



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

CO Ref: CO/3715/2015

In the matter of an application for Judicial Review

The Queen on the application of ROSEACRE AWARENESS GROUP and  
ELIZABETH WARNER

versus LANCASHIRE COUNTY COUNCIL (Defendant)  
CUADRILLA ELSWICK LTD (Interested Party)

**Application for permission to apply for Judicial Review  
NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)**

Following consideration of the documents lodged by the parties

Order by the Honourable Mr Justice SUPPERSTONE

**Permission is hereby refused.**

Reasons:

1. The claim is out of time, by one day. There is no application to extend time. In any event the claim should be brought promptly. No adequate reason is given for the delay.
2. None of the grounds of challenge are arguable, essentially for the reasons given in the Defendant's acknowledgment of service.

Costs:

The Defendant requests that the Claimant be ordered to pay the reasonable costs of preparing the Acknowledgment of Service, but has put forward no figure for those costs. If the Defendant wishes to pursue this application they should file a schedule of costs in support of the application by **4pm on 22 September 2015**, with a copy to the Claimants. The Claimants should, if so advised, file a response (with a copy to the Defendant) by **4pm on 6 October 2015**. I will thereafter determine the application on the papers.

Signed *Michael Supperstone*

Date: 08 September 2015

**The date of service of this order is calculated from the date in the section below**

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**For completion by the Planning 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:

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Ref No.

**Notes for the Claimant**

If you request the decision to be reconsidered at a hearing in open court under CPR 54.12, you must complete and serve the enclosed FORM 86B within 7 days of the service of this order; a fee is payable on submission of Form 86B. ***For details of the fee please see the Court website.*** Failure to pay the fee or lodge a certified Application for Fee remission may result in the claim being struck out. The form for Application for Remission of a Fee is obtainable from the Justice website <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do>