



IN THE COMPETITION APPEAL TRIBUNAL

Case No: 1751/5/7/25

BETWEEN:—

- (1) Mr GRAHAM THOMAS
(2) BEK DEVELOPMENTS LTD
(3) ALLEYHAUS LTD
(4) DALES AND MOORS DEVELOPMENTS LTD
(5) MASONIC HALL LTD

Claimants

- v -

DURHAM COUNTY COUNCIL

Defendant

Case No: 1760/12/13/25

AND BETWEEN:—

- (1) BEK DEVELOPMENTS LTD
(2) ALLEYHAUS LTD
(3) DALES AND MOORS DEVELOPMENTS LTD
(4) MASONIC HALL LTD

Appellants

- v -

DURHAM COUNTY COUNCIL

Respondent

ORDER

UPON the Claimants' claim against the Defendant ("**the Council**") contained in a Claim Form ("**the Original Claim Form**") registered by the Tribunal on 19 September 2025 in Case No.: 1751/5/7/25 ("**the CA 1998 Claim**")

AND UPON the Appellants' application for review under section 70 of the Subsidy Control Act 2022 against the Council brought by Notice of Appeal dated 5 December 2025 in Case No.: 1760/12/13/25 ("**the Subsidy Control Claim**")

AND UPON the Claimants (i) seeking permission to amend the CA 1998 Claim in the form of the draft Amended Claim Form filed on 5 December 2025 ("**the Claimants' Amendment Application**") and (ii) confirming to the Tribunal on 14 January 2026 that they did not wish to rely on their claim in the Original Claim Form if the Claimants' Amendment Application was refused

AND UPON the application of the Council to strike out the CA 1998 Claim and the Subsidy Control Claim

AND UPON the application of the Council for security for costs in respect of the CA 1998 Claim (in the event the CA 1998 Claim is not struck out)

AND UPON hearing counsel for the parties at the hearing on 15 April 2026 ("**the Hearing**"), during which counsel for the Claimants confirmed to the Tribunal that the Claimants' Amendment Application was no longer pursued

AND UPON the Tribunal indicating its decision at the Hearing that the CA 1998 Claim should be struck out with reasons to follow

AND UPON the Tribunal handing down its reserved judgment ([2026] CAT 47) on 5 June 2026

IT IS HEREBY ORDERED THAT

1. The CA 1998 Claim and the Subsidy Control Claim shall be treated, for all purposes, as proceedings in England and Wales, pursuant to rule 18, read with rule 52 of the Competition Appeal Tribunal Rules 2015 SI 2015/1648.
2. The CA 1998 Claim is struck out.
3. The Subsidy Control Claim is struck out.
4. Costs reserved.

The Honourable Mrs Justice Bacon
President of the Competition Appeal Tribunal

Made: 8 June 2026
Drawn: 8 June 2026