

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *367* OF 2006

IN THE MATTER OF THE DEVELOPMENT AND PLANNING LAW (2005 REVISION) SECTION 48

AND IN THE MATTER OF AN APPEAL AGAINST THE DECISION OF THE PLANNING APPEALS TRIBUNAL IN RESPECT OF REGISTRATION SECTION WEST BAY BEACH NORTH, BLOCK 11D, PARCELS 14, 15, AND 16.

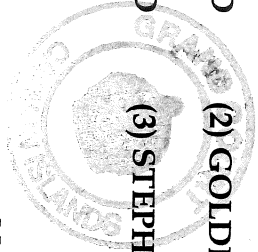
BETWEEN CHELVERTON INVESTMENTS LTD. APPELLANT

AND (1) THE PLANNING APPEALS TRIBUNAL

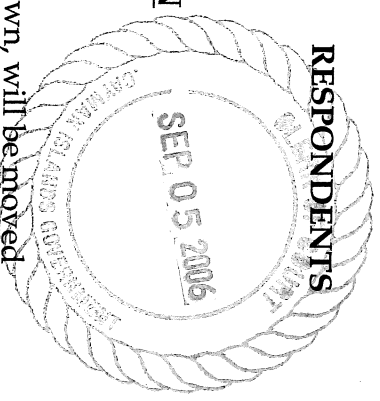
AND (2) GOLDEN MILE ENTERPRISES LTD.

AND (3) STEPHEN PONTIN-WARLTIER

RESPONDENTS



NOTICE OF ORIGINATING MOTION



TAKE NOTICE that the Court sitting at the Law Courts, George Town, will be moved on the day of 2006 at o'clock in the noon, or so soon thereafter as counsel can be heard, by Counsel behalf of the Chelverton Investments Ltd. for an order that the decision of the Planning Appeals Tribunal, made on the 14<sup>th</sup> of August 2006, whereby the decision of the Central Planning Authority was overturned, be quashed and set aside.

AND for an order that the costs of and incidental to this appeal may be paid by the Respondents.

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

- (1) The decision of the First Respondent is unreasonable, and;

(2) Further and in the alternative, the decision of the First Respondent is erroneous in Law.

Dated the <sup>5<sup>th</sup></sup> day of September 2006.  
Filed the <sup>5<sup>th</sup></sup> day of September 2006.



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J Samuel Jackson  
Attorney-at-Law for the Appellant

TO: The Clerk of the Courts

AND TO: The Planning Appeals Tribunal (c/o the Ministry of District Administration, Planning, Agriculture and Housing)

AND TO: Golden Mile Enterprises Ltd. and Stephen Pontin-Warltier (c/o Broadhurst Barristers)

THIS NOTICE OF ORGINATING MOTION was issued by J. Samuel Jackson, Attorney-at-Law for the Appellant, whose address for service is Suites #29 & 30, The Strand, West Bay Road, Grand Cayman.