



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

CO Ref:  
CO/1011/2017

In the matter of an application for Judicial Review

**The Queen on the application of**

**RSPB and others**

**versus**

**THE LORD CHANCELLOR and others**

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

Following consideration of the documents lodged by the Claimant and the Acknowledgement of service filed by the Defendant

**Order by the Honourable Mr Justice Dove**

**Permission is hereby granted**

**Observations:**

I am satisfied that both of the Grounds upon which this judicial review is sought are properly arguable. Permission having been granted, and bearing in mind the practical significance of the arguments raised to other environmental cases, in my view it is appropriate for shortened timescales to apply for the purposes of bringing this matter to an early hearing. I have therefore provided for relatively short timescales in the directions below, so that this matter can be brought to a hearing as soon as practical. This case should be listed before a judge with significant experience of environmental cases. It is agreed that a PCO should be provided for in this case and I have included that below.

**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 21 days of service of this order.
- Any reply and any application by the claimant to lodge further evidence must be lodged within 7 days of the service of detailed grounds for contesting the claim.
- The claimant must file and serve a trial bundle not less than 3 weeks before the date of the hearing of the judicial review.
- The claimant must file and serve a skeleton argument not less than 14 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 7 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.
- The Claimants' liability for any costs liability to the Defendant is capped at a total of no more than £10,000 and the Defendant's liability for any costs to the Claimant is capped at a total of no more than £35,000.

**Listing Directions**

The application is to be listed for 1 day; the parties to provide a written time estimate within 7 days of service of this order if they disagree with this direction.

Case NOT suitable for hearing by a Deputy High Court Judge\* ☐

Criminal case NOT suitable for hearing by a Single Judge\* ☐

[\*Tick if applicable]

Directions as to venue, if applicable:

Signed



S:iv:17

#### For completion by the Planning Court

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

Solicitors:  
Ref No.

RWS / ADS / 00144945 / 1

12 APR 2017

#### Notes for the Claimant

- To continue the proceedings a further fee, or a certified Application for Fee Remission if appropriate, must be lodged within 7 days of the service on you of this order. For details of the current fee see the Court website 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.