

Amended this 5<sup>th</sup> day of May pursuant to Order of  
Mr. Justice Noonan made on the 4<sup>th</sup> day of May  
2017 on foot of the provisions of Order 28 Rule  
11 of the Rules of the Superior Courts  
Angela Denning  
Registrar

**THE HIGH COURT**

JUDICIAL REVIEW

CASE NO. 2016 976 JR

TUESDAY THE 14<sup>TH</sup> DAY OF MARCH 2017

BEFORE MS JUSTICE FAHERTY

**BETWEEN**

**JOHN CAMPBELL**

**APPLICANT**

**AND**

**THE MINISTER FOR HOUSING PLANNING COMMUNITY AND  
LOCAL GOVERNMENT**

**RESPONDENT**

**AND**

**DONEGAL COUNTY COUNCIL**

**NOTICE PARTY**

Upon Motion of Counsel for the Applicant made unto the Court this day pursuant to Notice of Motion dated the 5<sup>th</sup> day of January 2017 in the presence of Counsel for the Respondent

Whereupon and on reading the said Notice of Motion the Order herein dated the 19<sup>th</sup> day of December ~~2017~~ 2016 giving leave to the Applicant to apply for an Order of Certiorari by way of application for judicial review the Amended Statement dated the 20<sup>th</sup> day of December ~~2017~~ 2016 signed by the Solicitor for the Applicant the Affidavits(2) of the Applicant filed on the 19<sup>th</sup> day of December ~~2017~~ 2016 and the 12<sup>th</sup> day of January 2017 and the exhibits therein referred to and on hearing what is offered by Counsel for the Applicant and Counsel for the Respondent

The Court doth grant an Order of Certiorari in respect of the 'Planning and Development (County Donegal Development Plan 2012-2018) Direction 2014' issued by the Respondent on the 6th October 2016 and given to the Notice Party pursuant to section 31 of the Planning and Development Act 2000 (as

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amended by section 21 of the Planning and Development (Amendment) Act 2010) (hereinafter referred to as “the Section 31 Direction”) and any and all decisions and/or determinations made by the Respondent to issue same

And in lieu of directing that an Order of Certiorari do issue IT IS ORDERED that the aforesaid ‘Planning and Development (County Donegal Development Plan 2012-2018) Direction 2014’ and all records and entries relating thereto be quashed without further Order

And the Court doth declare that the Section 31 Direction failed out set out adequate reasons for Respondent’s decision and/or determination to issue the Section 31 Direction

And IT IS ORDERED that Respondent do pay to the Applicant his costs (to include reserved costs) of the within proceedings when taxed and ascertained in default of agreement

ANGELA DENNING  
REGISTRAR  
PERFECTED 15-03-2017