

**IN THE HIGH COURT OF JUSTICE**

**Claim No.QB-2022-001952**

**KING'S BENCH DIVISION**

**BETWEEN:**

**(1) ALMACANTAR CENTRE POINT NOMINEE NO.1 LIMITED  
(2) ALMACANTAR CENTRE POINT NOMINEE NO.2 LIMITED**

**Claimants**

**– and –**

**(1) ALEXANDER FARRELL  
(2) [DISCONTINUED]  
(3) OWEN REECE (AKA "TRIKKSTAR")  
(4) HARRY DAVIES  
(5) PERSONS UNKNOWN ENTERING OR REMAINING ON THE ROOFS OR  
EXTERNAL STRUCTURES (EXCLUDING BALCONIES) OF CENTRE POINT (AS  
DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM)  
WITHOUT THE CLAIMANTS' PERMISSION  
(6) PERSONS UNKNOWN ENTERING OR REMAINING AT CENTRE POINT (AS  
DESCRIBED IN PARAGRAPHS 2-4 OF THE PARTICULARS OF CLAIM) WITH THE  
INTENTION OF GAINING ACCESS TO THE ROOFS OR EXTERNAL STRUCTURES  
(EXCLUDING BALCONIES) AT CENTRE POINT WITHOUT THE CLAIMANTS'  
PERMISSION**

**Defendants**

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**THIRD WITNESS STATEMENT OF**

**JAMES DANIEL WAITE**

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**I, JAMES DANIEL WAITE** of 3 Quebec Mews, London W1J 7NX, **will say as follows:**

1 I am the same James Daniel Waite who gave a witness statement dated 1 June 2022 in the above case (the "**First Witness Statement**"), and I remain in the employ of Almacantar Limited in the same position, and the with the same responsibilities, as stated in the First Witness Statement. Unless otherwise defined in this witness

statement, I adopt the same definitions as used in the First Witness Statement.

2 This statement was prepared on my behalf through email exchanges with Bryan Cave Leighton Paisner LLP, the Claimants' legal advisers in relation to this case. The facts and matters to which I refer in this statement are either within my own knowledge and are true, or are derived from the sources to which I refer below, in which case they are true to the best of my knowledge and belief.

3 I am duly authorised to make this statement on behalf of the Claimants in support of the continuation of the injunction approved by sealed Order of Yip J dated 6 October 2022 (the "**Injunction**").

4 There is annexed to this statement a bundle of true copy documents to which I shall refer marked as exhibit "JDW3". Numbers in square brackets in this statement refer to the page numbers in the exhibit.

### **SERVICE STEPS**

5 Following the issue of the Injunction and upon the direction of the Claimants' solicitors on 12 October 2022, I instructed our team at Centre Point (led by General Manager Dan Faillace) to:

- (i) post the approved form of notice of the Injunction as set out in my Second Witness Statement; and
- (ii) prepare printed copies of the case papers to be made available at the Estate Office.

6 I also instructed our website team to post the necessary documents to the URL set out in the notice, <https://almacantar.com/legal/injunctions>.

7 During the course of 12-13 October 2022, notices were duly posted as follows [3-9]:

- (i) Placement of notice in the entrance to Centre Point House, residential areas;
- (ii) Placement of notice outside relevant lifts at basement level;
- (iii) Placement of a notice on the doors to the loading bay and the "service" personnel entrance on Earnshaw Street;
- (iv) Placement of a notice at level 2 in Centre Point House on the fire escape stairs where linkage between the residential element above and commercial areas below;

- (v) Placement of notices on top of lift carriages; and
- (vi) We will consider suitable location for placement of a notice in the ground floor reception near the stairs to the basement, though given the listed building finishes, we may not be able to affix to walls/glass. In addition, we will consider placing notices in each of the fire escape stairs in Centre Point Tower.

8 By the afternoon of 14 October 2022, I was able to confirm with my team that:

- (i) The posting of notices to the lifts had been completed (since this took place in the evening of 13 October 2022 after hours, I could not confirm this before) [10-15];
- (ii) the website contained the relevant documents [16]; and
- (iii) the printed documents were available in the Estate Office.

### **CONCLUSION**

9 I believe that the Claimants have complied with posting the Injunction where they agreed to do so and that the steps taken should ensure the Injunction is brought to the attention of anyone who would be caught by it.

### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.



**James Daniel Waite**

17 October 2022

**IN THE HIGH COURT**

**QB-2022-001952**

**KING'S BENCH**  
**DIVISION**

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LIMITED
- (2) ALMACANTAR CENTRE POINT NOMINEE NO.2  
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WITHOUT THE CLAIMANTS' PERMISSION

**Defendants**

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**THIRD WITNESS STATEMENT OF  
JAMES DANIEL WAITE**

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