

In the High Court of Justice
Queens Bench Division
Administrative Court

CO Ref:
CO/5731/2004

In the matter of an application for Judicial Review

The Queen on the application of

SAMUEL SMITH OLD BREWERY (TADCASTER)

versus SELBY DISTRICT COUNCIL

Application for permission to apply for Judicial Review
NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)



Following consideration of the documents lodged by the Claimant [and the Acknowledgement(s) of service filed by the Defendant and / or Interested Party]

Order by Sir Michael Harrison

Observations:

1. Application adjourned until 31/3/05 to enable the parties to seek to achieve resolution of this matter, whether by way of ADR, payment for re-surfacing of the car park or by some other way.
2. If the Court is not notified by 31/3/05 that agreement has been reached, permission to apply for judicial review is hereby granted, but the failure to reach agreement will be relevant to an ultimate decision on the payment of the costs of any such proceedings.

for hearing by a Deputy High Court Judge**

Criminal case suitable for hearing by a Single Judge**

Hearing to be expedited**

Directions as to expedition or other matters:

Signed

Michael Harrison

**Tick if applicable

Where permission to apply has been granted, claimants and their legal advisers are reminded of their obligation to reconsider the merits of their application in the light of the defendant's evidence.

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

Solicitors: PINSENT CURTIS
Ref No. DVE.MCB.111093.00153

25 JAN 2005

Claimant

If the Judge has refused permission a claimant or his solicitor may request the decision be reconsidered at a hearing by completing and returning form 86B within 7 days of the service upon him of this notice.

- (2) If permission has been granted the claimant or his solicitor must within 7 days of the service upon him of this notice, lodge a further fee of £180.00, or a Fees exemption certificate if appropriate, to continue the proceedings. Failure to pay the fee or lodge a certificate within the specified period may result in the claim being struck out.

Note to Defendants and Interested Parties

- (1) Where permission has been granted, a 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 –
- (a) Detailed grounds for contesting the claim or supporting it on additional grounds; and
 - (b) any written evidence,

within 35 days after service of the order giving permission.