



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

CO Ref: CO/2388/2013

In the matter of an application for Judicial Review

The Queen on the application of St Albans City and District Council

versus SSCLG

and (1) Helioslough Limited
(2) Goodman Logistics Development (UK) Ltd
(3) Slough Borough Council

**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 Claimant [and the Acknowledgement(s) of service filed by the Defendant and or Interested Party

Order by Frances Patterson QC sitting as a Deputy High Court Judge

Permission is hereby refused.

Reasons:

1. I regard this claim as misconceived.
2. The challenge is to a discretionary decision on the part of the S/s dated the 14th December 2012 not to re-open a planning inquiry into an application for a strategic rail freight interchange on a site in Radlett and not to conjoin consideration and determination of that application with another application for a strategic rail freight interchange by another developer on a site in Colnbrook.
3. In a further letter dated the 20 December 2012 the S/s indicated that he was satisfied that he could determine the Radlett appeal before him and issued a minded to approve decision on the Radlett proposal upon which a final determination is awaited.
4. The Claimant does not identify any omission of a material consideration or absence of evidence or error of law on the part of the SSCLG to demonstrate that the discretion exercised by the Defendant in his decision dated the 14th December 2012 was in any way legally flawed.
5. The claim is any event premature given that there is no final decision on the Radlett application.
6. In view of my decision on permission there is no need to consider the other applications by the claimant in their application notice received in the Administrative Court on the 7 June 2013. This application raises different legal issues to that in CO/6116/2013 which means that this decision can be taken quite independently of that.

The costs of preparing the Acknowledgment of Service are to be paid by the Claimant to the Defendant, in the sum of £2000.

Signed 

Sent / Handed to the claimant, defendant and any interested party / the claimant's, defendant's, and any interested party's solicitors on (date):

Solicitors: Head of legal and Democratic and Regulatory Services, District Council Offices, St Albans

Ref No. Mike Loveday

Notes for the Claimant

14 JUN 2013

If you request the decision to be reconsidered at a hearing in open court, you must complete and serve the enclosed FORM within 7 days of the service of this order – CPR 54.12

Form JRJ 1 – Judicial Review Permission Refused