

Email from HC Costs Solicitor in response to MPC offer of 16.7.19

Without prejudice save as to the costs of detailed assessment

Dear Alison,

We act on instructions from our client Herefordshire Council.

I have looked though our client's bill of costs with your offer in mind and would make the following comments:

1. Marden Parish Council pressed this claim all the way to a two day trial.
2. Both sides were represented by Counsel.
3. The issues were not straightforward, as reflected by the lengthy pleadings and 24 page judgment.

These factors, in addition to the modest hourly rates claimed, support the undoubted reasonableness of the costs and I simply cannot see where almost 25%, as reflected by your offer, might be disallowed on detailed assessment.

You have not provided any explanation as to how you have reached the amount offered and so I am unable to provide our client with informed advice as to the strength of the offer. Points of dispute to the bill are due by 2 August which is within the time period allowed for acceptance of the offer. Accordingly, unless a more favourable settlement can be achieved in the interim, I have instructions to simply await the points.

As you will undoubtedly be aware, however, the preparation of points of dispute will further increase your expenditure in this matter which I'd anticipate has already been quite considerable especially for Parish Council funds. Accordingly, in the hope of reaching a compromise, I have instructions to propose an offer to accept £26,250.00 in full and final settlement of the costs claimed and interest, provided that agreement is reached before 2 August 2019.

Interest is accruing at £6.19 per day.

I look forward to hearing from you.

Yours sincerely,

Sue Corbin BSc Costs Lawyer

Costsdragon Ltd