



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : **BIR/00CN/EIA/2025/0619**

Property : **Block W4, 153-167 (odd) Regent Street, 12-18 New Burlington Street and 3-6 New Burlington Mews, London**

**Claimant
(Operator)** : **Cornerstone Telecommunications Infrastructure Limited**

Representative : **Osborne Clarke LLP**

**Respondent
(Site Provider)** : **The Crown Estate Commissioners**

Representative : **Bryan Cave Leighton Paisner LLP**

Application : **Electronic Communications Code
Paragraph 26 (MSV)**

Date of Order : **7th August 2025**

**ORDER – Costs
WRITTEN REASONS**

PURSUANT TO my Order of 22nd May 2025

AND UPON READING Claimant's Costs Submissions settled by Jaysen Sharpe dated 23rd July 2025 and Respondent's Submissions on Costs settled by Jon Wills of counsel dated 23rd July 2025

IT IS ORDERED THAT

1. Pursuant to Paragraph 84(2)(a) of the Code the Tribunal orders the Claimant to pay to the Respondent the sum of £7594 being compensation in respect of reasonable legal expenses in relation to the Agreement imposed upon the parties by Order of the Tribunal dated 22nd May 2025.
2. Pursuant to Paragraph 96(1) of the Code the Tribunal orders the Claimant to pay the Respondent's costs of these proceedings, including for the avoidance of doubt costs submissions, summarily assessed in the sum of £10,000.
3. Payment of expenses and costs shall be made within 28 days of the date of this Decision.

D Jackson
Regional Judge

REASONS

I have appended these brief reasons at the request of the Respondent following issue of my Order.

The claim for transactional costs is allowed in full. This is a high value building of considerable importance to the Commissioners. The site provider is entitled to recoup its reasonable legal expenses – all of them.

The reference to the Tribunal was made on 5th March 2025. Directions were issued on 21st March 2025 fixing a hearing for determination of the MSV application on 29th May 2025. The parties reached agreement, and a Consent Order was made on 22nd May 2025 disposing of proceedings.

The usual order is for an operator to pay a site provider's costs of MSV proceedings. I see no reason to depart from that position.

This was a straightforward MSV. The Respondent prepared Response and Statement of Case. No work was done in the preparation of witness evidence. As the matter settled well in advance of the hearing counsel was not instructed to attend at the final hearing. However, counsel was requested to draft Costs Submissions at a cost of £2000.

The Respondent seeks litigation costs up to 25 June 2025 of £10,613, and the further sum of £2,584 for litigation costs incurred after 25 June 2025, in reviewing and updating costs submissions.

The Commissioners are able to recover VAT on fees and accordingly the VAT is not claimed.

I summarily assess the Respondents Costs in respect of this straightforward matter in the sum of £10,000 reflecting both the extent of the respondent's success and the proportionate cost of achieving it. The sum I have summarily assesses includes both the costs of these proceedings and costs submission.

I would add that, whilst I have been greatly assisted by the written Submissions of Jaysen Sharpe and Jon Wills, in a straightforward case such as this in which no matters of principle are involved, brief submissions by way of a letter from solicitors from both sides will usually suffice on summary assessment.

D Jackson
Regional Judge
8th August 2025