Appendix 5-

Statutory Declarations/ Statements

- Nathan Colin Marston- Business owner and occupier of Unit 7
- Luke Marston- Business owner and occupier of Unit 7- updated
- Colin Jewell- Site owner and occupier of adjacent residential unit- updated
- Sam Marston- Employee of Floortrak
- Daniel Penn Newman- Employee of Floortrak
- Darryl Parsons- Business occupier of Unit 1
- Darren Martin- Business occupier of Unit 5

- Geraldine Ruth Jewell- Site owner and occupier of adjacent residential unit- new
- Wayne Pond- Former employee- new
- Richard Lord, MD CPG Logistics- customer- new
- Paul Meyer, Director First Floors- customer- new
- Stephen Cogdell, Interior Build- proximate business- new

STATUTORY DECLARATION OF NATHAN MARSTON

I, Nathan Colin Marston [redacted] do solemnly and sincerely declare as follows:

1. I was previously a Director of Floor Fix Limited, trading as Floortrak UK, which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU.
2. The business known as "Floortrak UK" ("the Business") was set up by me in 2005 and has been operating from Ash Hill Common, Bunny Lane, Sherfield English ("the Site") since 2005.
3. Floor Fix Limited was incorporated on 17th July 2014 and my son, [redacted], was appointed as Director on 22nd April 2022 which is the company which currently operates the Business. I remain the Director of Floortrak (Romsey) Limited which was incorporated on 15th March 2013 and has now gone into liquidation. Prior to this the Business was operated by Floor Trak Limited.
4. The Business an established flooring company and installs flooring across the country currently employing 14 staff and operating a fleet of 5 vehicles which are used to take equipment and products to customer premises for the purposes of installations. The staff and vehicle levels been stable over the last ten years.
5. The Business is family run. My role has always been managing director of the business. I now help oversee the day to day running of the Business with my son Luke at Floortrak UK. During the early stages of the operation of the Business I personally visited the Site before 8am and after 6pm on a daily basis.
6. I have since my involvement with the business accessed the Site between the hours of 6am and 9pm, sometimes earlier or later, on a day to day basis for the purposes of loading, collecting and dropping off vehicles in the parking area in connection with the Business.
7. As the original Director of the Business I oversee all operations. To enable installations to be carried out during the working day our staff are required to arrive at the Site prior to 8am, often as early as 5 or 6am, throughout the week to collect vehicles and go out on site visits for installations. Installations are carried out throughout the day and this therefore means that vehicles return after 6pm, often as late as 9pm on a day to day basis. Vehicles are then re-loaded and left ready for the following days installations. This practice has been ongoing throughout the operation of the Business from the Site.
8. The Business routinely operates on the same basis throughout the day on a Saturday and again therefore departs before 8am and returns after 6pm. In addition vehicles are loaded on Sundays and Bank Holidays in readiness for the following work days installations.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

Signat[redacted]

Date [redacted] 20th March 2023

Declared at Romsey HAMPSHIRE

This 20TH day of March in the Year of 2023

Before me

[redacted]

Commissioner for Oaths / ~~Solicitor~~

P. L. SLADE FCILEX
KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR, ROMSEY
HAMPSHIRE, SO51 8EZ

STATUTORY DECLARATION OF LUKE MARSTON

I, Luke Marston [redacted] do solemnly and sincerely declare as follows:

1. I am the Director of Floor Fix Limited, trading as Floortrak UK, which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU.
2. The business known as "Floortrak UK" ("the Business") has been operating from Ash Hill Common, Bunny Lane, Sherfield English ("the Site") since 2005.
3. Floor Fix Limited was incorporated on 17th July 2014 and I was appointed as Director on 22nd April 2022 which is the company which currently operates the Business. Prior to this I was a Director of Floortrak (Romsey) Limited alongside my father Nathan Colin Marston, which was incorporated on 15th March 2013 and has now gone into liquidation. Prior to this the Business was operated by Floor Trak Limited as operated since 2005 from the site.
4. The Business is an established flooring company and installs flooring across the country currently employing 14 staff and operating a fleet of 5 vehicles which are used to take equipment and products to customer premises for the purposes of installations. The staff and vehicle levels been stable over the last ten years.
5. I have been involved in the general operation of the Business since 1/08/2014 when I employed as a floor installer. At this time I carried out installations and personally visited the Site before 8am and after 6pm on a daily basis.
6. I have since my involvement with the business accessed the Site between the hours of [6am and 9pm] on a day to day basis for the purposes of loading, collecting and dropping off vehicles in the parking area in connection with the Business.
7. As Director I organise teams for installations and confirm the required start times to enable teams to arrive at their destinations. This requires staff to arrive at the Site prior to 8am, often as early as 5 or 6am, throughout the week to collect vehicles and go out on site visits for installations. Installations are carried out throughout the day and this therefore means that vehicles return after 6pm, often as late as 9pm on a day to day basis. Vehicles are then re-loaded and left ready for the following days installations. This practice has been ongoing throughout my involvement with the Business since 2014.
8. The Business routinely operates on the same basis throughout the day on a Saturday and again therefore departs before 8am and returns after 6pm. In addition vehicles are loaded on Sundays and Bank Holidays in readiness for the following work days installations.
9. Employees of the company submit paper timesheets at the end of each week detailing the hours worked. Although the company retains these records short term for recent activities, due to issues of need and storage they are routinely destroyed as part of on-going housekeeping. That said, following review of old

files, produced with this statement (as part of the revised Certificate of Lawfulness application) are timesheets from a range of employees over different weeks, months and years. These provide an indication of activity, at least in part, for 2008, 2009, 2010, 2014, 2015, 2017, 2018, 2019, 2020, 2021, 2022 and 2023. All of the timesheets clearly demonstrate access to the Site outside of the hours detailed in condition 4 of planning permission S/2002/1994, being before 08.00 and after 18.00 on a day to day basis, as well as at weekends, for the duration that the business has been trading.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

[redacted]

Signature Date Declared at 37 The Hundred, Romsey, SO51 8GE

This 28th day of September in the Year of 2023

Before me [redacted]

Adam Pilkey
Parker Bullen Solicitors

~~Commissioner for Oaths /~~ Solicitor

STATUTORY DECLARATION OF COLIN ROBERT JEWELL

I Colin Robert Jewell, along with my wife, I am the joint owner of the Truffles site and house at [redacted] and do solemnly and sincerely declare the following:-

We are the freehold owners of the Business Units ("the Site") which consists of 7 commercial units which were granted planning permission under reference S/2002/1994 in 2002.

We are the landlords of the Units which the Business known as Floortrak UK ("the Business") have occupied, currently operating from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English. SO51 6FU and have been throughout their occupation of the Site from 2005 to date.

Occupation by the Business can be verified by invoices and bank statements since 2005.

As landlord I am aware that the Business is an established flooring company and installs flooring across the country and to do this it needs access to the Site to collect and drop off vehicles for installations. During the Business's time on the Site it has occupied Units 2, 4 and 7, but has consistently used the main car parking area for its vehicles.

I have lived at the property known as "Truffles", Ash Hill, Sherfield English, Romsey, Hampshire. SO51 6FU ("Truffles"), which directly adjoins the Site, since built in 1980. Therefore, since this time I have had personal knowledge of all vehicle movements and activities taking place on the Site.

Throughout my occupation of "Truffles" I have noted vehicles operated by the Business, and its staff, accessing the Site before 08.00 and after 18.00 on a day-to-day basis. This has been continuous since 2005 (being more than 17 years) and is still occurring.

The Business routinely accesses the Site at similar times throughout the day on Saturdays and Sundays, as well as Bank Holidays.

I have had sight of statements made by Saviour and Karen Ann Cassar relative to Certificate application PL/2023/02422 regarding vehicle movements along the access lane and track and can confirm that vehicle movements by the Business have indeed been taking place as alleged. However, the statements indicate that this did not commence until 'about September 2019'. As a long-standing owner and occupier with personal knowledge of the Site I have not noticed any change in the level of vehicle movements from the Site since the Site was first occupied by the Business in 2005 and have in fact witnessed vehicles from the Business accessing the site prior to 2019 as confirmed in this statement. Whilst there has undoubtedly been an increase in overall traffic in the form of delivery vehicles as use of online delivery services have increased the timings and level of movements from the Site and the Business have remained consistent and continuous throughout and I therefore do not agree that vehicle

movements from the Business outside of the consented hours did not commence until 2019 or that the hours of access have changed. Activity commenced in 2005 and have remained constant ever since, including between January 2013 and January 2023.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature Date Declared at Romsey Hampshi [redacted]

This 8TH day of September in the Year of 2025
Before me

[redacted]

Commissioners for Oaths/~~Solicitor~~

P. L. SLADE FCILEX
KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR, ROMSEY
HAMPSHIRE, SO51 8EZ

STATUTORY DECLARATION OF SAM MARSTON

I, Sam Marston [redacted] do solemnly and sincerely declare as follows:

1. I am employed as Operations Manager at Floortrak UK, which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU and have been since 2015.
2. The business known as "Floortrak UK" ("the Business") was set up by my father in 2014 and has been operating from Ash Hill Common, Bunny Lane, Sherfield English ("the Site") since 2005.
3. The Business is an established flooring company and installs flooring across the country currently employing 14 staff and operating a fleet of 5 vehicles which are used to take equipment and products to customer premises for the purposes of installations. The staff and vehicle levels been stable over the last ten years.
4. The Business is family run. My role since 2015 has been floor installer moving up to operations manager. When I first started working for the Business I carried out installations and personally visited the Site before 8am and after 6pm on a daily basis. I am now an operations manager and installer.
5. I have since my involvement with the Business accessed the Site between the hours of 6am and 9pm, sometimes earlier or later, on a day to day basis for the purposes of loading, collecting and dropping off vehicles in the parking area in connection with the Business.
6. As the operations manager I oversee all on-site works. To enable installations to be carried out during the working day staff are required to arrive at the Site prior to 8am, often as early as 5 or 6am, throughout the week to collect vehicles and go out on site visits for installations. Installations are carried out throughout the day and this therefore means that vehicles return after 6pm, often as late as 9pm on a day to day basis. Vehicles are then re-loaded and left ready for the following days installations. I believe this practice has been ongoing throughout the operation of the Business from the Site and I can confirm this has been the case since I was first employed in 2015.
7. The Business routinely operates on the same basis throughout the day on a Saturday and again therefore departs before 8am and returns after 6pm. In addition vehicles are loaded on Sundays and Bank Holidays in readiness for the following work days installations.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature [redacted]

Date 16th March 2023

Declared at ROMSEY HAMPSHIRE

This 16TH day of March in the Year of 2023

Before me

[redacted]

Commissioner for Oaths / ~~Solicitor~~

P. L. SLADE FCILEX
KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR, ROMSEY
HAMPSHIRE, SO51 8EZ

STATUTORY DECLARATION OF DANIEL PENN-NEWMAN

I, Daniel Penn-Newman [redacted] do solemnly and sincerely declare as follows:

1. I am employed as site supervisor at Floortrak UK ("the Business"), which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU and have been since 2005.
2. The Business is an established flooring company and installs flooring across the country currently employing 14 staff and operating a fleet of 5 vehicles which are used to take equipment and products to customer premises for the purposes of installations. The staff and vehicle levels been stable over the last ten years.
3. The Business operates from Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU ("The Site"). My role since 2017 has been from learning to install to begin with to now being supervisor. When I first started working for the Business I carried out installations and personally visited the Site before 8am and after 6pm on a daily basis. I now as supervisor still attend the site at similar times.
4. I have since my involvement with the Business accessed the Site between the hours of 6am and 9pm, sometimes earlier or later, on a day to day basis for the purposes of loading, collecting and dropping off vehicles in the parking area in connection with the Business.
5. As the supervisor my duties involve assisting with organisation and overseeing of jobs. To enable installations to be carried out during the working day staff are required to arrive at the Site prior to 8am, often as early as 5 or 6am, throughout the week to collect vehicles and go out on site visits for installations. Installations are carried out throughout the day and this therefore means that vehicles return after 6pm, often as late as 9pm on a day to day basis. Vehicles are then re-loaded and left ready for the following days installations. This practice has been ongoing since I started working for the Business.
6. The Business routinely operates on the same basis throughout the day on a Saturday and again therefore departs before 8am and returns after 6pm. In addition vehicles are loaded on Sundays and Bank Holidays in readiness for the following work days installations.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature [redacted]

Date 23/3/2023

Declared at 1st Floor offices, 40 Tooting High Street London SW17 0RG

This 23rd day of March in the Year of 2023

Before me

[redacted]

DAVID STUDNERT-KENNEDY
Solicitor

Broadway Legal Services Ltd trading as
Broadway Solicitors
1st Floor Offices
40 Tooting High Street, London, SW17 0RG
Tel: 0208 767 7718
DX 58886 Tooting South

Commissioner for Oaths / Solicitor

STATUTORY DECLARATION OF DARRYL PARSONS

I, Darryl Parsons of [redacted] do solemnly and sincerely declare as follows:

1. I am the tenant of Unit 1 of the property known as Ash Hill Common, Bunny Lane, Sherfield English, Romsey, Hampshire SO51 6FU ("the Site") and have been since January 2007.
2. Since my occupation of the Site I have been aware of and have observed the business known as Floortrak UK ("the Business"), which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, Romsey, Hampshire SO51 6FU.
3. I operate an accountancy business from the Site and am aware that the Business routinely accesses the Site to collect and drop off vehicles for installations.
4. I have throughout my occupation of the Site and whilst present noted vehicles operated by the Business accessing the site before 8am and after 6pm on a daily basis, including on Sundays and bank holidays

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature [redacted]

Date 13/3/2023

Declared at Kirklands Solicitors LLP

This 13th day of March in the Year of 2023

Before me [redacted]

KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR
ROMSEY, HAMPSHIRE
SO51 8EZ

Commissioner for Oaths ~~/ Solicitor~~

STATUTORY DECLARATION OF DARREN MARTIN

I, Darren Martin of [redacted] do solemnly and sincerely declare as follows:

1. I am the tenant of Unit 5 of the property known as Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU ("the Site") and have been since 2006.
2. Since my occupation of the Site I have been aware of and have observed the business known as Floortrak UK ("the Business"), which currently operates from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English, SO51 6FU.
3. I operate a French polisher business from the Site and am aware that the Business routinely accesses the Site to collect and drop off vehicles for installations.
4. I have throughout my occupation of the Site and whilst present noted vehicles operated by the Business accessing the Site before 8am and after 6pm on a daily basis, including on Sundays and Bank Holidays.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature [redacted]

Date 15TH MARCH 2023

Declared at KIRKLANDS SOLICITORS LLP

This 15TH day of MARCH in the Year of 2023

Before me [redacted]

KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR
ROMSEY, HAMPSHIRE
SO51 8EZ

Commissioner for Oaths / ~~Solicitor~~

STATUTORY DECLARATION OF GERALDINE RUTH JEWELL

I Geraldine Ruth Jewell, along with my husband, am the joint owner of the Truffles site and house at [redacted] and do solemnly and sincerely declare the following:-

We are the freehold owners of the Business Units ("the Site") which consists of 7 commercial units which were granted planning permission under reference S/2002/1994 in 2002.

We are the landlords of the Units which the Business known as Floortrak UK ("the Business") have occupied, currently operating from Unit 7, Ash Hill Common, Bunny Lane, Sherfield English. SO51 6FU and have been throughout their occupation of the Site from 2005 to date.

Occupation by the Business can be verified by invoices and bank statements since 2005.

As landlord I am aware that the Business is an established flooring company and installs flooring across the country and to do this it needs access to the Site to collect and drop off vehicles for installations. During the Business's time on the Site it has occupied Units 2, 4 and 7, but has consistently used the main car parking area for its vehicles.

I have lived at the property known as "Truffles", Ash Hill, Sherfield English, Romsey, Hampshire. SO51 6FU ("Truffles"), which directly adjoins the Site, since built in 1980. Therefore, since this time I have had personal knowledge of all vehicle movements and activities taking place on the Site.

Throughout my occupation of "Truffles" I have noted vehicles operated by the Business, and its staff, accessing the Site before 08.00 and after 18.00 on a day-to-day basis. This has been continuous since 2005 (being more than 17 years) and is still occurring.

The Business routinely accesses the Site at similar times throughout the day on Saturdays and Sundays, as well as Bank Holidays.

I have had sight of statements made by Saviour and Karen Ann Cassar relative to Certificate application PL/2023/02422 regarding vehicle movements along the access lane and track and can confirm that vehicle movements by the Business have indeed been taking place as alleged. However, the statements indicate that this did not commence until 'about September 2019'. As a long-standing owner and occupier with personal knowledge of the Site I have not noticed any change in the level of vehicle movements from the Site since the Site was first occupied by the Business in 2005 and have in fact witnessed vehicles from the Business accessing the site prior to 2019 as confirmed in this statement. Whilst there has undoubtedly been an increase in overall traffic in the form of delivery vehicles as use of online delivery services have increased the timings and level of movements from the Site and the Business have remained consistent and continuous throughout and I therefore do not agree that vehicle

movements from the Business outside of the consented hours did not commence until 2019 or that the hours of access have changed. Activity commenced in 2005 and have remained constant ever since, including between January 2013 and January 2023.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Signature Date Declared at ROMSEY HAMPSHIRE

This 8TH day of September in the Year of 2023 [redacted]

Before me

[redacted]

Commissioners for Oaths/~~Solicitor~~

P. L. SLADE FCILEX
KIRKLANDS SOLICITORS LLP
STRONG HOUSE
THE HORSEFAIR, ROMSEY
HAMPSHIRE, SO51 8EZ

I Wayne Pond, [redacted] will say as follows:

I worked at Floortrak from February 2013 to October 2016 at Unit/s 2/7 Ash Hill Common, Sherfield English, S051 6FU and held the position of supervisor.

Part of my job involved driving company vehicles to addresses where products were to be installed/ supplied as per our daily works as flooring installers across the UK, with associated loading of materials and equipment into the vans.

During this time company vehicles were kept at the parking area at Unit 7, Ash Hill Common overnight and at weekends and I did not take or park them at my home address at any time.

For the duration of my employment my hours of work were anytime from 06.00 until the job was finished, sometimes as late as 22.00 to 23.00. When fitting I would aim be at the customers address by the start of the working day (usually between 08.00 and 09.00). This meant that I would have to collect the company van typically between the hours of 06.00 and 07.00 to allow sufficient time to drive to the work site. Our job sites varied from 1 hour away to location in the north of the country so earlier starts were needed to get on site for the required time of 08.00 to 09.00 mainly for site inductions.

Due to the nature of the work carried out and the travel times to clients across the country it would be unusual for me to return the company van to the Floortak offices at Unit 2/7, Ash Hill Common, Sherfield English, S051 6FU until after 18.00 and often it could end up being much later up to 23.00 depending on job requirements and location.

Whilst out at work my car would be parked in close proximity to the Floortrak office.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed. [redacted]

Wayne Pond

Dated..4 August 2023

I Richard Lord, [redacted] say as follows:

It is confirmed that CPG Logistics has regularly used the services of Floortak of Unit 7 Ash Hill Common, Sherfield English, S051 6FU since early 2000.

During this time they have regularly on a 2-3 monthly basis supplied and fitted flooring for us, anything from safety markings, full floor renovations and installation of forklift wire guidance systems at all of our units at Fareham Reach Ind est, U900, U410, U500, U1000.

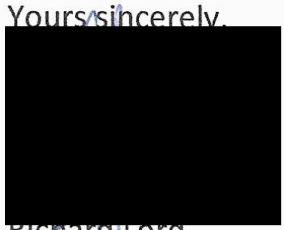
CPG Logistics operations are open 7 days per week from 06.00 to 22.00 and at peak times will operate 24 hours a day. It is confirmed that in order to comply with our strict Health and Safety protocols safety inductions must be completed by all contractors before commencing work on any of our projects. This requirement extends to Floortrak fitters.

In order for safety briefings to be conducted efficiently and effectively, thereby ensuring a safe and secure working environment for everyone involved, Floortrak staff have always been required to arrive at our premises no later than 08:00 when attending site.

It is also highlighted that the nature of our projects often requires additional time beyond the standard working hours and our work typically runs past 18.00 to achieve deadlines and Floortrak staff are required to be flexible in accommodating these extended hours which has often meant that their departure was significantly later and up to 7pm or even later if needed. Floortrak also more regularly carry out emergency repair works for us on weekends when our warehouse activity can be significantly less to enable us to carry out the emergency repair works.

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Yours sincerely,



Richard Lord
Managing Director

Dated: 3 August 2023

I Paul Meyer, [redacted] **say as follows:**

It is confirmed that First Floors has regularly used the services of Floortrak of Unit 7 Ash Hill Common, Sherfield English, S051 6FU since early 2006.

During this time they have regularly on a monthly basis supplied and fitted flooring alongside us, anything from full floor renovations to localized floor repairs on various sites across the country.

First Floors operate across the country with sites up to 3-4 hours away from the Floortrak offices.

In order for safety briefings to be conducted efficiently and effectively, thereby ensuring a safe and secure working environment for everyone involved, Floortrak staff have always been required to arrive at sites no later than 08:00 when attending site to have site inductions and daily site briefings which applies for both weekdays and weekends as our sites are generally 7 days a week to keep up with programming.

It is also highlighted that the nature of our projects often requires additional time beyond the standard working hours and our work typically runs past 18.00 to achieve deadlines and Floortrak staff are required to be flexible in accommodating these extended hours to ensure projects are completed to programme given.

Signed... [redacted]

Paul Meyer

11th Sept 2023

INTERIOR BUILD (UK) LTD
BUNNY LANE
ASH HILL COMMON
SHERFIELD ENGLISH
ROMSEY
HAMPSHIRE
SO51 6FQ

I STEPHEN GEORGE COGDELL CAN CONFIRM THAT I HAVE HAD MY BUSINESS HERE SINCE 2011 AND I CAN CONFIRM FLOORTRAK AND THEIR EMPLOYEES HAVE BEEN USING THE TRACK PAST MY OFFICE WHICH IS 300 METRES TO THEIR OFFICE OUTSIDE PERMITTED HOURS DURING THIS TIME.

.....[redacted].....

S. G. COGDEL[redacted]

DATE ..... 11/04/23 .....


Bunny Ln
Bunny Ln
Bunny Ln
Floorfix Ltd T/
A Floortrak UK
Viespace
Interiorbuild (UK)
R R Parts
Auto parts store
AW Used Vans
Used car dealer
Taurus Flooring