

Our Ref: MJ/JC/206852-2/

Your Ref:

Mr R Banks  
Rye Green Farm  
Burwash  
East Sussex  
TN19 7HP

Also by email: robert@banksr.uk

7 January 2021

**URGENT!**

Dear Sir,

**Re: Our Clients: Park Lane Homes (South East) Limited & Russell Beswick  
Strand Meadow, Burwash, Planning Application No. RR/2020/1822/P**

We are instructed by Park Lane Homes (South East) Limited and its director, Russell Beswick, in connection with statements you have published contained in objections you have made to the above Planning Application. We also refer to statements you have made in a letter dated November 2020 requesting that objections be made by others and to statements on your website "<https://www.burwashsaveourfields.org.uk/>".

**The objections dated 4 December 2020 & 3 January 2021**

You initially submitted an objection at the beginning of December in your own name and this has been followed up with a further objection under the name of "Burwash: Save Our Fields" which appeared on the Council's website earlier this month. In both objections you made accusations about our client's proposed development and named Russell Beswick, personally. You also made disparaging comments in respect of various consultants that have been involved in this project.

We enclose two documents headed:

"Extracts of Roberts Banks objection dated 4 December 2020 with notes"

"Extracts of Burwash Save our Fields objection dated 3 January 2021 with notes"

These highlight the precise comments our clients are concerned about and the reasons why they strongly object to you publishing these statements. Whilst our clients consider there are a number of other factually incorrect statements in both documents, our clients have limited the attached to items that specifically refer to Russell Beswick as an individual or are claimed to be acts of deception.

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## **Burwash Save Our Fields Website & the November 2020 Circular**

We also understand you manage and administer the homepage of “Burwash Save Our Fields” website at <https://www.burwashsaveourfields.org.uk/> . In the second item under the “Latest News” section it states:

*“Russell Beswick again tries to destroy Watercress Field, of Strand Meadow”.*

This is again untrue (a) because it is not Russell Beswick making the planning application, it is our client company, which is a separate legal entity and (b) there is no ‘destroying’ Watercress Field, of Strand Meadow. We understand the land only started to get referred to as Watercress Field in objections to our client’s planning application in 2018; in the previous planning applications in 2011 and 2017 it was simply known by objectors, including you, as land at Strand Meadow.

Also attached is a copy of a document issued by “Burwash: Save our Fields” dated November 2020, circulated shortly after our client’s planning application was submitted and validated by the Council. This also names Russell Beswick personally and we assume that this has then led to a number of the other third party objections that have been submitted during the course of the consultation period, also specifically naming Russell Beswick, as an individual, rather than referring to the limited company, which is the applicant named in the Application Form. It is unclear how many people this was circulated to at this point. You are requested to disclose this when you reply.

### **What We Require From You**

The statements we have referred to above and in the enclosures attached are provably untrue for the reasons given and will need to be fully retracted by you. Our clients request that you retract these offensive statements within 7 days of the date of this letter i.e. by no later than 14 January 2021.

Whilst our clients understand that you have a right to raise objections to the Planning Application, this is not a platform for you to make false and accusatory statements. The natural inference from these statements to any objective reader is that Russell Beswick and/or our client company, is doing something wrong, dishonest, deceptive or illegal. That is plainly not the case at all.

The statements you have made have the potential to cause our clients financial loss. Furthermore, we consider the statements you have made may be defamatory statements about Russell Beswick and our client company, which are not true and are likely to cause serious damage to Russell Beswick/the company’s reputation within the meaning of the Defamation Act 2013, s.1. Further or alternatively, the statements you have published which are false, has been done maliciously, and the publication of these falsehoods may cause our clients to suffer actual financial loss.

### **Cease & Desist Warning**

Please cease and desist from making further statements which are untrue. If you maintain that what you say is not, in fact, untrue, please produce any evidence you have to support your allegations.

In the meantime, our clients’ rights are fully reserved in this matter, including the potential to seek injunctive relief if required to prevent further publication of similar statements, damages and legal costs along with any relevant interest. You should consider that this letter has been written in accordance with the Pre-Action Protocol for Media and Communications Claims. You should not ignore this letter and you should seek legal advice as you think fit. A failure to deal with the points made in this letter may lead to Court proceedings being issued against you in due course.

Our client will be writing to the Council to make them aware of their concerns about the statements you have made.

We look forward to hearing from you by **no later than 14 January 2021** confirming retraction of the  
aforementioned statements.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Coffin Mew LLP', written in a cursive style.

**Coffin Mew LLP**

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Encl.