

Claim number: K02LS89

Witness Statement on behalf of the Claimant

Witness: Karen Glachan

Number of Statement: 1

Exhibits: KG1

Date: 21 May 2024

**IN THE COUNTY COURT AT LEEDS**

**B E T W E E N:-**

**DANIEL THWAITES PLC**

**Claimant**

**And**

**WEB4ORCE LIMITED**

**Defendant**

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**FIRST WITNESS STATEMENT OF  
KAREN GLACHAN**

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I, **KAREN GLACHAN**, of Myerscough Road, Mellor Brook, Blackburn, Lancashire, England, BB2 7LB, wish to rely on the following evidence in support of this claim.

1. I am employed by the Claimant as Head of IT. I have been employed by the Claimant in this role since 23rd February 2004.
2. The facts contained in this witness statement are made from my own knowledge except where otherwise stated. Where facts in this statement are not from my own knowledge, I have stated the source of the information and those facts are true to the best of my knowledge and belief.
3. There is now produced and shown to me a paginated bundle of copy documents marked **KG1**. References appearing in square brackets are to pages within **KG1**.

4. This statement has been prepared by the Claimant's solicitors based on written instructions provided by me, email correspondence and telephone conversations. This statement was then reviewed by me prior to signature.
5. While carrying out my role as head of IT at the Claimant, I have been asked to investigate some of the links sent by the Defendant to check that they were not of a malicious nature.
6. I recall that Caroline Cockshott (Purchase Ledger Supervisor) spoke to me in person to ask whether I could check that the links sent from the Defendant on 8 March 2022 [KG1/2-5] [A/84] were safe to click on and whether I could retrieve the invoices for her.
7. I accessed the link and was prompted to enter a log in and password. After entering these details, the notice and the terms and conditions became visible. I have no recollection of being required to agree to the terms and conditions to enable me to retrieve the invoices.
8. After accessing the website, I sent an email to Caroline Cockshott, which can be seen at [KG1/6-7] attaching two invoices and screenshots of the website. [A/81-82]
9. I received a similar request from Kevin Wood (Finance Director of the Claimant) in January 2023. I again accessed the link and was prompted to enter a log in and password. I again have no recollection of being required to agree to the terms and conditions to enable me to retrieve the invoices.
10. After accessing the website, I sent an email to Kevin Wood, which can be seen at [KG1/8] [A/129] which attaches a screenshot of a summary of the invoices.
11. I have no recollection of ever being required to agree to any form of terms and conditions when accessing and logging into the accounts area of the website.
12. On both occasions I was aware of the dispute with the Defendant, so I would have been very reluctant to agree to any terms and conditions.
13. It is also worth me noting that I am aware from my role as Head of IT at the Claimant that the Defendant provided links to invoices by emails to various employees of the Claimant,

and to central email accounts of the Claimant including [hello@thwaites.co.uk](mailto:hello@thwaites.co.uk) and [accountspayable@thwaites.co.uk](mailto:accountspayable@thwaites.co.uk) so it is possible that emails and invoices exist that we are not aware of.

**Statement of Truth**

I believe 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.

Signed .. 

21 May 2024

Karen Glachan

**From:** "Karen Glachan" <karenglachan@thwaites.co.uk>  
**To:** "Caroline Cockshott" <carolinecockshott@thwaites.co.uk>  
**Subject:** Web4orce Invoices Harts Head  
**Date:** Tue, 08 Mar 2022 15:39:17 +0000  
**Importance:** Normal  
**Attachments:** Web4orce\_Limited\_\_Invoice\_\_26855.pdf; Web4orce\_Limited\_\_Invoice\_\_26853.pdf  
**Inline-Images:** image001.png; image002.png

Web4orce Invoices attached for Harts Head Giggleswick

Below is a picture of the stylish website. Check out the second page with the T&Cs stating what they do for very late payment!

Logout
Change Password
My Account

HARTSHEAD HOTEL

To view a specific invoice click on the relevant underlined [invoice number](#) below.

[Prev] [1] [2] [Next]

<a href="#">Invoice number</a>	<a href="#">From Date</a>	<a href="#">To Date</a>	Amount	Status	
<a href="#">772 / 26860</a>	2022-04-03	2023-04-02	£95.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">771 / 26859</a>	2022-04-03	2023-04-02	£95.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">887 / 26855</a>	2022-03-06	9999-12-31	£285.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">884 / 26853</a>	2022-02-15	9999-12-31	£285.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">856 / 26787</a>	2021-06-15	9999-12-31	£560.00	Paid	
<a href="#">855 / 26786</a>	2021-06-12	9999-12-31	£275.00	Paid	
<a href="#">772 / 26785</a>	2021-04-03	2022-04-02	£95.00	Paid	
<a href="#">771 / 26784</a>	2021-04-03	2022-04-02	£95.00	Paid	
<a href="#">854 / 26783</a>	2021-04-10	9999-12-31	£275.00	Paid	
<a href="#">771 / 26766</a>	2020-04-03	2021-04-02	£95.00	Paid	

**Please note:**  
 You can pay by **credit or debit card** via our UK based online gateway **Secure Trading** by clicking on the underlined **Pay Now** link above.

To settle an outstanding invoice by BACS, Standing Order or Bill Payment you can do so by crediting the following bank account:  
 Royal Bank of Scotland - Sort Code **16-14-32** - Account No. **10036593**  
**It is important** to include your payment reference: **web4-887** because without it we have no way of knowing whose account to credit.

When looking at an invoice on screen, you will be able to print a copy of it by clicking on the **Print Invoice** button at the base of the invoice.

**Payments**

The Customer will ensure that all payments are received by Web4orce on or before the due date. All payments must be in UK Pounds Sterling. If your cheque is returned by the bank as unpaid for any reason, you will be liable for a "returned cheque" charge of £35.

**Late Payments**

Web4orce reserves the right to suspend services without notice should the customer fail to make payment in full by the due date. A Final Reminder or Reminders will also be uploaded to the Internet displaying appropriate information. Subsequently, you will incur a minimum fee of £150 for each Final Reminder that has to be removed.

**Very Late Payments**

Failure to pay an outstanding invoice within 7 days or 1 month (whichever is applicable) following the due date will result as follows. A Default Notice or Notices will be uploaded to the Internet displaying your business name and address together with further appropriate information whilst stating the circumstances surrounding such an action. Subsequently, you will incur a minimum fee of £150 for each Default Notice that has to be removed.

**Prices**

Prices for services are guaranteed for the period that the customer purchased. Web4orce does not guarantee to reduce a customer's charges should Web4orce's charges be reduced at a later date. Web4orce reserves the right to change its prices at any time.

**Contract duration**

The duration of the contract shall be determined by the term purchased by the Customer or by the minimum term of the Services purchased by the Customer.

**Auto Renewal Policy**

Web4orce operate an Auto Renewal Policy on all products and services, which is designed to ensure continuity of service.

**From:** "Karen Glachan" <karenglachan@thwaites.co.uk>

**To:** "Kevin Wood" <kevinwood@thwaites.co.uk>

**Subject:** FW: 2nd reminder from Web4orce - Inv No. 26921

**Date:** Thu, 12 Jan 2023 14:29:37 +0000

**Importance:** Normal

**Inline-Images:** image001.png

Hi Kevin,

As discussed. Below is the link and log in to view the latest Invoices on the account from Web4orce. Screen shot below for summary. More of the same website on invoices 26925 and 26926 from 6<sup>th</sup> January.

Thanks,

Karen

DANIEL THWAITES PLC

To view a specific invoice click on the relevant underlined [invoice number](#) below.

[Prev] [\[1\]](#) [\[2\]](#) [\[3\]](#) [\[4\]](#) [Next]

<a href="#">Invoice number</a>	<a href="#">From Date</a>	<a href="#">To Date</a>	Amount	Status	
<a href="#">920 / 26926</a>	2023-01-06	9999-12-31	£1140.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">919 / 26925</a>	2023-01-06	9999-12-31	£1140.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">918 / 26921</a>	2022-12-02	9999-12-31	£2280.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">917 / 26920</a>	2022-11-30	9999-12-31	£3420.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">916 / 26919</a>	2022-11-29	9999-12-31	£95.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">911 / 26890</a>	2022-04-19	9999-12-31	£475.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">910 / 26889</a>	2022-04-19	9999-12-31	£475.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">909 / 26888</a>	2022-04-11	9999-12-31	£285.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">908 / 26887</a>	2022-04-11	9999-12-31	£285.00	Unpaid	<a href="#">Pay Now</a>
<a href="#">907 / 26886</a>	2022-04-05	9999-12-31	£475.00	Unpaid	<a href="#">Pay Now</a>

**Please note:**  
 You can pay by **credit or debit card** via our UK based online gateway [Secure Trading](#) by clicking on the underlined [Pay Now](#) link above.

To settle an outstanding invoice by BACS, Standing Order or Bill Payment you can do so by crediting the following bank account:  
 Royal Bank of Scotland - Sort Code [16-14-32](#) - Account No. [10036593](#)  
**It is important** to include your payment reference: [web4-918](#) because without it we have no way of knowing whose account to credit.

When looking at an invoice on screen, you will be able to print a copy of it by clicking on the **Print Invoice** button at the base of the invoice.

**From:** Web4orce <[john.duggan@web4orce.co.uk](mailto:john.duggan@web4orce.co.uk)>

**Sent:** 06 January 2023 18:13

**To:** Hello <[hello@thwaites.co.uk](mailto:hello@thwaites.co.uk)>; Accounts Payable <[accountspayable@thwaites.co.uk](mailto:accountspayable@thwaites.co.uk)>

**Subject:** 2nd reminder from Web4orce - Inv No. 26921

Accepting the fact that you may not have received our previous email please be aware that an invoice still remains unpaid.

To view your latest invoice firstly make a note of the following User Name and Password:

Login details:

User Name: inv918

Password: mJ9mQ33D

Then click on the blue underlined link below

<https://www.web4orce.co.uk/user/index.php?c1=inv918>

Note that if this link does not open, copy the above link and paste it into your web browser.

Thank you for your time.

The Web4orce Accounts Team

Click for details : <https://servicedesk.thwaites.co.uk/app/itdesk/ui/requests/1132800003057555/details>