



**IN THE COMPETITION**  
**APPEAL TRIBUNAL**

Case No: 1688/5/7/24

BETWEEN:

**INSTAPLANTA (YORKSHIRE) LIMITED**

Claimant/Respondent

- v -

**LEEDS CITY COUNCIL**

Defendant/Applicant

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**CONSENT ORDER (STAY OF PROCEEDINGS)**

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**UPON** the Claimant having filed a Claim Form with the Tribunal Registry on 1 October 2024

**AND UPON** the Claimant having served the Claim Form on the Defendant on 4 December 2024

**AND UPON** the Defendant having filed an Acknowledgement of Service on 11 December 2024

**AND UPON** the Defendant having issued a Claim Form pursuant to CPR Part 8 in the Leeds District Registry of the High Court of Justice of England and Wales, Business and Property Courts in Leeds, for a declaration that the Claim is precluded by clauses 5 and 6 of a Settlement Agreement dated 10 August 2023 and an injunction requiring the Claimant to withdraw the Claim on 20 December 2024 under Claim No. BL-2024-LDS-000075 (the “**Part 8 Claim**”)

**AND UPON** the Defendant having filed an application under rule 34 of the Competition Appeal Tribunal Rules 2015 for an order that the Tribunal does not have jurisdiction to hear the Claim (the “**Application**”) on 20 December 2024

**AND UPON** the Claimant having filed an Acknowledgement of Service dated 3 January 2025 in Claim No. BL-2024-LDS-000075 indicating that it intends to contest the Part 8 Claim

**IT IS ORDERED BY CONSENT THAT:**

1. The Claim is stayed generally until further order.
2. The Defendant is not required to file and serve a defence to the Claim.
3. The Claimant is not required to file and serve any response to the Application.
4. A Case Management Conference be listed on the first available date after the latest of (i) the Part 8 Claim being withdrawn, permanently stayed pending the resolution of other proceedings, settled or compromised, (ii) the expiry of 21 days after the High Court gives final judgment on the Part 8 Claim, whether that claim proceeds under CPR Part 8 or is transferred to CPR Part 7, (iii) any appeal or appeals from that judgment is or are finally determined or (iv) the day on which time for the making of any appeal has expired, with a time estimate of one hour at which the Tribunal shall, if required, give further directions for the hearing of the Application.
5. There be liberty to apply.

**Ben Tidswell**

Chair of the Competition Appeal Tribunal

Made: 17 February 2025

Drawn: 21 February 2025