

From: Hugh Craddock (BHS/EWD) ewd@craddocks.co.uk
Subject: Re: Parking in front of Derby Arms
Date: 2 September 2018 at 11:27
To: Amardip Healy AHealy@epsom-ewell.gov.uk
Cc: Liz Frost LFrost@epsom-ewell.gov.uk, Kathryn Beldon KBeldon@epsom-ewell.gov.uk
Bcc: John Lavery john.z.lavery@mac.com



Dear Mrs Healy

Thank you for your email of 21 August.

You have indeed made the conservators' position clear (I infer here you intend to refer to the conservators: the council has no role in the matter). It is that the conservators have made a decision to allow parking on the Derby Arms car park without reference to their statutory powers. You have referred me to the report to the conservators, on which I raised some legitimate questions — you have refused to address any of these. Oddly, you have been content to write at length and in detail on the scope of judicial review and public bodies, but declined whatsoever to expand on the question of the conservators' powers. You have implied that the conservators are justified in adopting a defensive position in the context of the possibility of legal action, yet the parties to a potential action are enjoined to try to resolve the claim without resort to litigation — an obligation which cannot easily be discharged if one party refuses to make any disclosure whatsoever.

It therefore remains unclear what powers are relied upon to enable the parking proposals to proceed. We shall therefore await sight of the proposed management plan, to see whether the proposals are compatible with the exercise of the conservators' power to authorise new car parks under s.25 of the 1984 Act. Please would you ask officers to ensure that we receive a copy of the plan in draft.

Please note that I shall be making our correspondence available online.

regards

Hugh Craddock

On 21 Aug 2018, at 09:29, Amardip Healy <AHealy@epsom-ewell.gov.uk> wrote:

Dear Mr Craddock

I have explained the Council's position on several occasions. You have sight of a public report on the issue you have raised. As such in light of your threats of legal action, I have nothing further to add.

Kind regards

Mrs Amardip Healy
Chief Legal Officer

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From: Hugh Craddock (BHS/EWD) <ewd@craddocks.co.uk>

Sent: 21 August 2018 08:24

To: Amardip Healy <AHealy@epsom-ewell.gov.uk>

Cc: Liz Frost <LFrost@epsom-ewell.gov.uk>; Kathryn Beldon <KBeldon@epsom-ewell.gov.uk>

Subject: Re: Parking in front of Derby Arms

Dear Mrs Healy

I refer to my email of 3 August (below), in response to which there has been an uncharacteristic silence. Perhaps it has fallen into a summer holiday void, although I have not received an out-of-office reply.

I would be grateful to receive the conservators' response to the questions raised in my email of 27 July. It is essential that we have a common understanding of the powers which the conservators intend to employ in establishing new parking facilities on the downs.

regards

Hugh Craddock

Hugh Craddock

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