

In the Royal Court of Jersey

Samedi Division

2024/110

In the year two thousand and twenty-four, the twenty-fourth day of October.

Before Sir Timothy John Le Cocq, Bailiff of Jersey.

BETWEEN	Marcus Richardson	APPELLANT
AND	The Minister for the Environment	RESPONDENT

By consent, IT IS ORDERED that the parties shall comply with the terms set out in the Consent Order, dated the 3 September 2024, a copy of which is attached hereto.


Greffier Substitute

SN (NM)
LOD (JR)

COURT REF:

IN THE ROYAL COURT OF JERSEY
(SAMEDI DIVISION)

Between Marcus Richardson Appellant

And Minister for the Environment Respondent

CONSENT ORDER

Whereas:

1. On 15 April 2024, the Appellant issued a Notice of Appeal in respect of a determination pursuant to Article 116 of the Planning and Building (Jersey) Law 2002, dated 19 March 2024 to dismiss an appeal against an Enforcement Notice dated 21 August 2023 concerning land known as and situate at field MN 770, and a substantive hearing has been fixed to take place on Tuesday 3 December 2024;
2. The Appellant and Respondent are agreed that the said determination is unlawful for the reasons set out at paragraphs 7 & 8 of the Appellant's Grounds of Appeal;

3. For the avoidance of doubt and notwithstanding 2 above the Appellant's position is that its remaining Grounds of Appeal are valid and proper arguments upon which the Minister's said determination could also have been struck down, in addition to or independently of paragraph 2 above.
4. The parties are agreed that a copy of this consent order if made together with a copy of the Appellant's notice and grounds of appeal shall be placed on the Register of Development Notices by the Respondent.
5. **NOW TODAY, AND BY CONSENT,** the Royal Court hereby:
 - (i) **quashes** the said determination in whole;
 - (ii) **remits** the determination in whole to the Minister to be retaken;
and
 - (iii) **condemns** the Respondent to pay to the Appellant's reasonable costs in a sum to be taxed if not agreed between the parties.

Signed: 

Advocate for the Appellant

Nicholas Mière
Stenson Nicholls LLP

First Floor Charles House
Charles Street
St Helier
Jersey
JE2 4SF

Signed: ...



Advocate for the Respondent

James Rondel
Law Officers' Department
Morier House
Halkett Place
St Helier
JE1 1DD

Dated this 3rd day of September 2024

