



IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
PLANNING COURT
BEFORE THE HONOURABLE MRS JUSTICE LANG DBE

CO/1259/2017

On 22 June 2017

IN THE MATTER OF a renewed application for permission to apply for Judicial Review

The Queen on the application of
KP JR MANAGEMENT COMPANY LTD

Claimant

and

LONDON BOROUGH OF RICHMOND UPON THAMES

Defendant



and

(1) KEW MARINE LIMITED
(2) THAMES REGIONAL ROWING COUNCIL

Interested Parties

ORDER

UPON the Claimant's renewed application for permission to apply for Judicial Review;

AND UPON HEARING Mr Ashley Bowes of Counsel on behalf of the Claimant, Mr Simon Bird QC on behalf of the Defendant and the Interested Parties not attending or being represented;

IT IS ORDERED THAT:-

1. Permission to apply for Judicial Review be granted.
2. The hearing for judicial review is to be listed for 1½ days (excluding judgment).
3. The costs order made by Holgate J. on 9 May 2017 is set aside.
4. This is an Aarhus Convention claim within the meaning of CPR 45.41. The Claimant's liability for the costs incurred by the Defendant and Interested Parties is limited to £10,000, and the Defendant's liability for the costs incurred by the Claimant is limited to £35,000, in accordance with CPR 45.43 & PD 45.5.
5. Costs reserved.

Case Management Directions

6. The Claimant do file and serve an amended Statement of Facts and Grounds within 21 days of the date of this order.
7. 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 the Claimant's amended Statement of Facts and Grounds.
8. The Claimant do have permission, if so advised, to file and serve further evidence in reply within 21 days of the service of detailed grounds for contesting the claim.
9. The Claimant must file and serve a trial bundle not less than 4 weeks before the date of the hearing of the judicial review.
10. The Claimant must file and serve a skeleton argument not less than 21 days before the date of the hearing of the judicial review.
11. 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.
12. The Claimant must file and serve an agreed bundle of authorities, not less than 7 days before the date of the hearing of the judicial review.

Dated: 22 June, 2017

By the Court

Sent to the Claimant, Defendant and Interested Parties on: 22 June, 2017
Claimant's Solicitor: Prospect Law Limited Ref: CLA0051/ER/JNG/AB
Defendant's Solicitor: South London Legal Partnership Ref: CS LEG GRC 327/49
1st Interested Party's Solicitor: Richard Buxton Environmental & Public Law Ref: KML 1-0001/RB
2nd Interested Party: Thames Regional Rowing Council Ref: None