

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 378 OF 2000

IN THE MATTER OF SECTION 51(4) OF THE DEVELOPMENT
AND PLANNING LAW (1999 REVISION)

AND IN THE MATTER OF RULE 8 OF THE DEVELOPMENT
AND PLANNING (APPEALS) RULES (1999 REVISION)

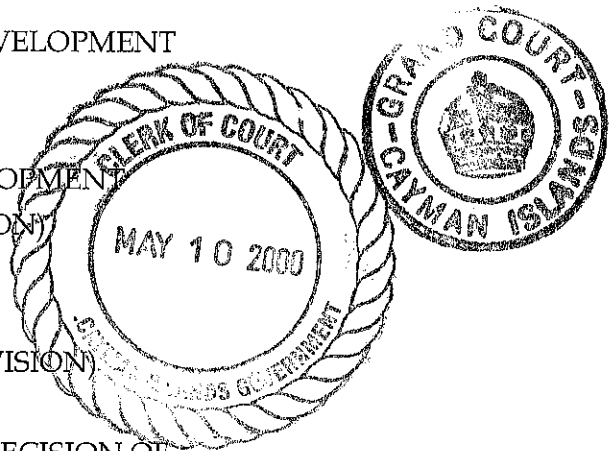
AND IN THE MATTER OF SECTION 43(1) OF THE
DEVELOPMENT AND PLANNING LAW (1999 REVISION)

AND IN THE MATTER OF AN APPEAL FROM A DECISION OF
THE CENTRAL PLANNING AUTHORITY TO GRANT
PLANNING PERMISSION TO HUMPHREYS (CAYMAN) LTD.
TO DEVELOP LAND DESCRIBED AS REGISTRATION
SECTION WEST BAY BEACH NORTH, BLOCK 12C, PARCELS
11 AND 215

AND IN THE MATTER OF AN APPEAL FROM A DECISION OF
THE PLANNING APPEALS TRIBUNAL DATED 31ST MARCH
2000 COMMUNICATED ON 26TH APRIL 2000

BETWEEN:	NATIONAL TRUST FOR THE CAYMAN ISLANDS	FIRST APPELLANT
AND:	BURNS CONOLLY	SECOND APPELLANT
AND:	CENTRAL PLANNING AUTHORITY	FIRST RESPONDENT
AND:	HUMPHREYS (CAYMAN) LTD.	SECOND RESPONDENT

NOTICE OF ORIGINATING MOTION



TAKE NOTICE that the Court, at the Law Courts, George Town, Grand Cayman will be moved on the day of 2000 at o'clock or as soon thereafter as Counsel can be heard, by counsel on behalf of Burns Conolly, for an order that the Appeals Tribunal decision dated 31st May 2000 be discharged and set aside and further, that the decision of the First Respondent granting the Second Respondent planning permission on West Bay Beach North, Block 12C, Parcels 11 and 215 be reversed and quashed.

AND for an order that the costs of and incidental to this appeal be paid by the Central Planning Authority and Humphreys (Cayman) Ltd.

AND FURTHER TAKE NOTICE that the grounds of this appeal are:

1. That the Appeals Tribunal erred in law and in fact in failing to find that the First Respondent's grant of the Second Respondent's application for planning permission was erroneous with the Development and Planning Law (1999 Revision) and the Development and Planning Regulations (1999 Revision).
2. That the Appeals Tribunal erred in law in failing to find that the First Respondent's decision to grant the Second Respondent's application was not unreasonable.
3. That the Appeals Tribunal erred in law and in fact in failing to find that the First Respondent's decision to grant the Second Respondent's planning application was not contrary to the principles of natural justice.
4. That the Appeals Tribunal erred in law and in fact in failing to find that the First Respondent's decision to grant the Second Respondent's planning application was not at variance with the Development of plan having effect in relation thereto and the Second Appellant reserves the right to file additional and supplemental grounds of appeal.

DATED this 10th day of May 2000.

Quin + Hampson

QUIN & HAMPSON
Attorneys-at-Law for the Second Appellant

- To: Mr. C. S. Gill
Chairman of the Appeals Tribunal
- To: Executive Secretary,
Ministry of Education, Aviation and Planning
- To: Solicitor General's Department
Attn: Stephen Hall-Jones, Esq.
- To: Orren Merren & Co.
Attorneys-at-Law on behalf of Humphreys (Cayman) Ltd.
- To: Mr. Charles Adams,
Attorney-at-Law on behalf of the National Trust

This Notice of Originating Motion was issued by Quin & Hampson, Attorneys-at-Law for the Second Appellant herein whose address for service and correspondence is c/o Quin & Hampson, Attorneys-at-Law, 3rd Floor, Harbour Centre, PO Box 1348, George Town, Grand Cayman, Cayman Islands, BWI.