



DATE: 11 June 2021

CIVIL APPEALS OFFICE

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<http://www.civilappeals.gov.uk>

COURT OF APPEAL NUMBER: 20211017

TITLE: Nuneaton and Bedworth Borough Council & Anr -v- Corcoran & Ors

ORDER APPEALED: 24 May 2021

Receipt is acknowledged of the following documents relating to this case:

- Appellant's Notice

The appellant's notice will be treated as filed in the Civil Appeals Office on 7 June 2021 and has been allocated the number above. This case number will form part of the full Court of Appeal reference when it has been entered in the Court's records.

The receipt of these documents does not necessarily signify that (a) the court accepts jurisdiction or (b) that they are necessarily in order for the Court. You will be informed of any defects found but it remains your responsibility and not that of the Civil Appeals Office, to ensure any documents lodged comply with the Court's requirements.

A sealed copy of your appellant's notice attached and the attached Form N161B (headed Important notes for respondents) together with a copy of this receipt document, must now be served on all respondents by **18-JUN-21**. **You must ensure that the case number is added to the appellant's notice before service.** You are reminded that whenever you are required to serve documents you should either deliver them by hand or send them by First Class post or other similar delivery service. Service by First Class post is deemed to take place 2 working days after posting.

It is permitted to photocopy the sealed appellant's notice for service on the respondent(s), if this is necessary.

If the appellant's notice includes an application for permission to appeal, a copy of the skeleton argument must also be served on the respondent. Where an appellant seeks permission to appeal a respondent is permitted, and is encouraged, within 14 days of service of the appellant's notice, or skeleton argument if later, to file and serve upon the appellant and any other respondent, a brief statement of reasons why permission should be refused in whole or in part. See Practice Direction 52C paragraph 19.

If permission to appeal has already been given or is not required the timetable for service of the appeal skeleton argument, respondent's skeleton argument and for agreement of the bundle index runs from the listing window notification letter sent by the court.

If permission to appeal has already been given or is not required the Respondent may:

- ask for the lower court order to be varied, for which permission to appeal will be required; or
 - ask that the order be upheld for different or additional reasons than those given by the lower court;
- or

- ask that the order be upheld for the same reasons relied on by the lower court;
or
- do nothing.

If the Respondent wishes to vary or to uphold the order being appealed for different or additional reasons, **they need to complete a respondent's notice** (Form N162) and send it to the Civil Appeals Office. **There is very limited time to do this** (see CPR 52.13).

If the Respondent does not complete a respondent's notice or file a skeleton argument, they will not be able to rely on any additional arguments at the hearing of the appeal which were not raised in the lower court. The court may refuse to hear argument on a point not included in a skeleton argument filed within the prescribed time.