

# Notice of Appointment (with Bailiff) for Execution of Warrant of Possession or Delivery

In the  
Liverpool  
**County Court**

To the Claimant (or his authorised representative)

Drydens Limited  
Shire House  
2 Humboldt Street  
Bradford  
BD1 5HQ

The Court Office at Liverpool Civil and Family Courts  
36 Vernon Street  
Liverpool  
L2 2BX  
is open from 10am – 4pm Monday to Friday

Telephone:	0151 296 2200
Bailiff No.	7
Date:	3rd August, 2011

Take notice that the undermentioned warrant will be executed by the bailiff of the court:  
on 8th September, 2011 (commencing) at 01:00 PM.

**Appointment:**

Claim No.	Warrant No.	Claimants Name/Ref.	Defendant	Address (for appointment)

- A possession warrant by itself does not give a county court bailiff authority to use force to evict. However, the claimant or the claimant's agent can authorise the bailiff (and the Police, if necessary) to use REASONABLE force, if that becomes necessary.
- If you have any reason to believe that the Bailiff will encounter any difficulties that may perhaps require additional bailiffs or police assistance please contact the Court Manager or Bailiff Manager at the court immediately. (This must be a minimum of at least 5 working days before the appointment to avoid postponement - \*Please indicate that you have done so on the slip below).

- The appointment must be confirmed by completing and returning the tear of slip below, to arrive at the court at least 3 working days before the appointment date otherwise the appointment will be cancelled.
- You may also confirm your appointment by logging onto <http://www.possessionclaim.gov.uk>.
- You should meet the bailiff outside the premises at the (first) address at the time stated.
- You should be able to provide him with the evidence of your identity.
- In the case of a warrant for possession you should arrange to secure the premises against re-entry.

## Confirmation of Bailiff's appointment(s)

Please complete this slip in full before signing and returning to this court

I confirm that I, or my agent, will attend the appointment(s) on the date shown. Any agent attending on my behalf will have my authority to authorise the bailiff (and the police, if necessary) to use reasonable force, if required, to carry out the eviction.

Signed \_\_\_\_\_  
Claimant (or his authorised representative)

Dated \_\_\_\_\_

- \*I consider that the bailiff may require assistance in respect of Warrant No. .... and that I confirm that I have spoken to:
- The Court Manager     Bailiff Manager
- Other Court Officer (please specify)

In the	Liverpool	County Court
Court Ref/	Z7059365	
Bailiff No.	7	
Claimant	Drydens Limited	
Claimant's ref:	a0014779 cld	
Claimant's Tel No.		
Local Agent		
Local Agent's Tel No.		
Appointment Date:	8th September, 2011	
Commencing time:	01:00 PM	

## Guidance notes for the Notice of Appointment (with Bailiff) for Execution of Warrant of Possession or Delivery

- The entitlement to use force comes from the authority given by the person entitled to possession, and not by virtue of the issue of the Warrant of Possession.
- Whilst the claimant can authorise the bailiff to use reasonable force to carry out the eviction, they are not *empowered* to instruct or order the bailiff to use such force, reasonable or otherwise.
- Where the use of reasonable force becomes necessary, the bailiff will assess the situation based on HM Courts & Tribunals Service Risk Assessment guidelines and use his/her judgment whether or not to proceed with the eviction.
- If the bailiff decides that the use of force would be necessary, the bailiff will ask the claimant/agent (in accordance with the confirmation slip on the EX96) to sign the possession warrant giving authority to use force. If the authority is not forthcoming then the bailiff will decide the appropriate action to take.
- In the event of the bailiff deciding, in the interests of health and safety not to use reasonable force, s/he will withdraw from the eviction.
- If the occupier(s) fail to vacate the premises, the claimant may apply to the court for the occupier's committal for disobedience of the possession order. (See *Bell v Tuohy CA NLJ 19 April p587*) [2002].