



**In the High Court of Justice
Queen's Bench Division
Administrative Court**

CO Ref: 2741
CO/5305/2013

In the matter of an application for Judicial Review

The Queen on the application of

GAZZELLE PROPERTIES LIMITED

**versus SECRETARY OF STATE FOR COMMUNITIES AND LOCAL
GOVERNMENT and 13 INTERESTED PARTIES**



NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)

Following consideration of the documents lodged by the Claimant and the acknowledgment of service filed by the defendant and some of the interested parties

Order by His Honour Judge Jarman QC sitting as a judge of the High Court

Permission is hereby granted on grounds 1 and 2 but refused on ground 3

Observations:

Grounds 1 and 2 raise matters of law and the threshold of arguability is not a high one. As to predetermination of weight, the claimant accepts that the inspector was apparently keeping his mind open. It is plain that his preliminary indication was intended to assist the parties in submitting further evidence and submissions and was expressly subject thereto. Ground 3 is not therefore arguable.

Case management directions

- The defendant and any other person served with the claim form who wishes to contest the claim or support it on additional grounds must file and serve detailed grounds for contesting the claim or supporting it on additional grounds and any written evidence, within 35 days of service of this order.
- Any reply and any application by the claimant to lodge further evidence must be lodged within 21 days of the service of detailed grounds for contesting the claim.
- The claimant must file and serve a trial bundle not less than 4 weeks before the date of the hearing of the judicial review.
- The claimant must file and serve a skeleton argument not less than 21 days before the date of the hearing of the judicial review.
- The defendant and any interested party must file and serve a skeleton argument not less than 14 days before the date of the hearing of the judicial review.
- The claimant must file an agreed bundle of authorities, not less than 3 days before the date of the hearing of the judicial review.

Listing Directions

The application is to be listed for 2 days; the parties to provide a written time estimate within 7 days of service of this order if they disagree with this direction.

Directions as to venue, if applicable:

Any future hearings in this claim may be heard at Bristol if practicable, or if not, at Cardiff.

Signed



For completion by the Administrative Court Office

Sent / Handed to the claimant, defendant and any interested party / the claimant's, defendants, and any interested party's solicitors on (date):

Solicitors: Clarke Willmott LLP
Ref No.

Notes for the Claimant

- To continue the proceedings a further fee of £215.00, or a certified Application for Fee Remission if appropriate, must be lodged within 7 days of the service on you of this order,. Failure to pay the fee or lodge a certificate within that period may result in the claim being struck out.
- You are reminded of your obligation to reconsider the merits of your claim on receipt of the defendant's evidence.