

## IN THE COURT OF APPEAL, CIVIL DIVISION

REF: A2/2021/1017



NUNEATON AND BEDWORTH BOROUGH COUNCIL & ANR –v– CORCORAN & OTHERS

**ORDER made by the Rt. Hon. Lord Justice Underhill**

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal

**Decision:**

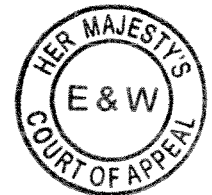
Permission granted

**Reasons**

See judgment dated 8 July 2021.

**Information for or directions to the parties**

To be listed with A2/2021/0994; A2/2021/1026; A2/2021/0999 and A2/2021/1021

**Mediation:** Where permission has been granted or the application adjourned:

Does the case fall within the Court of Appeal Mediation Scheme (CAMS) automatic pilot categories (see below)?

Yes/No (delete as appropriate)

**Pilot categories:**

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• All cases involving a litigant in person (other than immigration and family appeals)</li> <li>• Personal injury and clinical negligence cases;</li> <li>• All other professional negligence cases;</li> <li>• Small contract cases below £500,000 in judgment (or claim) value, but not where principal issue is non-contractual;</li> </ul> | <ul style="list-style-type: none"> <li>• Boundary disputes;</li> <li>• Inheritance disputes.</li> <li>• EAT Appeals</li> <li>• Residential landlord and tenant appeals</li> </ul> |
|---|---|

If yes, is there any reason not to refer to CAMS mediation under the pilot?

Yes/No (delete as appropriate)

If yes, please give reason:

**Non-pilot cases:** Do you wish to make a recommendation for mediation?

Yes/No (delete as appropriate)

**Where permission has been granted, or the application adjourned**

- a) time estimate (excluding judgment)  
b) any expedition

Signed: *Nikola Underhill*  
Date: 13 July 2021

*By the Court*

**Notes**

- Rule 52.3(6) provides that permission to appeal may be given only where –
  - the Court considers that the appeal would have a real prospect of success; or
  - there is some other compelling reason why the appeal should be heard.
- Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal, that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 16(1) of CPR PD 52C.
- Where permission to appeal has been granted you must serve the proposed bundle index on every respondent within 7 days of the date of the listing window notification letter and seek to agree the bundle within 21 days of the date of the listing window notification letter (see paragraph 21 of CPR PD 52C).

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DATED 13TH JULY 2021  
IN THE COURT OF APPEAL

**ORDER**

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Lower Court Ref: QB-2017-005202