



IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
PROPERTY, TRUSTS AND PROBATE LIST (CHD)

PT-2018-000155

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The Honourable Mrs Justice Falk

4th September 2020

BETWEEN

DAVID HENEAGE WYNNE-FINCH
RICHARD WILLIAM KENDRICK PRICE
RUPERT THOMAS MEAD

Claimants

and

NATURAL RESOURCES BODY FOR WALES

Defendant

MINUTE OF ORDER

UPON the trial on liability only

AND UPON HEARING at trial, on 16th to 19th, 22nd to 24th and 26th June 2020, leading and junior counsel for the claimants, Mr Fenner Moeran QC and Mr Paul Stafford, and leading and junior counsel for the defendant, Mr Mark Wonnacott QC and Ms Harriet Holmes

AND UPON HEARING at a hearing of matters consequential upon the judgment, on 4th September 2020, leading counsel for the claimants, Mr Fenner Moeran QC and Mr Daniel Saoul QC, and leading and junior counsel for the defendant, Mr Mark Wonnacott QC and Ms Harriet Holmes

AND UPON the court having been satisfied that it was necessary to sit in private to secure the proper administration of justice in order to hear submissions relating to and determine the defendant's objection to cross

examination of the defendant's witnesses about their knowledge of the claimants' claimed rights.

AND UPON the claimants seeking permission to appeal on the draft written grounds annexed to their skeleton argument dated 28th August 2020

IT IS ORDERED AND ADJUDGED that:

1. The claim is hereby dismissed.
2. The claimants shall pay the defendant's costs of the action, to be the subject of detailed assessment on the standard basis, if not agreed.
3. The claimants shall pay interest on the defendant's costs as follows:
 - (1) From the date(s) on which those costs were paid by the Defendant to 3rd December 2020 (or the date of payment by the Claimants, if earlier), at a rate of 1% above Bank of England base rate; and
 - (2) From and including 4th December 2020 to the date of payment, at the Judgment Act rate.
4. The claimants shall pay to the defendant the sum of £750,000 on account of those costs, payable by the following instalments:
 - (1) £500,000 by 4pm on 25th September 2020; and
 - (2) the balance of £250,000 by 4pm on 4th January 2021, plus the interest thereon at the Judgment Act rate from and including 26th September 2020 until the date on which the balance is paid.
5. Permission to appeal is refused.
6. This Order shall be served by the claimants on the defendant.

The Court has provided a sealed copy of this Order to the solicitors for the serving party (the claimant): Forsters LLP, 31 Hill Street, London W1J 5LS (reference: EJE/CBD/RK/29881.48)