

From: [Robert Shatwell](#)
To: vanessa.tabner@woking.gov.uk
Cc: [Amanda Francis](#); [Catherine Valiant](#)
Subject: Elmbridge recreation Ground
Date: 10 December 2021 22:20:38

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Dear Ms Tabner

I am in receipt of copy of your sworn statement of evidence in respect to the council's objection to having the land redesignated as a local village green.

- a. There is no question as to the lawful ownership of the land.
- b. All planning applications granted, both in 1948 and 1965 were in respect to housing in Elmbridge Lane and Queen Elizabeth Way. These planning consents have been fulfilled and should any other planning be considered it would require a further planning consent. No application has been made for further development.
- c. Whilst you state, in para 11, that residents have a statutory right to access the land you do not state what statutory right there is. In order for there to be a statutory right there is required to be a statute in law laying down exactly what rights apply and to whom. For example for me to graze cattle on this land then I would need to be served with notice that under sec ??? of Act??? You Robert Shatwell of address, are hereby permitted to graze a maximum of 10 beef cattle on land known as Elmbridge Common, for a period of X years. This notice is required to be attached to the land and served on all persons having need of it, i.e. the residents. This has never been done therefore I submit that the residents have been using this land "as of right". This is not shown in any part of the documents submitted by you, on behalf of Woking Borough Council and as such I have made representation to Surrey County Council.

As landowners Woking Borough Council could avoid any unpleasantness by voluntarily agreeing to have this land redesignated as local village green. WBC would continue to own the land and have all rights of ownership. By having the land redesignated as a Local Village Green it would render protection as a green open space. This could then be used for the benefit of the local residents.

Yours faithfully

Robert Shatwell

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