

2010/2845/P



Date: 22 February 2012
Our ref:
Your ref:
DDI:
e-mail:

Berwin Leighton Paisner LLP
Adelaide House
London Bridge
London EC4R 9HA
Tel: +44 (0)20 3400 1000
Fax: +44 (0)20 3400 1111
DX92 London
www.blplaw.com

Charles Thuairé
Regeneration and Planning
Culture and Environment
London Borough of Camden
Town Hall Extension
Argyle Street
London WC1N 8ND

Dear Charles

Vale of Health Fairground

Dear Charles

I am writing following your earlier email.

Having now read the documents that you have sent us we have no difficulty in seeing why Camden has found it so difficult to take what seemed to us the simple step of granting the certificate. We recognize that our biggest problem is that the Abbott family seems to have provided evidence both for and against the proposition of lawfulness, resulting in an evidential trail which is hopelessly confused and which, because some at least of the evidence seems to come from our principal deponent, questions the credibility of our core submissions.

But there is no doubt that much of the evidence you received is itself contradictory, and tainted by over-eagerness to make the case and assertion after the event. For example the satellite photos drawn from the internet may conflict with the assertion that the site was used as a funfair in 2002. And of course in other cases we haven't been given the photos that form part of the evidence so it is difficult to follow it precisely.

I certainly think that the general picture of the run-down of the fair on the site over time is demonstrated.

Moreover if your annotated site plans are amended so that the categories are adjusted to include as fairground-related only those people and areas who are definitely involved in storing and operating equipment, and if all residential caravans are allocated to that use even if they are occupied by people who previously worked in fairs, the graphical position is significantly changed and the shrinking fairground connection is starkly illustrated.

I don't think we have any option but to withdraw the application. Camden does not have the basis to decide it in our favour, and we don't have any further evidence to offer which can make sense in detail of what has emerged. Please therefore accept this letter as a formal withdrawal of the Application for a Certificate of Lawfulness.

However as discussed most recently with Ed Watson, there is clearly something of an opportunity for trying to sort something out as the land itself is such a mess at the moment. This would probably only be possible on the basis of the new Localism Act provisions if there could be a Neighbourhood


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Forum formed. I think it would be separate from the Heath and Hampstead Society and based probably on the Vale of Health Society, and Camden would have to be clear that in some sense they were representative for the Vale. I am naturally not sure under the circumstances how that might unfold, but it could produce a neighbourhood plan, which of course ought not to be just for further entrenchment of anti development controls.

I am copying this to Ed as well for completeness.

With kind regards

Yours sincerely



Ian Trehearne

CC: Ed Watson

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