

CLAIM No: 5BN03502

Colin Bennett v Brighton & Hove City Council.

**Additional Proposed Directions for the postponed Case
Management Conference, now to be held on 21 February 2006**

This document is in addition to Document 27 entitled 'Proposed Directions...4 January 2006' and should be considered together with it.

Please note that the year 2004 written in under point 8. in that document should read 2005.

- 1. I request that the judge visit Brighton Town Hall in order to inspect the audio facilities that are alleged to be in the Council Chamber and Committee Rooms there.**
- 2. I request that the judge visit Hove Town Hall in order to inspect the audio facilities that are alleged to be in the Council Chamber and Committee Rooms there.**
- 3. I request that the judge visit the following sites which are near Brighton County Court in order to have induction loops demonstrated to him: the new Methodist Church and Conference Centre in Dorset Gardens, Brighton; the Brighthelm Centre in North Road, Brighton and the Dome in Church Street, Brighton (this has an infrared system). I have obtained permission from the managers of these places for a visit.**
- 4. I request that the judge let me show him that the induction loop at the Enquiry counter in Brighton County Court works.**
- 5. The crux of the dispute between me and the City Council is that they claim that the locations where I claim induction loops did not exist or were not functioning did in fact have functioning induction loops on the stated dates. Accordingly, I request that the Council provides the relevant information as outlined in 6 and 7 below.**
- 6. I request details of who was responsible for arranging as meeting places the locations listed below. I would like to know the instructions given to those Council Staff and the Chairman of those meetings concerning what audio equipment was present and working. I would like those persons to be witnesses in this claim.**

Brighton Town Hall Council Chamber on 2 February 2005

Hove Town Hall Council Chamber on 2 February 2005

Hove Town Hall Council Chamber on 8 February 2005

Committee Room 2 at Hove Town Hall, 9 February 2005

Committee Room 3 Hove Town Hall (I regret that in my amended Particulars of Claim I misnumbered this as 2 instead of 3), 16 February 2005

Committee Room 1 of Brighton Town Hall, 22 March 2005

Committee Room 1 of Brighton Town Hal, 3 May 2005

Committee Room 3 at Hove Town Hall, 18 May 2005

Committee Room 1 of Brighton Town Hall, 26 July 2005

7. For the locations enumerated immediately above, I request that the Council provides full details for the alleged installation of the induction loops in them as follows.

a. Design brief submitted to project designers;

b. full design and specification package prepared by the designers;

c. contracts/purchase orders awarded to selected contractors/suppliers;

d. quotations given by the selected contractors/suppliers in respect of the above contracts/purchase orders;

e. all invoices to the Council in respect of the above contracts/purchase orders (to include charges for the design package);

f. inspection, test and acceptance documentation used by the Council to support payment of the above invoices;

g. details of all guarantees, after-sales service and retention arrangements arrived at for each of the above contracts/purchase orders.

I request that the Council Officer(s) responsible for the steps a-g be available to be called as witnesses.

8. I request that the Council provide a schedule showing for all the locations listed above exactly what audio equipment is installed there and when it was.

9. I request that the Council provide details of the procedures whereby it tests the audio equipment allegedly in the locations listed above and when this is done. Manifests of the condition of the equipment at stated dates should also be provided.

10. I request that the Council provide a full copy of the Turner & Townsend Access Audit document (I provided page 1 of this as Document 37). The Council should clearly identify all the work itemised in this document concerning induction loops. The Council should indicate which work has already been done, when and at what cost.

11. I request that this matter continue to be reserved to District Judge Merrick.

12. I submit herewith witness statements by cllr Roy Pennington, cllr Geoffrey Wells and Mr Bernard Evans. These witness statements are to be added to the ones already submitted. I give notice that I shall be submitting witness statements by Dr Stephen Rooney and Ms Eileen Boothroyd. I wish all these persons to be called as

witnesses in due course.

13.At all times I request the help of a reader in court to help with my reading and hearing problems.

14.I believe that the substantive hearing will take 3 or 4 days.

15.I have been put to considerable labour in submitting this claim. It has involved hundreds of hours of work and the submission of about 50 documents. So far, the Council has merely denied my claims and submitted no evidence to contradict what I say. If appropriate, I request that a 'wasted costs' order be made and in any event due regard is taken to the amount of work I have had to do as the Council has made no reasonable proposal for settlement. It is not reasonable to ask a claimant who lodges his claim in July 2005 to stay his claim until September 2006.

16.I am concerned that the Council implies that defects with my hearing aids are responsible for my not being able to access the alleged induction loops. To avoid my having to ask the hard-pressed NHS for a statement on my hearing aids, I request that the judge seeks a retraction of these implications by the Council.

17.I commend to the Court Document 18A. I did include this schedule in the false start to my Particulars of Claim. I did not include in the correct version of that Claim but it is an important document.

Colin Bennett