



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

Case Reference : **BIR/00CN/EIA/2025/0665**

Property : **New Broad Street House, 35 New Broad Street
London EC2 1NH**

**Claimant
(Operator)** : **CORNERSTONE TELECOMMUNICATIONS
INFRASTRUCTURE LIMITED**

Representative : **Osborne Clarke LLP**

Respondents : **(1)NEW BROAD STREET HOUSE NOMINEE 1
LIMITED
(2)NEW BROAD STREET HOUSE NOMINEE 2
LIMITED**

Representative : **Bryan Cave Leighton Paisner LLP**

Application : **Electronic Communications Code
Paragraph 26 (Multi Skilled Visit)**

Date of Order : **7 January 2026**

**ORDER – Costs
WRITTEN REASONS**

PURSUANT TO my Order of 16 September 2025

AND UPON READING Claimant’s Costs Submissions settled by James Andrews-Tipler of counsel dated 5 November 2025 and Respondent’s Submissions on Costs and Statements of Costs submitted by the Respondent’s representatives on 7 November 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 £6,390.90 being compensation in respect of reasonable legal expenses in relation to the Agreement imposed upon the parties by Order of the Tribunal dated 16 September 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 £4,500.00.
3. Payment of expenses and costs shall be made within 28 days of the date of this Decision.

D Barlow
Deputy Regional Judge

REASONS

The claim for transactional costs is allowed in full. This is a high value heritage building in a prime location. The hours spent negotiating the agreement are not unreasonable. The site provider is entitled to recoup its reasonable legal expenses which reflect the high charging rates of their choice of solicitor. The site provider is entitled to use the solicitors of their choice and recover all the reasonable costs of so doing.

The reference to the Tribunal was made on 9 June 2025. Directions were issued on 12 June 2025 fixing a hearing for determination of the MSV application on 24 September 2025. The parties agreed a short extension of time in correspondence.

The respondent filed a brief statement of case on 28 August 2025 which confirmed there was no objection in principle to access. The two outstanding points on access and indemnity were covered in two short paragraphs within the statement. The parties reached agreement, and

a Consent Order was made on 16 September 2025 disposing of proceedings. That appears to be the only work carried out on behalf of the respondent on the litigation.

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.

However, a claim of £9,666.90 for the litigation costs up to 24 October 2025 and a further £3,263.70 for reviewing and updating the costs submissions thereafter (totalling £12,930.60) is wholly disproportionate to the work reasonably necessary on this litigation. 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.

This was a straightforward MSV. The respondent prepared a standard form response and statement of case. There was no witness evidence. The matter settled in advance of the CMH.

I summarily assess the respondent's costs in respect of this straightforward matter in the sum of £4,500.00. That sum reflects both the extent of the respondent's success and the proportionate cost of achieving it. The sum I have summarily assessed includes both the costs of these proceedings and costs submission.

D Barlow
Deputy Regional Judge