

Guide to Business & Property Work at Central London

Introduction

1. The County Court at Central London (“CCCL”) is the venue for the Business and Property work done in London and the South East outside the High Court.¹
2. Much of that work is transferred to CCCL by the Business & Property Courts of England and Wales forming part of the High Court. Waiting times to trial tend to be shorter than in the High Court. The rest of the work is issued at CCCL or sent in from other County Court hearing centres after issue. All cases are allocated to a specialist list, the Business & Property List, and are handled by judges specialising in Business and Property work.
3. The aim of this guide is to give practical help to parties and representatives. It does not have the force of law and is not a substitute for the Civil Procedure Rules (“CPR”) and Practice Directions (“PDs”).

Scope of Business & Property work

4. The Business & Property work undertaken at CCCL includes the following:
 - 4.1 Work of the type within the Property, Trusts and Probate List of the High Court such as:

Real property

Landlord & tenant (both residential and commercial). The most complex/valuable business tenancy renewal cases will proceed as Business & Property work

Trusts

Contentious probate claims

- 4.2 Work of the type within the Business List of the High Court such as:

Contractual disputes

Claims for specific performance, rectification and other equitable remedies

¹ Sometimes cases are heard at the Mayor’s and City of London Court by judges from CCCL

Professional negligence (for example, claims against solicitors and surveyors).

4.3 Insolvency and Companies work. This includes personal insolvency cases, company insolvency work transferred from the High Court or other County Court hearing centres, disqualification of directors, and company cases (for example, unfair prejudice petitions, claims to restore companies to the register, to rectify the register, and to extend time for the registration of charges).

5. That list is not exhaustive. A full definition of Business & Property work in the County Court can be found in para. 4.2 of CPR PD 57AA – Business and Property Courts.

6. A Technology and Construction Court List is operated separately at CCCL. It is overseen by HHJ Parfitt. Work in that list includes construction adjudication enforcement, building disputes, dilapidations claims, and party wall appeals. This guide does not apply to work in that list.

7. Some judges at CCCL hear Intellectual Property Enterprise Court (“IPEC”) cases, namely small claims and applications for enforcement. IPEC is part of the High Court and is not the subject of this guide. Parties should refer to the Guide to the IPEC Small Claims Track.

Judiciary

8. There are three Specialist Circuit Judges: HHJ Dight CBE, HHJ Johns KC and HHJ Mark Raeside KC. Business & Property cases are also heard by three further Circuit Judges specialising in this work: HHJ Gerald, HHJ Monty KC, and HHJ Parfitt.

9. There are four Business & Property District Judges, being DJ Hart, DJ Mauger, DJ Revere, and DJ Wilkinson.

10. These judges are assisted by specially authorised Recorders and Deputy District Judges.

Case management

11. Cases are usually transferred to CCCL by the High Court at an early stage. They are listed for a costs and case management conference (Part 7 claims) or for directions or disposal (Part 8 claims). These first hearings are short, usually one hour, and are not a trial. They are used to move the case towards trial where there is any substantial dispute.

12. All cases, whether transferred to CCCL or issued here, will normally be retained by the judge dealing with the case at the first hearing. That judge will, if at all possible, hear the trial and any pre-trial review.

13. Unless otherwise ordered, there should be sent to the Court by email 3 days before the first hearing the following documents (agreed if possible): a brief case summary (of not more than 500 words), a list of issues, and proposed directions (using our template – see the next paragraph).

14. Case management directions in Part 7 claims will normally be given by adapting the draft directions template attached at Annex A to the particular case. Parties should therefore use such template when agreeing and submitting proposed directions. Part 8 claims are typically decided without cross examination or disclosure.

15. The email address to which the documents should be sent is:

15.1 For Circuit Judge hearings centrallondoncjskel@justice.gov.uk

15.2 For District Judge hearings centrallondondjskel@justice.gov.uk

16. The subject heading of the email must start with the claim number. Most Business & Property cases are given a case number taking the form K10CLxxx, where the initial letter indicates the year (J having been used for 2022, and K being used for 2023), 10 designates the case as Business & Property work, CL refers to CCCL, and there is then a unique 3 digit number.

17. The directions will normally provide for the listing of the trial and will do so by (a) setting a 3-month trial window, and (b) directing a telephone listing appointment. That appointment will usually be around 3 weeks after the case management hearing. The standard order for the telephone listing appointment forms part of the template at Annex A.

Interim applications

Normal business

18. An interim application may be issued by (a) sending an Application Notice in form N244 by email to enquiries.centrallondon.countycourt@justice.gov.uk if the legal representative has a fee account or payment is to be made by card, (b) leaving the application in the dropbox located by the reception desk in the main hall of the Royal Courts of Justice or (c) sending the application by post to the court at County Court at Central London, Royal

Courts of Justice, Thomas More Building, Royal Courts of Justice, Strand, London WC2A 2LL, or by DX to DX 44453 RCJ Strand.

19. The Court staff aim to put applications in Business & Property cases before a judge within 5 to 10 working days of receipt. But if the case has been assigned to a particular Circuit Judge at the first hearing, the parties are encouraged to email a copy of the issued application to the judge's clerk in order to bring it to the judge's early attention. The email addresses for the clerks are as follows:

Clerk to HHJ Dight CBE Naiem.Ahmed@justice.gov.uk

Clerk to HHJ Johns KC Diane.Morris@justice.gov.uk

Clerk to HHJ Gerald Angela.ORourke@justice.gov.uk

Clerk to HHJ Monty KC Marcus.DeBruin@justice.gov.uk

Clerk to HHJ Parfitt Leslie.Alfonso@justice.gov.uk

Clerk to HHJ Mark Raeside KC Pio.Fernandes@justice.gov.uk

20. The Circuit Judges generally hear Business & Property applications each Friday. An application will normally be listed on the first convenient Friday after two weeks. Applications to be heard by District Judges will be listed for a convenient date.

Urgent business

21. There is, however, a process for applications that cannot wait. It is to be used only for applications that are genuinely urgent. An example is an application affecting a trial that is less than four weeks away.

22. The urgent application notice should be submitted by email to centrallondonurgentbandp@justice.gov.uk. The body of the email should contain a succinct statement of reasons as to why the application is urgent and cannot wait to be heard in due turn. The email and attachment will be shown to either HHJ Dight CBE or HHJ Johns KC as soon as possible so that arrangements can be made for the application to be heard. Applications may be sent in draft if urgency requires that they be seen before the issued application notice is available.

23. There is no out of hours service. Any parties requiring such a service should use the Royal Courts of Justice emergency telephone number, 020 7947 6000/6260, and request the Duty Chancery Judge's clerk.

Contacting the Court

24. As CCCL is part of the County Court, telephone calls relating to cases here must be made to the Civil National Business Centre at Leicester on 0300 123 5577.
25. The address for the Court is County Court at Central London, Royal Courts of Justice, Thomas More Building, Royal Courts of Justice, Strand, London WC2A 2LL, or DX 44453 RCJ Strand. The email address for general correspondence is enquiries.centrallondon.countycourt@justice.gov.uk. Use of the email addresses centrallondoncjskel@justice.gov.uk and centrallondondjskel@justice.gov.uk is reserved for skeleton arguments and certain other specified documents only and is subject to the Court's protocol attached at Annex B.
26. When corresponding with the Court, parties (a) should not duplicate their correspondence by sending it using more than one method as this adds to the burden on the Court, and (b) are reminded of the general rule that they must copy the other parties in to the correspondence – see CPR 39.8.

Trials

27. In order to avoid disruption to other litigants and to ensure that each case does not take more than its proper share of court resources, parties will be required to complete each trial in the time allotted save in exceptional circumstances.
28. It is therefore important that time estimates for trial are realistic. Such estimates need not include time for preparation of judgment (as this will be added by the judge as appropriate) but should include time for judicial pre-reading. For guidance, parties will often be required to attend only from 11 am in a 3 day case, from 12 noon in a 4 day case and from 2 pm in a case of 5 days or more.
29. Skeleton arguments should, unless otherwise ordered, be sent to the Court at least 2 days before the trial to centrallondoncjskel@justice.gov.uk (to reach a Circuit Judge) or centrallondondjskel@justice.gov.uk (to reach a District Judge).
30. A bundle of documents for the trial should, unless otherwise ordered, be delivered to Court at least 3, but not more than 7, days before the trial. Hard copy bundles must be indexed and paginated. Electronic bundles must also be bookmarked and searchable. Parties should arrange delivery of the trial bundle directly with the judge's clerk if possible.

Otherwise, (a) hard copy bundles can be lodged at the counter in room WG07 in the West Green Building at an appointment previously arranged by telephone on 0207 947 7502, and (b) electronic bundles can be sent to enquiries.centrollondon.countycourt@justice.gov.uk. Any download link for large files must be usable without an account or password.

31. If settlement or some other development means that a trial listing can be vacated or shortened, the parties must inform the Court immediately (by emailing the trial judge's clerk if possible) so that the time saved can be used for the benefit of other litigants.

32. Robes will be worn for trials, appeals, applications for committal, and directors' disqualification hearings. Robes are not otherwise worn.

Orders

33. If a draft order is requested by the Court following a hearing such will normally be required within 2 working days and should be sent by email (to the Circuit Judge's clerk if the case has been heard by a Circuit Judge) and be in Word format. Like other documents in the case, orders should be marked "Business & Property Work".

Insolvency and Company cases

34. There are specific email contact details for use in insolvency and company cases being heard by the Business & Property District Judges. These must be used for all email contact with the Court in such cases. They are as follows:

34.1 By email for company cases: RCJCompGenCLCC@justice.gov.uk

34.2 By email for bankruptcy cases: RCJBankCLCCDJHearings@justice.gov.uk

35. Claims to extend time for the registration of a company charge are dealt with in regular bulk lists. These claims are likely to be adjourned if the papers are not in order. To assist parties, an up to date template for Appendix A to form part of the claim form is attached at Annex C.

Litigants in person

36. Litigants in person are expected to comply with the CPR and PDs. This Guide is also for them as well as represented parties.

37. There are five specific sources of free help available to litigants in person at CCCL:

37.1 CLIPS. This scheme, being the Chancery Bar Litigant in Person Support Scheme, operates each Friday in the Business & Property applications list usually heard by HHJ Dight CBE or HHJ Johns KC. A volunteer barrister is available to offer assistance to those appearing in such list by giving advice and by representing them in court.

37.2 RCJ Advice Bureau. The bureau offers free legal advice on civil cases in the RCJ, including Business & Property work at CCCL. Help can be sought by emailing civiltriage@rcjadvice.org.uk or by telephone on 0203 475 4373.

37.3 Support Through Court. This charity, formerly known as the PSU (Personal Support Unit), offers volunteers who provide reassurance and practical help. Support Through Court can be contacted by email at londoncivil@supportthroughcourt.org.uk or by telephone on 0204 520 5959 or 0300 081 0006.

37.4 Advocate. This charity offers specialist legal advice, drafting, and representation from volunteer barristers for those unable to afford legal assistance and not eligible for legal aid. Applications must be made at least 3 weeks before help is needed. That can be done online at <https://weareadvocate.org.uk/apply-for-help.html> or by post to Advocate, 2nd Floor Lincoln House, 296-302 High Holborn, London, WC1V 7JH.

37.5 Chancery Bar Mediation Scheme. If at least one of the parties is unable to pay for a mediator in a Business and Property case, they may be able to arrange a free mediation by a volunteer barrister under this scheme run by Advocate and the Chancery Bar Association. Further details of the scheme and an application form can be found at <https://weareadvocate.org.uk/Chancery-mediation-scheme.html>.

Mediation

38. In addition to the Chancery Bar Mediation Scheme, CCCL has 2 independent mediation services available to all parties to help them resolve their disputes:

38.1 The Centre for Effective Dispute Resolution (CEDR). Each mediation takes place online, is confidential, without prejudice and is conducted by an accredited mediator. The total cost to the parties is £900 plus VAT, usually shared equally. Further details of the mediation service and an application form are available at <https://www.cedr.com/solve/clcc/>.

38.2 London Chamber of Arbitration and Mediation (LCAM). The mediation will be either remote or in person at LCAM's premises. Parties have the choice of mediating for a half day

or a full day, fees are fixed at £250 plus VAT per party for a half day and £350 plus VAT per party for a full day, there are no separate costs for LCAM's administrative support, and the scheme is managed, with oversight provided by the LCAM Advisory Board. Further details of the mediation service and an application form are available at <https://lcam.org.uk/clcc/>.

HHJ Dight CBE and HHJ Johns KC

November 2023

List of Contact Details for CCCL

Postal address: County Court at Central London, Royal Courts of Justice, Thomas More Building, Royal Courts of Justice, Strand, London WC2A 2LL, or DX 44453 RCJ Strand

Telephone numbers: 0207 947 7502 (for urgent counter appointments only)
0300 123 5577 for all other calls

Court email addresses: centrallondoncjskel@justice.gov.uk (for skeleton arguments and other specified documents in cases to be heard by Circuit Judges – see the protocol at Annex B of the Guide)

centrallondondjskel@justice.gov.uk (for skeleton arguments and other specified documents in cases to be heard by District Judges – see the protocol at Annex B of the Guide)

RCJCompGenCLCC@justice.gov.uk (for company cases to be heard by District Judges only)

RCJBankCLCCDJHearings@justice.gov.uk (for bankruptcy cases to be heard by District Judges only)

centrallondonurgentbandp@justice.gov.uk (for urgent applications only)

enquiries.centrallondon.countycourt@justice.gov.uk for all other purposes

Circuit Judges' clerks: Clerk to HHJ Dight CBE Naiem.Ahmed@justice.gov.uk

Clerk to HHJ Johns KC Diane.Morris@justice.gov.uk

Clerk to HHJ Gerald Angela.ORourke@justice.gov.uk

Clerk to HHJ Monty KC Marcus.DeBruin@justice.gov.uk

Clerk to HHJ Parfitt Leslie.Alfonso@justice.gov.uk

Clerk to HHJ Mark Raeside KC Pio.Fernandes@justice.gov.uk

RCJ Advice Bureau: civiltriage@rcjadvise.org.uk or 0203 475 4373

Support Through

Court: londoncivil@supportthroughcourt.org.uk or 0204 520 5959/0300 081 0006

Advocate: <https://weareadvocate.org.uk/apply-for-help.html> or by post to Advocate, 2nd Floor Lincoln House, 296-302 High Holborn, London, WC1V 7JH

Mediation schemes: <https://www.cedr.com/solve/clcc/>

<https://lcam.org.uk/clcc/>.

<https://weareadvocate.org.uk/Chancery-mediation-scheme.html>