



IN THE COMPETITION
APPEAL TRIBUNAL

Case No.: 1577/12/13/23

BETWEEN:—

THE DURHAM COMPANY LIMITED
(TRADING AS MAX RECYCLE)

Applicant

- v -

DURHAM COUNTY COUNCIL

Respondent

ORDER

UPON the Tribunal's Order of 11 October 2023 ("**the Order**") that the Applicant shall pay to the Respondent 55% of the Respondent's costs, such costs to be subject to detailed assessment and that the Applicant shall pay to the Respondent the sum of £95,719.14 as an interim payment on account of those costs within 28 days of the date of that Order

AND UPON the parties having agreed terms in full and final settlement of the Applicant's liability for the Respondent's costs

AND UPON the parties having agreed the terms of this Order

IT IS HEREBY ORDERED THAT:

1. Paragraph 3 of the Order is discharged.
2. The Applicant shall pay to the Respondent the agreed sum of £100,000, by way of instalments as set out in the Payment Schedule annexed to this Order.

3. The payments set out in the Payment Schedule are in full and final settlement of the Respondent's costs of and occasioned by the Applicant's application dated 2 February 2023 for review pursuant to section 70 of the Subsidy Control Act 2022.

Sir Marcus Smith

President of the Competition Appeal Tribunal

Made: 23 October 2023

Drawn: 23 October 2023

Payment Schedule

1. The Applicant shall pay the agreed sum of £100,000 to the Respondent in four equal instalments of £25,000 to be paid to the Respondent's Solicitors (DWF Law LLP) by 4pm on the following dates:
 - (a) Instalment 1: 30 October 2023;
 - (b) Instalment 2: 30 November 2023;
 - (c) Instalment 3: 29 December 2023; and
 - (d) Instalment 4: 30 January 2024.