



GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. G OF 2025

IN THE MATTER OF SECTION 48(4) OF THE DEVELOPMENT AND PLANNING ACT (2021 REVISION)

AND IN THE MATTER OF AN APPEAL AGAINST THE DECISION OF PETER BROADHURST IN HIS CAPACITY AS THE CHAIRMAN OF THE PLANNING APPEALS TRIBUNAL DATED 8 JULY 2025 IN RESPECT TO OF BLOCK 5D PARCEL 4 AND BLOCK 5C PARCEL 234 (P24-0602)

BETWEEN:

- 1. THE PROPRIETORS, STRATA PLAN 148 (THE PALMS)**
- 2. THE PROPRIETORS, STRATA PLAN 3 (SILVER SANDS)**
- 3. CHARLES JENNINGS**
- 4. TIM AND CAROLINE COURTIS**
- 5. SHEILA TORCH**
- 6. ROBERTA AND STEVE KING**
- 7. JOHN AND GALE LOCKBAUM**
- 8. DANNY AND WILDA ADKINS**
- 9. MARGARET AND ALICIA KESHISHIAN**
- 10. CARL AND MARIA HAUCH**
- 11. CORBIERE INVESTMENTS LTD**
- 12. TONI REILLY**
- 13. GREENHAVEN LTD**
- 14. MARYELLEN AND MICHAEL MAY**
- 15. JOHN AND MICHELLE FAGER**
- 16. SUZANNE JENSEN**
- 17. R. DOUGLAS AND KAREN SHEARERE**
- 18. BONNIE HIBBERT**
- 19. HELEN HADDLETON**
- 20. WILLIAM AND DEBRA MOERBE**
- 21. ERIN GALATOPOULOS**

This **Notice of Appeal** was filed by Nelsons Legal whose address for service is The Grand Pavilion, 802 West Bay Road, Grand Cayman, Cayman Islands (Ref: **KM/7164/1**)

22. DAVID AND ANNE MITCHISON
23. PRISCILLA HOLT
24. ROBERT AND MARIE SCHROCK
25. KATHY TATUM
26. ROY AND DIANE BRAZELTON
27. JOSEPH OWENS
28. WILSON LANDMARK
29. RICHARD AND MARY DONLEY
30. RUSSELL CERSOSIMO
31. GRANGER HAUGH
32. HENRY NICHOLS
33. MAYRA ARTUSI
34. LUC AND ELIZABETH MAICHE
35. RICHARD REUPKE
36. EDELGARD BEISTER
37. PETER PHILIPS
38. JOAN ADDISON

APPELLANTS**AND:****PETER BROADHURST IN HIS CAPACITY AS THE CHAIRMAN OF THE PLANNING
APPEALS TRIBUNAL****FIRST RESPONDENT****AND****THE CENTRAL PLANNING AUTHORITY****SECOND RESPONDENT****AND****THE BUTLER GROUP LIMITED****INTERESTED PARTY**

NOTICE OF ORIGINATING MOTION

This **Notice of Appeal** was filed by Nelsons Legal whose address for service is The Grand Pavilion, 802 West Bay Road, Grand Cayman, Cayman Islands (Ref: **KM/7164/1**)

TAKE NOTICE that the Court at the Law Courts, George Town, will be moved on the _____ day of _____ 2025 at _____ am/pm or so soon thereafter as Counsel can be heard, by Counsel for the Appellants for an Order reversing the decision of the First Respondent dated 8 July 2025 whereby he determined that leave to extend the time for service of the Notice of Appeal was required and refused to grant said extension of time.

AND for an order that the costs of and incidental to this appeal and below may be paid by the Respondents and/or the Interested Party or any one of them.

AND TAKE FURTHER NOTICE that the grounds of this appeal are that:

1. The Chairman of the Planning Appeals Tribunal was wrong in law to conclude that the Development and Planning Act (2021 Revision) (the "**DPA**") or the Development and Planning (Appeals) Rules (the "**Rules**") provide for an appeal to the Planning Appeals Tribunal to be a nullity in the event of non-service or a delay in service of the Notice of Appeal and/or he failed to give adequate reasons for that conclusion.
2. The Chairman of the Planning Appeals Tribunal was wrong in law to conclude that none of the grounds of appeal had any realistic prospects of success and/or failed to give adequate reasons for concluding that each ground of appeal had no prospect of success.
3. The Chairman of the Planning Appeals Tribunal erred in law in concluding that a developer is necessarily prejudiced by non-service of a Notice of Appeal even when he is aware that the Notice of Appeal has been filed.

Dated this 21st day of July 2025



Nelsons Legal

Attorneys-at-Law for the Appellants

TO: The Clerk of the Court

AND TO: The Planning Appeals Tribunal (c/o Ministry of Planning, Agriculture, Housing, Infrastructure, Transport and Development)

AND TO: The Central Planning Authority (c/o Department of Planning)

AND TO: The Butler Group Ltd, c/o Jackson Law

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