for costs in respect of the Strike-Out application in the sum of £29,216.40. Taking into account the payment on account of costs of £10,000 made on 19 November 2019, interest as at 31 July 2021 will be £2,700.97, accruing by £4.21 per day. We therefore request that £12,000 of the payment on account as requested above is paid towards these application costs.

The bill of costs includes a claim for costs in respect of the indemnity and proceedings in the sum of £242,137.99. Taking into account the payments on account of costs of £40,000 made on 9 & 10 June 2020, interest as at 31 July 2021 will be £19,221.14, accruing by £44.30 per day. We therefore request that £138,000 of the payment on account as requested above is paid towards the indemnity/proceedings costs.

We look forward to hearing from you shortly.

Yours faithfully



**Furley Page LLP**