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| **Costs Decision** |
| Second Inquiry opened on 6 February 2024 |
| **by Mark Yates BA(Hons) MIPROW** |
| **an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs** |
| **Decision date: 24 May 2024** |

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| **Costs application in relation to case ref:** **ROW/3229117M1** |
| * This application is made under the Wildlife and Countryside Act 1981, Schedule 15 (as amended) and the Local Government Act 1972, Section 250(5). |
| * The application is made by Ms S. Taylor for a partial award of costs against Pitney Parish Council in relation to the second inquiry. |
| * The inquiry was held in connection with The Somerset County Council (No.6) Modification Order, 2016. |
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**Summary of Decision**

1. No award of costs is made.

**Reasons**

1. Ihave considered this application for an award of costs in light of the Planning Practice Guidance. This advises that costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense.
2. The application focuses on the nature of the parish council’s submissions and the alleged reliance on matters not relevant to the determination of the Order. It is claimed that this led to a day of unnecessary expense being incurred by Ms Taylor.
3. The parish council’s statements may have contained some matters that I considered to be of little or no value when reaching my decision. However, their representative (Mrs Toomer) did not focus on irrelevant matters. Both the presentation of the parish council’s case and cross examination by Mrs Toomer was succinct. In my view, her conduct at the inquiry in respect of these matters was perfectly reasonable.
4. For these reasons I do not conclude that unreasonable behaviour resulting in unnecessary or wasted expense has been demonstrated.

Mark Yates

**Inspector**