

FURTHER DIRECTIONS

Almost a year ago – on 26 March 2014 - I directed that the inquiry be deferred pending the outcome of the *Newhaven* case and that I would issue further directions once the outcome of that case was known.

Judgment in *Newhaven* was handed down on 24 February 2015.

I think that the way forward now is for the parties to make further representations as to what relevance (if any) they see *Newhaven* as having for the application that I have been asked to consider. I think that this is best done sequentially. I would propose giving the objectors four weeks from 9 March 2015 (i.e. until 7 April 2015) to make further representations and for the Applicant to have four weeks from the date of service on them of those representations to serve any representations in response which they may have. If further time is needed on either side I would, within reason, be sympathetic to such a request.

Dr Willis, the Headmaster of Cotham School, has already submitted further representations to me in the light of *Newhaven*. These should be copied to the other parties. If Dr Willis wishes to make any further representations before 7 April 2015, he should have the opportunity of doing so.

Since the inquiry was deferred the Supreme Court has also handed down judgment in *R (Barkas) v North Yorkshire Council*¹. If any of the parties thinks that anything in *Barkas* is relevant to the issues in the present case, they should say why in such further representations as they may make.

Finally, as all the parties will realise, I was junior counsel in *Newhaven*. If any of the parties would now wish to object for that reason to my continued instruction in the present case, now is the time to raise the matter.

PHILIP PETCHEY
6 March 2015

¹ [2014] 2 WLR 1360.