

Planning and Regulatory Committee 25 September 2024 Item No 9

UPDATE SHEET

MINERALS/WASTE APPLICATION RE18/02667/CON

DISTRICT: REIGATE AND BANSTEAD

Horse Hill Well Site, Horse Hill, Hookwood, Horley RH6 0HN

Report on the outcome of the consideration of this matter by the Supreme Court

The Supreme Court issued its Order on 19 September 2024. The Court ordered that

- 1) The appeal be allowed;
- 2) The decision to grant planning permission was unlawful and is quashed;
- 3) The County Council shall pay the Appellant's costs of the appeal;
- 4) The County Council shall pay the Appellant's costs of the proceedings in the High Court and the Court of Appeal subject, for each stage, to a cap of £35,000.

Points 1 and 2 were contained in the judgement handed down on 20 June 2024 and are addressed in the officer report. Following the judgement, further representations were then made in respect of costs, culminating in the Order. As this was issued after the publication of the report to committee however, paragraph 14 is now incorrect. The costs incurred in this matter by the County Council will be £70,000 (£35,000 each for the High Court and Court of Appeal) plus the costs of the appellant in bringing the case to the Supreme Court, which are as yet unknown but will be subject to assessment by the Court if not agreed.

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