

Permission to Appeal results - July 2012

Case name	Justices	PTA	Reasons given
Schutz (UK) Limited (Respondent) <i>v</i> Werit (UK) Limited (Appellant) UKSC 2011/0159	Lord Walker Lord Kerr Lord Clarke	Granted 02 July 2012	
Magnohard Limited (Appellant) <i>v</i> Earl Cadogan and Cadogan Estates Limited (Respondents) UKSC 2012/0130	Lord Phillips Lord Walker Lord Mance	Refused 5 July 2012	Refused after an oral hearing.
Marley (Appellant) <i>v</i> Rawlings and another (Respondents) UKSC 2012/0057	Lord Walker Lord Dyson Lord Sumption	Granted 5 July 2012	
Zakrzewski (Respondent) <i>v</i> The Regional Court in Lodz, Poland (Appellant) UKSC 2012/0072	Lord Phillips Lord Mance Lord Wilson	Granted 5 July 2012	
R (Appellant) <i>v</i> Ahmad and another (Respondents) UKSC 2012/0082	Lord Phillips Lord Mance Lord Wilson	Granted 5 July 2012	
R (on the application of British Sky Broadcasting Limited) (Respondent) <i>v</i> The Commissioner of Police of the Metropolis (Appellant) UKSC 2012/0115	Lord Phillips Lord Mance Lord Wilson	Granted 5 July 2012	
R (Appellant) <i>v</i> Ahmad and another (Respondents) UKSC 2011/0078	Lord Phillips Lord Mance Lord Wilson	Granted 5 July 2012	
Sharples (Appellant) <i>v</i> Places For People Homes Limited (Respondent) UKSC 2012/0074	Lord Hope Lord Kerr Lord Carnwath	Refused 5 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and because the judgment of the Court of Appeal was plainly right.
Morris (Appellant) <i>v</i> Independent Trustee Services Limited (Respondent) UKSC 2012/0081	Lord Hope Lord Kerr Lord Carnwath	Granted 5 July 2012	

Torfaen County Borough Council (Appellant) v Douglas Willis Limited (Respondent) UKSC 2012/0087	Lady Hale Lord Clarke Lord Reed	Granted 5 July 2012	
Bull and another (Appellant) v Hall and another (Respondent) UKSC 2012 0065	Lady Hale Lord Clarke Lord Reed	Granted 5 July 2012	
Hyndman (Appellant) v Brown and another (Respondents) (Northern Ireland) UKSC 2012/0070	Lord Hope Lord Kerr Lord Carnwath	Refused 9 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and because the issue turns entirely on the facts
Brent (Appellant) v Forrester Ketley & Co. (Respondent) UKSC 2012/0071	Lord Walker Lord Dyson Lord Sumption	Refused 9 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time.
Cornwall Waste Forum St Dennis Branch (Appellant) v Secretary of State for Communities and Local Government and Another (Respondent) UKSC 2012/0121	Lord Walker Lord Dyson Lord Sumption	Refused 9 July 2012	Permission to appeal be refused. In relation to the point of European Union Law raised or in response to the application it is not necessary to request the Court of Justice to give any ruling because the question raised is irrelevant, the Court's existing jurisprudence already provides a sufficient answer and the answer is so obvious as to leave no scope for any reasonable doubt. The only possible issue is one of English public law, turning on its special facts.
R (on the application of MN (Tanzania)) (Appellant) v Secretary of State for the Home Department (Respondent) UKSC 2012/0078	Lady Hale Lord Clarke Lord Reed	Refused 9 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law, in our view the Court of Appeal was right for the reasons they gave. The same conclusion has been reached by the Court of Session.
An Informer (Appellant) v A Chief Constable (Respondent) UKSC 2012/0085	Lady Hale Lord Clarke Lord Reed	Refused 9 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance.
Hodgson and another (Appellants) v Dixon and another (Respondents) UKSC 2012/0086	Lord Hope Lord Kerr Lord Carnwath	Refused 10 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and because the facts were carefully examined by the Court of Appeal.
P and Q (by their litigation friend, the Official Solicitor) (Appellants) v Surrey County Council (Respondent) UKSC 2012/0088	Lady Hale Lord Clarke Lord Reed	Granted 10 July 2012	
P (by his litigation friend the Official Solicitor)	Lady Hale	Granted	

(FC) (Appellant) <i>v</i> Cheshire West and Chester Council (Respondent) UKSC 2012/0068	Lord Clarke Lord Reed	10 July 2012	
Du Plessis (Appellant) <i>v</i> Fontygary Parks Limited (Respondent) UKSC 2012/0114	Lord Walker Lord Clarke Lord Carnwath	Refused 24 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Court of Appeal carefully considered this case and reached its conclusion on the particular terms of the licence agreement. The “double whammy” point was dealt with in paragraph 47 of the judgment.
VTB Capital plc (Appellant) <i>v</i> Nutritek International Corp and others (Respondents) UKSC 2012/0167	Lord Phillips Lord Mance Lord Dyson	Granted 26 July 2012	
Secretary of State for the Home Department (Respondent) <i>v</i> Al-Jedda (Appellant) UKSC 2012/0129	Lord Phillips Lord Mance Lord Dyson	Grated 26 July 2012	
Coventry and others (Respondents) <i>v</i> Lawrence and another (Appellants) UKSC 2012/0076	Lord Phillips Lord Mance Lord Dyson	Granted 26 July 2012	
Barr & Ors (Respondents) <i>v</i> Biffa Waste Services Limited (Appellant) UKSC 2012/0100	Lord Phillips Lord Dyson Lord Sumption	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The point of law raised in <i>Coventry</i> does not arise on the facts of this case.
Bowen-West (Appellant) <i>v</i> Secretary of State for Communities and Local Government and others (Respondents) UKSC 2012/0092	Lord Phillips Lord Mance Lord Wilson	Refused 26 July 2012	Permission to appeal was refused for the specific reasons which were attached to the Order.
Poplar Housing and Regeneration Community Association Limited (Respondent) <i>v</i> Byrne and another (Appellants) UKSC 2012/0095	Lord Phillips Lord Mance Lord Dyson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise a point of law.
Ukraini (Appellant) <i>v</i> Merchant International Company Ltd (Respondent) UKSC 2012/0080	Lord Phillips Lord Mance Lord Dyson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. This appeal would have no prospect of success.

Mrs Gill Taylor (on behalf of the Society for the Protection of Markham and Little Francis) (Appellant) v Betterment Properties (Weymouth) Ltd (Respondent) UKSC 2012/0090 Adamson and others (Respondents) v Paddico (267) Limited (Appellant) UKSC 2012/0089	Lord Hope Lord Sumption Lord Reed	Granted 26 July 2012	
Williams (Respondent) v Central Bank of Nigeria (Appellant) UKSC 2012/0113	Lord Hope Lord Sumption Lord Reed	Granted 26 July 2012	
Carlsberg UK Limited and Another (Appellants) v The Commissioners for Her Majesty's Revenue and Customs (Respondent) UKSC 2012/0063	Lord Hope Lord Sumption Lord Reed	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal, that the Court of Appeal were plainly right and that section 137(4) of the 1979 Act has been repealed
R (on the application of Rudewicz) (Appellant) v Secretary of State for Justice (Respondent) UKSC 2012/0137	Lord Hope Lord Sumption Lord Reed	Refused 26 July 2012	permission to appeal be refused because the application does not raise an arguable point of law of general public importance and for the reasons given by the Court of Appeal.
Scott (FC) (Appellant) v Southern Pacific Mortgages Limited (Respondent) UKSC 2012/0102 Cook (FC) (Appellant) v The Mortgage Business Plc (Respondent) Taylor and another (FC) (Appellants) v Southern Pacific Mortgages Ltd (Respondent) UKSC 2012/0103	Lord Walker Lord Clarke Lord Carnwath	Granted 26 July 2012	
Adams and others (Respondents) v Roper and others (Appellants) UKSC 2012/0132	Lord Walker Lord Clarke Lord Carnwath	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Court of Appeal was clearly right on this procedural issue.
Oliver & another (Appellants) v Symons & another (Respondents) UKSC 2012/0101	Lord Walker Lord Clarke Lord Carnwath	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Judge and the Court of Appeal were unanimous and correct. There is no point of law of general public importance.

TMF Trustees Singapore Limited formerly Equity Trust (Singapore) Limited (Appellant) <i>v</i> The Commissioners for Her Majesty's Revenue and Customs (Respondent) UKSC 2012/0083	Lord Walker Lord Clarke Lord Carnwath	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Court of Appeal was right, the law has been changed, and there is no point of law of general public importance.
Learmount (Appellant) <i>v</i> Saito (Respondent) UKSC 2012/0150	Lady Hale Lord Kerr Lord Wilson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Judge properly applied the language of the Family Law Act 1996 to the facts as he found them.
Mitchell and others (Appellants) <i>v</i> United Co-Operatives Limited (Respondent) UKSC 2012/0107	Lady Hale Lord Kerr Lord Wilson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. This was an application of well-known principles to particular facts.
R (on the application of LE (Jamaica)) (FC) (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2012/0154	Lady Hale Lord Kerr Lord Wilson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise a point of law which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The proper test to be applied by the court in such cases does potentially raise a point of law of general public importance but it is academic in this case.
In the matter of S (Children) (Northern Ireland) No. 3 and No. 4 UKSC 2012/0077	Lady Hale Lord Kerr Lord Wilson	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
Horler (Appellant) <i>v</i> Rubin and others (Respondents) UKSC 2012/0058	Lord Walker Lord Clarke Lord Carnwath	Refused 26 July 2012	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. In view of the concession made by Leading Counsel the scope of any grounds of appeal is restricted. No point of law of general public importance arises. The suggestion of a <i>prima facie</i> case of fraud is highly questionable.
Breslin and Others (Appellants) <i>v</i> McKevitt and Others (Respondents) (Northern Ireland) UKSC 2012/0001 Breslin (AP) (Respondent) and others <i>v</i> Campbell (AP) (Appellant) and others (Northern Ireland) UKSC 2012/0094	Lord Walker Lord Kerr Lord Sumption	Refused 27 July 2012	Permission to appeal was refused for the specific reasons which were attached to the Order.

Breslin (AP) (Respondent) and others <i>v</i> McKevitt (AP) (Appellant) and others (Northern Ireland) UKSC 2012/0096			
Breslin (AP) (Respondent) and others <i>v</i> Daly (AP) (Appellant) and others (Northern Ireland) UKSC 2012/0097			