



CO/11543/2007

DATED the 27th day of June 2008

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ADMINISTRATIVE COURT

BEFORE THE HONOURABLE MR JUSTICE SULLIVAN

IN THE MATTER of an application for Judicial Review

**THE QUEEN ON THE APPLICATION OF
NORTH DEVON DISTRICT COUNCIL**

**VERSUS THE SECRETARY OF STATE FOR
BUSINESS ENTERPRISE AND REGULATORY
REFORM**

**INTERESTED PARTY:
DEVON WIND POWER**

UPON HEARING Mr J Hobson QC with Mr P Wadsley of Counsel on behalf of the above-named Claimant, Mr J Litton of Counsel on behalf of the Defendant and Mr D Elvin QC with Mr G Keen of Counsel on behalf of the Interested Party upon the Claimant's application for permission to proceed with a claim for Judicial Review of the decision of the Defendant dated the 9th day of October 2007

AND UPON READING the written evidence submitted on behalf of the Claimant, Defendant and Interested Party

IT IS ORDERED that permission to proceed be granted and that the claim be heard forthwith

IT IS FURTHER ORDERED that the claim be dismissed

IT IS FURTHER ORDERED that the Claimant to pay the costs of the Defendant in the sum of £15,000.00 and the said sum be paid by the Claimant to the Defendant's solicitor

AND IT IS FURTHER ORDERED that the Claimant to pay the costs of the Interested Party in the sum of £3,000.00 and the said sum be paid by the Claimant to the Interested Party's solicitor

[This matter occupied the time of the Court from 10:30am to 1:00pm and from 2:00pm to 3:30pm on the 25th day of June 2008 and from 10:00am to 11:30am on the 27th day of June 2008]

By the Court

DATE 27 JUNE 2008

**IN THE HIGH COURT OF
JUSTICE**

**QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT**

MR JUSTICE SULLIVAN

O R D E R

CO/11543/2007

Claimant's Solicitor

Sharpe Pritchard
DX 353 London/Chancery Lane

Ref: TG/PT/1419/21

Defendant's Solicitor

The Treasury Solicitor
DX 123242 Kingsway

Ref: NT73667A/EZM/1D

Interested Party's Solicitor

Burges Salmon
Narrow Quay House, Narrow Quay
Bristol BS1 4AH

Ref: ED04/PR)/26639.4/Dunn