

**STATUTORY DECLARATION OF  
KENNETH FREDERICK BATTEN  
IN RESPECT OF PREMISES AT 7 PLATTS LANE, LONDON NW3**

I, Kenneth Frederick Batten of 15 Edgwarebury Gardens, Edgware, Middlesex HA8 7LL do solemnly, sincerely and truly declare as follows:

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1. I ran my own building and decorating firm, Batten and Taylor Limited, between 1963 and 1997 and am currently employed as a site manager by Villiers Estates.
2. During its existence, my firm was, on many occasions, instructed by property managing agents, Stuart Lewis & Company to carry out work on various properties in Hampstead, including building, repair and decorating work at No. 7 Platts Lane, the location of which is shown marked in red on the plan now produced to me marked Exhibit KB 1 and also attached to this declaration.
3. I either personally carried out or supervised work at No. 7 Platts Lane on many occasions between 1978 and 1997. This work included interior decorating, minor and major repair work (e.g. mending locks and replacing fallen ceilings) and various other building operations. I was first asked to carry out work on No.7 Platts Lane by Stuart Lewis & Company in 1978 for the then owner, Mrs Howitt. My last job at No.7 Platts Lane, through Stuart Lewis & Company was in 1997 and involved decorating the main hall way and refurbishment of the first floor flat.
4. I also visited the premises at the request of the current owners on 8<sup>th</sup> October 1999 to confirm whether or not I was involved in carrying out various building operations which they had found in the basement of the premises.
5. I thus have long-standing and first hand knowledge of the matters hereafter deposed to in this Statutory Declaration.

6. In the early winter of 1981, I can remember being contacted by Stuart Lewis & Company, and being told that the Howitt's, who were at that time the owners of No. 7 Platts Lane, had recently obtained planning permission to convert its basement into a flat and were keen to proceed with the work, and that I should submit a tender for my firm to carry out the conversion work. My firm's tender was quickly accepted in view of our past involvement with the premises and we actually began work during the winter of 1981 very soon after the planning consent was issued.
7. For this particular job, I supervised the work carried out by my employees at that time, John and Martin. However, the job actually only lasted about a week to ten days. We began by clearing out a considerable amount of furniture and rubbish which had been stored in the basement. Once this had been done, we knocked away part of the internal wall and began excavations to the floor which were needed to achieve the floor to ceiling height shown on the approved plan, now produced to me marked Exhibit KB 2 and also attached to this declaration.
8. Only a very short while after beginning the excavations we were contacted by Stuart Lewis & Company and told to stop work immediately because the owners had changed their mind about carrying on with the conversion at that time. I remember being very surprised by this news as the owners had been so eager for us to get on with the work at first. We carried out no further work on the basement flat after the winter of 1981, although I remember doing a number of other jobs at the premises around the same time including the installation of a new gate and re-fitting of locks on a door. I have also done several other jobs at No. 7 Platts Lane since, including the replacement of two ceilings, decorating work and various odd repair jobs.
9. I distinctly recall that the building operations carried out by my firm in connection with the conversion of the basement flat took place towards the very end of 1981, for two reasons. First, because I am a keen fan of [REDACTED] football club and 1981 was the first year there was a replay of the cup final [REDACTED]  
[REDACTED]  
[REDACTED] Second, because it was the same year, but after cup final, when

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we started the work and it was extremely cold while we working in the basement at No. 7 Platts Lane.

10. I went back to visit No. 7 Platts Lane on 8<sup>th</sup> October 1999 and inspected the basement at this time. I can confirm that at the time of my visit on 8<sup>th</sup> October 1999 nothing very much had changed since we finished work on the basement flat in the winter of 1981. The excavations which we began, and shown in the positions A and B and marked in red on the approved plan marked Exhibit KB 2 now produced to me, remain as we left them, both approximately 1metre cubed in size.

11. In conclusion, I can confirm that in the winter of 1981 I was witness to building operations which were carried out in connection with a November 1981 planning consent for the conversion of the basement on No.7 Platts Lane into a self-contained flat.

I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835

Declared by the abovenamed )

KENNETH FREDERICK BATTEN at )

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This 1<sup>st</sup> day of November 1999 )

Before me )

Michael R Stock )

Stock Fraser Cukier )

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SOLICITOR

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