

# Statement of Costs (summary assessment)

(CPR PF44 9.5)

|                 |                                   |
|-----------------|-----------------------------------|
| In the          |                                   |
| Court of Appeal |                                   |
| Case Reference  | CA-2022-001066 and CA-2022-001105 |

**Case Title**

NATIONAL HIGHWAYS LIMITED

-and-

(1) PERSONS UNKNOWN CAUSING THE  
BLOCKING OF, ENDANGERING OR PREVENTING  
THE FREE FLOW OF TRAFFIC ON THE M25  
MOTORWAY, A2, A20 AND A2070 TRUNK ROADS  
AND M2 AND M20 MOTORWAY, A1(M), A3, A12,  
A13, A21, A23, A30, A414 AND A3113 TRUNK  
ROADS AND THE M1, M3, M4, M4 SPUR, M11,  
M26, M23 AND M40 MOTORWAYS FOR THE  
PURPOSE OF PROTESTING

(2) MR ALEXANDER RODGER AND 132 OTHERS

**Appellant's Statement of Costs for the hearing on 16 February 2023**

## Description of fee earners\*

- (a) *(name) (grade) (hourly rate claimed)*  
(b) *(name) (grade) (hourly rate claimed)*  
(c) *(name) (grade) (hourly rate claimed)*  
(d) *(name) (grade) (hourly rate claimed)*

|  |
|--|
| <b>Petra Billing - Grade A - £243.14</b>     |
| <b>Rob Shaw / Mary Barraclough A £232.22</b> |
| <b>Laura Higson - Grade C - £164.74</b>      |
| <b>Trainee - Grade D - £94.07</b>            |

**Attendances on (party) The Appellant**

## Personal attendances

|                     |  |            |        |   |  |
|---------------------|--|------------|--------|---|--|
| (a) <i>(number)</i> |  | hours at £ | 243.14 | £ |  |
| (b) <i>(number)</i> |  | hours at £ | 232.22 | £ |  |
| (c) <i>(number)</i> |  | hours at £ | 164.74 | £ |  |
| (d) <i>(number)</i> |  | hours at £ | 94.07  | £ |  |

## Letters out/emails

|                     |     |            |        |   |          |
|---------------------|-----|------------|--------|---|----------|
| (a) <i>(number)</i> | 8.1 | hours at £ | 243.14 | £ | 1,969.43 |
| (b) <i>(number)</i> | 1.3 | hours at £ | 232.22 | £ | 301.89   |
| (c) <i>(number)</i> | 5.1 | hours at £ | 164.74 | £ | 840.17   |
| (d) <i>(number)</i> |     | hours at £ | 94.07  | £ |          |

## Telephone

|                     |     |            |        |   |          |
|---------------------|-----|------------|--------|---|----------|
| (a) <i>(number)</i> | 5   | hours at £ | 243.14 | £ | 1,215.70 |
| (b) <i>(number)</i> | 7.4 | hours at £ | 232.22 | £ | 1,718.43 |
| (c) <i>(number)</i> | 4.2 | hours at £ | 164.74 | £ | 691.91   |
| (d) <i>(number)</i> |     | hours at £ | 94.07  | £ |          |

**Attendances on opponents (including negotiations):**

## Personal attendances

|                     |  |            |  |   |  |
|---------------------|--|------------|--|---|--|
| (a) <i>(number)</i> |  | hours at £ |  | £ |  |
| (b) <i>(number)</i> |  | hours at £ |  | £ |  |
| (c) <i>(number)</i> |  | hours at £ |  | £ |  |
| (d) <i>(number)</i> |  | hours at £ |  | £ |  |

## Letters out/emails

|                     |     |            |        |   |          |
|---------------------|-----|------------|--------|---|----------|
| (a) <i>(number)</i> | 1.5 | hours at £ | 243.14 | £ | 364.71   |
| (b) <i>(number)</i> |     | hours at £ | 232.22 | £ |          |
| (c) <i>(number)</i> | 12  | hours at £ | 164.74 | £ | 1,976.88 |
| (d) <i>(number)</i> |     | hours at £ | 94.07  | £ |          |

## Telephone

|                     |  |            |        |   |  |
|---------------------|--|------------|--------|---|--|
| (a) <i>(number)</i> |  | hours at £ | 243.14 | £ |  |
| (b) <i>(number)</i> |  | hours at £ | 232.22 | £ |  |
| (c) <i>(number)</i> |  | hours at £ | 164.74 | £ |  |
| (d) <i>(number)</i> |  | hours at £ | 94.07  | £ |  |

**Attendances on others:** (counsel, court, process servers, police)

Personal attendances

|              |  |            |        |   |  |
|--------------|--|------------|--------|---|--|
| (a) (number) |  | hours at £ | 243.14 | £ |  |
| (b) (number) |  | hours at £ | 232.22 | £ |  |
| (c) (number) |  | hours at £ | 164.74 | £ |  |
| (d) (number) |  | hours at £ | 94.07  | £ |  |

Letters out/emails

|              |     |            |        |   |        |
|--------------|-----|------------|--------|---|--------|
| (a) (number) | 4   | hours at £ | 243.14 | £ | 972.56 |
| (b) (number) | 3.4 | hours at £ | 232.22 | £ | 789.55 |
| (c) (number) | 4   | hours at £ | 164.74 | £ | 658.96 |
| (d) (number) |     | hours at £ | 94.07  | £ |        |

Telephone

|              |     |            |        |   |          |
|--------------|-----|------------|--------|---|----------|
| (a) (number) | 3   | hours at £ | 243.14 | £ | 729.42   |
| (b) (number) | 4.4 | hours at £ | 232.22 | £ | 1,021.77 |
| (c) (number) | 3.8 | hours at £ | 164.74 | £ | 626.01   |
| (d) (number) |     | hours at £ | 94.07  | £ |          |

Site inspections etc.

|              |  |            |  |   |  |
|--------------|--|------------|--|---|--|
| (a) (number) |  | hours at £ |  | £ |  |
| (b) (number) |  | hours at £ |  | £ |  |
| (c) (number) |  | hours at £ |  | £ |  |
| (d) (number) |  | hours at £ |  | £ |  |

Work done on documents, as set out in schedule:

£ **68,286.21**

**Attendance at hearing**

|                 |   |                                    |        |   |          |
|-----------------|---|------------------------------------|--------|---|----------|
| (a) (number)    |   | hours at £                         | 243.14 | £ |          |
| (b) (number)    | 7 | hours at £                         | 232.22 | £ | 1,625.54 |
| (c) (number)    | 7 | hours at £                         | 164.74 | £ | 1,153.18 |
| (d) (number)    |   | hours at £                         | 94.07  | £ |          |
| (f) Fixed costs |   |                                    |        | £ |          |
| (a) (number)    |   | hours travel and waiting time at £ | 243.14 | £ |          |
| (b) (number)    | 6 | hours travel and waiting time at £ | 232.22 | £ | 1393.32  |
| (c) (number)    | 6 | hours travel and waiting time at £ | 164.74 | £ | 988.44   |
| (d) (number)    |   | hours travel and waiting time at £ | 94.07  | £ |          |

**Sub Total** £ **87,324.08**

- (A) Solicitors and Chartered Legal Executives with over eight years post qualification experience including at least eight years litigation experience.
- (B) Solicitors and Chartered Legal Executives with over four years post qualification experience including at least four years litigation experience.
- (C) Other solicitors and Chartered Legal Executives and fee earners of equivalent experience.
- (D) Trainee solicitors, para legals and other fee earners.

"Chartered Legal Executive" means a Fellow of the Chartered Institute of Legal Executives (CILEx). Those who are not Fellows of CILEx are not entitled to call themselves Chartered Legal Executives and in principle are therefore not entitled to the same hourly rate as a Chartered Legal Executive.

**Brought forward** £ **87,324.08**

|                |                       |  |             |
|----------------|-----------------------|--|-------------|
| Counsel's fees | (name) (year of call) | Myriam Stacey KC (YOC 1998, Silk 2021) |             |
|                | Fee for advice        |  | £ 10,905.00 |
|                | Fee for hearing       |  | £ 6,000.00  |
|                | (name) (year of call) | Michael Fry (YOC 2011)                 |             |
|                | Fee for advice        |  | £ 2,736.67  |
|                | Fee for hearing       |  | £           |
|                | (name) (year of call) | Admas Habteslasie (YOC 2014)           |             |
|                | Fee for advice        |  | £ 2,000.00  |
|                | Fee for hearing       |  | £ 2,500.00  |
|                | (name) (year of call) | Joel Semakula (YOC 2017)               |             |

|                                    |                                  |                     |
|------------------------------------|----------------------------------|---------------------|
| Fee for advice                     | £                                | 270.00              |
| Fee for hearing                    | £                                |                     |
| <b>Other expenses</b>              |                                  |                     |
| Court fees                         | £                                | 2,999.00            |
| Others<br>(give brief description) | £                                | 4,845.10            |
| <b>Total</b>                       |                                  |                     |
| Amount of VAT claimed              | £                                | 119,579.85          |
|                                    | on solicitors and counsel's fees | £ 0.00              |
|                                    | on other expenses                | £ 0.00              |
|                                    | <b>Grand Total</b>               | <b>£ 119,579.85</b> |

The costs stated above do not exceed the costs which the Claimant is liable to pay in respect of the work which this statement covers.

Counsel's fees and other expenses have been incurred in the amounts stated above and will be paid to the persons stated.

  
Signed

14 February 2023  
Dated

**Petra Billing**  
Name of Partner signing

**DLA Piper UK LLP**  
Name of firm of solicitors

**Schedule of work done on documents**

| Item         | Description of work (one line only)  | (A) hours | (B) hours | (C) hours | (D) hours | Total £          |
|--------------|--|-----------|-----------|-----------|-----------|------------------|
| 1            | Permission to appeal application   | 11        | 2.5       | 13.5      | 3.5       | 6719.31          |
| 2            | Service on 134 Respondents to include preparation of bundles, mail tracking, instructing process servers, application for alternative service and creating and maintaining website | 12.2      | 28.3      | 50        |           | 21149.13         |
| 3            | Bundle to support permission application   | 4.8       | 2.8       | 16.9      |           | 5741.81          |
| 4            | Deal with directions, expedition application, extension application, court orders and appeal management  | 2.1       | 12.7      | 8.4       | 0.4       | 5476.33          |
| 5            | Consider and prepare core, supplementary and authorities' bundles for appeal after permission granted  | 1.8       | 16.2      | 32.4      | 2.8       | 12184.82         |
| 6            | Application for bundle in excess of 350 pages  |           | 3.6       | 10.4      |           | 3251.08          |
| 7            | Preparation for the hearing  | 9.7       | 19.7      | 10.3      |           | 9325.06          |
| 8            | This schedule of costs   | 0.3       | 0.8       | 18        |           | 4438.68          |
| 9            |  |           |           |           |           | 0.00             |
| 11           |  |           |           |           |           | 0.00             |
| 12           |  |           |           |           |           | 0.00             |
| 13           |  |           |           |           |           | 0.00             |
| 14           |  |           |           |           |           | 0.00             |
| 15           |  |           |           |           |           | 0.00             |
| 16           |  |           |           |           |           | 0.00             |
| 17           |  |           |           |           |           | 0.00             |
| 18           |  |           |           |           |           | 0.00             |
| 20           |  |           |           |           |           | 0.00             |
| 21           |  |           |           |           |           | 0.00             |
| 22           |  |           |           |           |           | 0.00             |
| 23           |  |           |           |           |           | 0.00             |
| 24           |  |           |           |           |           | 0.00             |
| 25           |  |           |           |           |           | 0.00             |
| 26           |  |           |           |           |           | 0.00             |
| 27           |  |           |           |           |           | 0.00             |
| <b>Total</b> |  | 41.9      | 86.6      | 159.9     | 6.7       | <b>68,286.21</b> |