



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

CO/3929/2019

Before the Honourable Mrs Justice Lang

On 11 May 2020

In the matter of an application for judicial review

THE QUEEN

on the application of

LOCHAILORT INVESTMENTS LIMITED

Claimant

-v-

MENDIP DISTRICT COUNCIL

Defendant

NORTON ST PHILIP PARISH COUNCIL

Interested Party

ORDER

UPON hearing Mr R. Ground QC and Mr B. Du Feu of Counsel on behalf of the Claimant, Mr H. Mohamed of Counsel on behalf of the Defendant, and the Interested Party not appearing or being represented, on 24 March 2020;

IT IS ORDERED THAT:

1. The claim is dismissed.
2. The interim injunction order of Steyn J., sealed on 11 October 2019, is discharged.
3. Permission to appeal to the Court of Appeal is refused.
4. The Defendant is restrained (whether by itself or by instructing or encouraging any other person) from holding a referendum on the Norton St Philip Neighbourhood Plan until:
 - a. **Either**, 21 days after the date of the handing down of the judgment of the High Court, if the Claimant has not by then filed an application for permission to appeal to the Court of Appeal;
 - b. **Or**, if the Claimant files an application for permission to appeal to the Court of Appeal, the date of the determination of the permission application by the Court of Appeal.

For the avoidance of doubt, unless a further injunction is granted by the Court of Appeal, this order restraining the Defendant from holding a referendum will be discharged without the need for any further order, pursuant to either subparagraph (a) or (b) above.

5. The Claimant do pay the Defendant's costs, to be subject to a detailed assessment, if not agreed.

Dated

By the Court

Sent / Handed to the Claimant, Defendant and any Interested Party / the Claimant's, Defendant's, and any Interested Party's solicitors on (date):

Solicitors:

Ref No: