

IN THE SUMMARY COURT OF THE CAYMAN ISLANDS



CAUSE NO. ²⁶⁰ OF 2018

IN THE MATTER OF

AN APPEAL AGAINST NOTICE ISSUED PURSUANT TO SECTION 29C DEVELOPMENT & PLANNING LAW (2017) REVISION

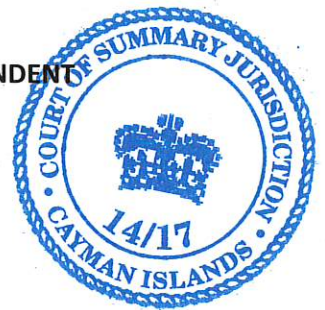
BETWEEN: DENZIE CARTER



APPELLANT

AND: CENTRAL PLANNING AUTHORITY
CAYMAN ISLANDS GOVERNMENT

RESPONDENT



NOTICE OF APPEAL

TAKE NOTICE THAT the Summary Court will be moved so soon as counsel can be heard on behalf of the above-named Appellant on appeal from the Notice dated 31 October, 2018 issued by the Respondent and received by the Appellant on 28 November, 2018, whereby it was ordered as follows:

1. That the Appellant, being the registered proprietor of the land identified on the Land Register as Registration Section West Bay South, Block 5C, Parcel 203 (the "Land") "*cease commercial auto repair operation on the Land and remove vehicles from the land/road reserve and tidy the surrounding land.*"

AND FURTHER TAKE NOTICE that the Appellant will seek the following relief on the hearing of this appeal:

- i) That the Notice issued on 31 October, 2018 be discharged.
- ii) An order for the Respondent to pay to the Appellant her costs of and occasioned by this appeal.

GROUND(S) OF APPEAL

- A). The Central Planning Authority erred in finding that the condition of the Land to which the Notice relates adversely affects the amenity of the area.

- B). The Central Planning Authority failed to take into consideration prior to issuing the Notice the historically permitted use of the Land which would not have been in contravention of Part III.

- C). In the event the condition and use of the Land may adversely affect the amenity of the area, which is not admitted by the Appellant, the requirements of the Notice exceed what is necessary for preventing such.

- 2. The Appellant reserves the right to apply to this Honourable Court for leave to supplement or amend these grounds of Appeal.

Dated this 21st day of December, 2018



RWM CHAMBERS
ATTORNEY-AT-LAW FOR THE APPELLANT

TO: The Central Planning Authority
Cayman Islands Government

This Notice of Appeal is filed by RWM Chambers, Attorney-at-Law for and on behalf of the Appellant hereing whose address for service is that of her Attorney, 3rd Floor Amerigo House, Elizabethan Square, George Town, P.O. Box 2542, Grand Cayman, KY1-1104, Cayman Islands.