



THURSDAY 27TH MARCH 2014

IN THE COURT OF APPEAL

ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT
CO/5020/2013

BEFORE LORD JUSTICE SULLIVAN

IN THE MATTER OF A CLAIM FOR JUDICIAL REVIEW

B E T W E E N

THE QUEEN ON THE APPLICATION OF AN TAISCE (THE NATIONAL TRUST FOR IRELAND)

Claimant/
APPLICANT

- and -

SECRETARY OF STATE FOR ENERGY AND CLIMATE CHANGE

Defendant/
RESPONDENT

- and -

1. NNB GENERATION COMPANY LIMITED
2. MINISTER FOR ENVIROMENT, COMMUNITY & LOCAL GOVERNMENT, IRELAND
3. THE ATTORNEY GENERAL, IRELAND

Interested Parties/
2nd, 3rd, & 4th
RESPONDENTS

ON READING the Appellant's Notice sealed on the 24th December 2014 filed on behalf of the Applicant applying for permission to appeal the decision to refuse permission to claim for judicial review against the order of Mrs Justice Patterson dated 20th December 2013 and a protective costs order

AND ON HEARING Mr David Wolfe QC on behalf of the Applicant

IT IS ORDERED that

1. The application for permission to apply for judicial review is granted
2. The Applicant's costs liability for the claim is capped at £10,000
3. The Respondent's costs liability for the claimant's costs of the claim is capped at £50,000

AND IT IS FURTHER DIRECTED that,

1. The appeal is to be expedited and every endeavour should be made to list



COURT 67
Application No.

C1/2013/3763



the hearing before the end of the summer term, or failing that at the beginning of the Michaelmas term

2. The judicial review is to be listed for a two day hearing in the Court of Appeal before a panel of three Lord Justices, at least one of whom must have a planning/environmental expertise

By the Court

[The Court Sat from 10:00 to 11:30]

**THURSDAY 27TH MARCH 2014
IN THE COURT OF APPEAL**

ON APPEAL FROM
THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

IN THE MATTER OF A CLAIM FOR JUDICIAL REVIEW

THE QUEEN ON THE APPLICATION OF AN TAISCE
(THE NATIONAL TRUST FOR IRELAND)

- and -

SECRETARY OF STATE FOR ENERGY AND CLIMATE
CHAN

- and -

1. NNB GENERATION COMPANY LIMITED
2. MINISTER FOR ENVIROMENT, COMMUNITY &
LOCAL GOVERNMENT, IRELAND
3. THE ATTORNEY GENERAL, IRELAND

ORDER

Copies to:

Queen's Bench Division - Administrative Court
Room C317
Royal Courts of Justice
Strand
London WC2A 2LL

Herbert Smith Freehills LLP
Exchange House
Primrose Street
London
EC2A 2EG
Ref: NUSRAT ZAR

Leigh Day Solicitors
DX 53326
Clerkenwell
Ref: RS/ AN TAISCE

Treasury Solicitors
DX 123242
Kingsway 6
Ref: DAN DREWETT

*

* This order was drawn by Ms M Rosiak (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to Ms M Rosiak, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is 020 7947 7945