



IN THE SUPREME COURT OF THE UNITED KINGDOM

31 OCTOBER 2018

Before:

Lady Hale
Lord Carnwath
Lady Arden

**R (on the application of Lancashire County Council) (Appellant) v
Secretary of State for the Environment, Food and Rural Affairs (Respondent)**

**R (on the application of NHS Property Services Ltd) (Appellant) v
Surrey County Council and another (Respondents)**

AFTER CONSIDERATION of the Appellants' applications for permission to appeal the order made by the Court of Appeal on 20 April 2018 and of the notice of objection filed by the Respondents

THE COURT ORDERED that permission to appeal be GRANTED and

THE COURT DIRECTED that

- 1) Lancashire County Council be permitted to argue that the land was held for statutory purposes
- 2) otherwise both Appellants are limited to the statutory incompatibility ground
- 3) a protective costs order be made in favour of Mr Jones as conceded by NHS Property Services Ltd
- 4) Time be extended for NHS Property Services Ltd.

Louise di Mambro.

Registrar
31 October 2018