

Permission to Appeal results – Late November and December 2016

Case name	Justices	PTA	Reasons given
Singh (Appellant) v Secretary of State for the Home Department (Respondent) UKSC 2016/0138 Neutral Citation No: [2016] EWCA Civ 492	Lord Mance Lord Wilson Lord Hughes	Refused 28 Nov 2016	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.
Goldtrail Travel Limited (in liquidation) (Respondent) v Black Pearl Investments Limited and others (Appellants) UKSC 2016/0098 Neutral Citation No: [2016] EWCA Civ 439	Lord Mance Lord Wilson Lord Hughes	Refused 28 Nov 2016	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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
R (on the application of Sky Blue Sports & Leisure Ltd and another) (Appellants) v Coventry City Council (Respondent) UKSC 2016/0126 Neutral Citation No: [2016] EWCA Civ 453	Lord Mance Lord Wilson Lord Hughes	Refused 28 Nov 2016	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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
Wisniewski and others (Appellants) v Polish Judicial Authority and others (Respondents) UKSC 2016/0108 Neutral Citation No: [2016] EWHC 386 Admin	Lord Mance Lord Wilson Lord Hughes	Refused 30 Nov 2016	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and (in addition) even if it were an appropriate case otherwise, the District Judge in Wisniewski and the Administrative Court in the other cases held on the facts that it would not be unjust and oppressive to extradite.
Haralambous (Appellant) v Hertfordshire Constabulary (Respondent) UKSC 2016/0130 Neutral Citation No: [2016] EWHC Admin 916	Lord Mance Lord Wilson Lord Hughes	Granted 28 Nov 2016	

Banca Nazionale del Lavoro SPA (Respondent) <i>v</i> Playboy Club London Ltd and others (Appellants) UKSC 2016/0121 Neutral Citation No: [2016] EWCA Civ 457	Lord Mance Lord Wilson Lord Hughes	Granted 28 Nov 2016	
In the matter of an application by JR65 for Judicial Review (AP) (Northern Ireland) UKSC 2016/0112 Neutral Citation No: [2016] NICA 20	Lord Kerr Lord Carnwath Lord Hodge	Refused 5 Dec 2016	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 the matter of an application by Paul Lavery for Judicial Review (AP) (Northern Ireland) UKSC 2016/0117 Neutral Citation No: [2015] NICA 75	Lord Kerr Lord Carnwath Lord Hodge	Refused 5 Dec 2016	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
MA (Bangladesh) (Appellant) <i>v</i> Secretary of State for the Home Department (Respondent) UKSC 2016/0139 Neutral Citation No: [2016] EWCA Civ 175	Lord Kerr Lord Carnwath Lord Hodge	Refused 5 Dec 2016	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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.
Stolkin (Appellant) <i>v</i> Commissioners for Her Majesty's Revenue and Customs (Respondent) UKSC 2016/0119 Neutral Citation No: [2016] EWCA Civ 447	Lord Kerr Lord Carnwath Lord Hodge	Refused 5 Dec 2016	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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The Courts below were clearly right.
Oxted Residential Ltd (Appellant) <i>v</i> Tandridge District Council (Respondent) UKSC 2016/0118 Neutral Citation No: [2016] EWCA Civ 414	Lord Kerr Lord Carnwath Lord Hodge	Refused 5 Dec 2016	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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.

<p>Twentieth Century Fox Film Corporation (Appellant) <i>v</i> Comic Enterprises Limited (Respondent) UKSC 2016/0135 Neutral Citation No: [2016] EWCA Civ 455 [2016] EWCA Civ 41</p>	<p>Lord Neuberger Lord Sumption Lord Reed</p>	<p>Granted 6 Dec 2016</p>	
<p>Peninsular & Oriental Steam Navigation Company (Appellant) <i>v</i> Commissioners for Her Majesty's Revenue and Customs (Respondent) UKSC 2016/0128 Neutral Citation No: [2016] EWCA Civ 458</p>	<p>Lord Neuberger Lord Sumption Lord Reed</p>	<p>Refused 6 Dec 2016</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law</p>
<p>R (on the application of Hewstone) (AP) (Appellant) <i>v</i> Secretary of State for Work and Pensions (Respondent) UKSC 2016/0122 Neutral Citation No: [2016] EWCA Civ 413</p>	<p>Lord Neuberger Lord Sumption Lord Reed</p>	<p>Refused 6 Dec 2016</p>	<p>Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered at this time. It may well be that this appeal would raise a point which should be considered by the Supreme Court but as it will not affect the rights of the parties in this case, we refuse permission to appeal. However, if the point arises in a case where it will affect the parties' rights it may well be right to grant permission to appeal.</p>
<p>English Heritage (Appellant) <i>v</i> Taylor (Respondent) UKSC 2016/0125 Neutral Citation No: [2016] EWCA Civ 448</p>	<p>Lord Neuberger Lord Sumption Lord Reed</p>	<p>Refused 6 Dec 2016</p>	<p>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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.</p>
<p>IFX Investment Company Ltd and others (Respondents) <i>v</i> Commissioners for Her Majesty's Revenue and Customs (Appellant) UKSC 2016/0120 Neutral Citation No: [2016] EWCA Civ 436</p>	<p>Lord Neuberger Lord Sumption Lord Reed</p>	<p>Refused 6 Dec 2016</p>	<p>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 at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.</p>

Davies and another (Respondents) <i>v</i> Davies (Appellant) UKSC 2016/0129 Neutral Citation No: [2016] EWCA Civ 463	Lord Neuberger Lord Sumption Lord Reed	Refused 6 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance.
Bhardwaj (Appellant) <i>v</i> FDA and others (Respondents) UKSC 2016/0173 Neutral Citation No: [2016] EWCA Civ 800	Lady Hale Lord Clarke Lord Toulson	Refused 6 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered at this time. The appellant should not be permitted to raise a new argument at this stage.
Simpson (Appellant) <i>v</i> MGN Ltd (Respondent) UKSC 2016/0172 Neutral Citation No: [2016] EWCA Civ 772	Lady Hale Lord Clarke Lord Toulson	Refused 6 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered at this time.
Kestrel Hydro (Appellant) <i>v</i> Secretary of State for Communities and Local Government and another (Respondents) UKSC 2016/0171 Neutral Citation No: [2016] EWCA Civ 784	Lord Kerr Lord Carnwath Lord Hodge	Refused 6 Dec 2016	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.
Beggs (AP) (Appellant) <i>v</i> Scottish Information Commissioner (Respondent) (Scotland) UKSC 2016/0178 Neutral Citation No: [2016] CSIH 23	Lord Neuberger Lord Sumption Lord Reed	Refused 7 Dec 2016	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.
Project Blue Limited (Respondent) <i>v</i> Commissioners for Her Majesty's Revenue and Customs (Appellant) UKSC 2016/0137 Neutral Citation No: [2016] EWCA Civ 485	Lord Neuberger Lord Sumption Lord Reed	Granted 8 Dec 2016	

O'Connor (Appellant) <i>v</i> Bar Standards Board (Respondent) UKSC 2016/0174 Neutral Citation No: [2016] EWCA Civ 775	Lady Hale Lord Clarke Lord Toulson	Granted 8 Dec 2016	
Barton (Appellant) <i>v</i> Wright Hassall LLP (Respondent) UKSC 2016/0136 Neutral Citation No: [2016] EWCA Civ 177	Lady Hale Lord Clarke Lord Toulson	Granted 12 Dec 2016	
Isle of Wight Council (Appellant) <i>v</i> Platt (Respondent) UKSC 2016/0155 Neutral Citation No: [2016] EWHC Admin 1283	Lady Hale Lord Carnwath Lord Hodge	Granted 20 Dec 2016	
Tiuta International Limited (in liquidation) (Respondent) <i>v</i> De Villiers Surveyors Limited (Appellant) UKSC 2016/0156 Neutral Citation No: [2016] EWCA Civ 661	Lord Neuberger Lord Clarke Lord Hughes	Granted 21 Dec 2016	
R (on the application of Blue Bio Pharmaceuticals Limited and another) (Respondents) <i>v</i> The Secretary of State for Health (Appellant) UKSC 2016/0145 Neutral Citation No: [2016] EWCA Civ 554	Lord Neuberger Lord Clarke Lord Hughes	Refused 21 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance.
Heis and others (the joint special administrators of MF Global UK Ltd) (Appellants) <i>v</i> MF Global UK Services Ltd (in administration) (Respondent) UKSC 2016/0149 Neutral Citation No: [2016] EWCA Civ 569	Lord Neuberger Lord Clarke Lord Hughes	Refused 21 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law.

R (on the application of Mott) (Respondent) v Environment Agency (Appellant) UKSC 2016/0148 Neutral Citation No: [2016] EWCA Civ 564	Lady Hale Lord Carnwath Lord Hodge	Granted 21 Dec 2016	
Dryden and others (Appellants) v Johnson Matthey PLC (Respondent) UKSC 2016/0140 Neutral Citation No: [2016] EWCA Civ 408	Lady Hale Lord Carnwath Lord Hodge	Granted 21 Dec 2016	
Aberdeen City and Shire Strategic Development Planning Authority (Appellant) v Elsick Development Company Limited (Respondent) (Scotland) UKSC 2016/0157 Neutral Citation No: [2016] CSIH 28	Lady Hale Lord Carnwath Lord Hodge	Granted 21 Dec 2016	
Beaumont (A Protected Party by his Litigation Friend, Graham Beaumont) and another (A Protected Party by his Litigation Friend, Peter Simpson) (Appellants) v Ferrer (Respondent) UKSC 2016/0168 Neutral Citation No: [2016] EWCA Civ 768	Lady Hale Lord Carnwath Lord Hodge	Refused 21 Dec 2016	Permission to appeal be refused because the application does not raise an arguable point of law which ought to be considered at this time. The principles have been authoritatively decided in the cases of <i>Hounga v Allen</i> and <i>Patel v Mirza</i> and would have led to the same result in this case.
Lord Advocate (representing the Taiwanese Judicial Authorities and another) (Appellants) v Dean (Respondent) (Scotland) UKSC 2016/0212 Neutral Citation No: [2016] HCJAC 177	Lord Mance Lord Sumption Lord Reed	Granted 21 Dec 2016	

<p>Arcadia Petroleum Limited and others (Respondents) <i>v</i> Bosworth and another (Appellants) UKSC 2016/0181 Neutral Citation No: [2016] EWCA Civ 818</p>	<p>Lord Mance Lord Sumption Lord Reed</p>	<p>Granted 21 Dec 2016</p>	
<p>Harb (Appellant) <i>v</i> HRH Prince Abdul Aziz (Respondent) UKSC 2016/0141 Neutral Citation No: [2016] EWCA Civ 556</p>	<p>Lord Mance Lord Sumption Lord Reed</p>	<p>Refused 21 Dec 2016</p>	<p>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 and is also highly fact specific.</p>
<p>Kearney (Appellant) <i>v</i> Her Majesty's Advocate (Scotland) UKSC 2016/0050 Neutral Citation No: HCA/2014/4652 XC</p>	<p>Lord Mance Lord Sumption Lord Reed</p>	<p>Refused 21 Dec 2016</p>	<p>Permission to appeal be refused because the application does not raise an issue in respect of which the Supreme Court has any jurisdiction and in any event would have been so out of time as not to justify any extension.</p>
<p>Radic (Appellant) <i>v</i> Her Majesty's Advocate (Respondent) (Scotland) UKSC 2016/0124 Neutral Citation No: [2014] HCJAC 76</p>	<p>Lord Mance Lord Sumption Lord Reed</p>	<p>Refused 21 Dec 2016</p>	<p>Permission to appeal be refused on the ground that 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 and would, in any event, be so out of time as not to justify permission without good cause.</p>