



Dated the 17<sup>th</sup> day of May 2005

CQ/4020/2004

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT**

**BETWEEN:**

**THE QUEEN**  
(on the application of **WORMSLEY ESTATE LIMITED**)

Claimant

and

**COUNTRYSIDE AGENCY**

Defendant



*MS* MINUTES OF CONSENT ORDER

**BEFORE**  
The Honourable Mr Justice Sullivan

UPON the application of the Claimant  
AND upon the Judge being of the view that:

- a. The Defendant has the discretion to exclude open country at the provisional map stage on the ground set out in Section 4(5)(a) Countryside and Rights of Way Act 2000 that the inclusion of the land will serve no useful purpose;
- b. The Defendant did not exercise that discretion such that its decision to include Richmore Hill on the provisional map was unlawful

AND upon the parties agreeing the terms hereof

AND BY CONSENT

IT IS ORDERED as follows:-

- 1. The decision of the Defendant to include Richmore Hill (grid reference 474735 192 718) as open country on the Area 7 Provisional Map be quashed.
- 2. The Defendant pay the Claimant's costs of attendance at the hearing on 17 May 2005 in the sum of **£900**.
- 3. Save as to that, there be no order for costs

By the Court