

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

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| **Case Reference** | **:** | **BIR/00CN/ERO/2025/0696** |
| **Property** | **:** | **Thorndike Theatre, Church Street, Leatherhead, Surrey, KT22 8DF** |
| **Claimant (Operator)** | **:** | **1)EE LIMITED**<br>**2) HUTCHISON 3G UK LIMITED** |
| **Representative** | **:** | **Womble Bond Dickinson (UK) LLP** |
| **Respondent (site provider)** | **:** | **HAGUE INVESTMENTS LIMITED** |
| **Representative** | **:** | **Clifford Holmes Solicitors** |
| **Application** | **:** | **Electronic Communications Code**<br>**Paragraph 20 (operator on-site)** |
| **Date of Order** | **:** | **9 June 2026** |

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**ORDER – Costs**
**WRITTEN REASONS**

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**PURSUANT TO** my Order of 11 March 2026 (paragraph 3).

**AND UPON READING** Claimant's letter of 31 March 2026 with revised Costs Statement and Respondent's Submissions on Costs dated 24 April 2026.

**IT IS ORDERED THAT**

1. Pursuant to Paragraph 96(1) of the Code the Tribunal orders the Respondent to pay the Claimants' costs of the Case Management Hearing ('CMH') on 11 March 2026, including for the avoidance of doubt costs submissions, summarily assessed in the sum of **£5063.00.**

2. Payment of expenses and costs shall be made within 28 days of the date of this Decision.

D Barlow
Deputy Regional Judge

**REASONS**

1. The Claimant has claimed litigation costs of 5,063.00 for preparation and attendance at the CMH on 11 March 2026. The case was listed for a CMH to consider what directions should be made for the conduct of the case if the parties were unable to agree them.

2. The Respondent failed to file a response or statement of case before the CMH or engage with the Claimant on directions for reasons that the Tribunal did not consider reasonable. That is why the Tribunal ordered the Respondent to pay the Claimant's wasted costs reasonably incurred in seeking a barring order and attending the CMH, which could and should have been avoided.

3. The revised costs summary appears to just include work which relates to the barring order application and attendance at the CMH, and to have been reasonably incurred. Furthermore, counsel was instructed to represent the Claimant at the hearing for a brief fee of £2,500.00 which has not been claimed.

4. I have therefore summarily assessed the Claimants costs in the sum of £5.063.00 reflecting both the extent of the Claimant's success and the proportionate cost of achieving it. The sum I have summarily assessed includes both the costs of the CMH and costs submission.