



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

**Case Reference** : **CAM/22UE/PHI/2025/0674**

**Property** : **Pitch 3, Bayside, Sandy Bay, Canvey Island, Essex, SS8 0GP**

**Applicant** : **Thorney Bay Park Limited**

**Representative** : **Tozers LLP**

**Respondents** : **Keith and Jennifer Williamson**

**Type of Application** : **Application by site owner or occupier for determination of new level of pitch fee**

**Tribunal Member** : **Judge Bernadette MacQueen**

---

**CONSENT TO WITHDRAWAL**

---

1. Upon the Applicant applying to withdraw the original application and upon my being satisfied that the Applicant has complied with rule 22 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (the Rules), I consent to the withdrawal.
2. Within their application for consent to withdraw, the Applicant asks the tribunal to determine that the Respondents reimburse the Applicants with the £22 application fee that the Applicant paid to the tribunal.
3. In order to determine this application, the tribunal asked parties to provide representations to the tribunal by 18 August 2025 as to whether or not the tribunal should make such an order.
4. The tribunal received an email from the Respondents stating that it would be unfair for the Respondents to be asked to pay the application fee.

5. The tribunal has discretion under rule 13(2) Tribunal Procedure (First-tier Tribunal) (Property Chamber) 2013 to order a party to reimburse to any other party the whole or any part of any fee paid.
6. Having considered the application, I refuse to make an order that the Respondents reimburse the Applicant's application fee.
7. In reaching this decision, I have considered the overriding objective which enables the Tribunal to deal with cases fairly and justly (as set out in Rule 3 of the Rules). I do not find it proportionate to the importance of the case, the complexity of the issues, the anticipated costs and the resources of the parties to order that the Respondents pay the Applicant's application fee.
8. The Applicant has not provided the tribunal with any reason for such an order to be made. Further, the Applicant has asked for their application to be withdrawn because the Respondents have agreed to the revised pitch fee and therefore the Applicant no longer requires the tribunal. On this basis I am not satisfied that an order for reimbursement of the Applicant's fee should be made.

**Name:** Judge Bernadette MacQueen

**Date:** 16 September 2025

## **Rights of appeal**

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the regional office which has been dealing with the case.

The application for permission to appeal must arrive at the regional office within 28 days after the tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).