

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

**(as amended by the Planning and Compensation Act 1991 and the
Planning and Compulsory Purchase Act 2004)**

Temporary Stop Notice

SERVED BY: East Staffordshire Borough Council hereinafter referred to as “the Council”.

On **8th May 2018**, the Council has issued this Temporary Stop Notice alleging that there has been a breach of planning control on the land described in paragraph 3 below. The Council now prohibits the carrying out of the activity specified in this Notice. Important additional information is given in the Annex to this notice.

1. This Temporary Stop Notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this Notice should cease on the land described in paragraph 3 below. The Council now prohibits the carrying out of the activity specified in this Notice. Important additional information is given in the Annex to this notice.

2. THE REASONS FOR ISSUING THE NOTICE:

An Enforcement Notice has been served on the owner of the Land for the creation of an unauthorised vehicular access onto the classified road (B5008) requiring the owner to (i) immediately cease the use of the Land for the purposes of vehicular access and egress from, or to, the classified road (Newton Road) and (ii) at the site of the vehicular access, return the embankment to the height, gradient and profile that it was immediately prior to the unauthorised earth works that were undertaken to create the access. This notice takes effect on 18th May 2018. The Enforcement Notice was served on

Temp.Stop Notice

10th April 2018. Despite the serving of the Notice, the owner has continued to conduct unauthorised earth works on the Land.

3. THE LAND TO WHICH THIS NOTICE RELATES:

Land on the south-east side of Newton Road, Burton upon Trent, Staffordshire DE15 0TX shown edged red on the attached plan ("the Land")

4. THE ACTIVITY TO WHICH THIS NOTICE RELATES

This notice prohibits any engineering works on the Land that has not been authorised by the Local Planning Authority.

5. WHAT YOU ARE REQUIRED TO DO

Cease all unauthorised engineering works on the Land

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **8th May 2018** when all the activity specified in this notice shall cease. This notice will cease to have effect **5th June 2018**.

Dated: 8th May 2018

Signed: 

On behalf of East Staffordshire Borough Council, Town Hall, Burton upon Trent, Staffordshire, DE14 2EB.

Nominated Officer: David Ward, ESBC Planning Enforcement

Telephone Number: 01283 508782

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 6.

THERE IS NO RIGHT OF APPEAL TO THE FIRST SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you. (Section 171G of the 1990 Act). If you then fail to comply with temporary stop notice you will be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with David Ward, Enforcement Officer, East Staffordshire Borough Council, Town Hall, Burton upon Trent, Staffordshire, DE14 2EB telephone number 01283 508782.

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.



Enforcement File No:
ENF/2017/00098
Temporary Stop Notice

Land south-east
side of Newton
Road, Burton
upon Trent, Staffs
DE15 0TX

Scale:
1:1250
Date:
8-May-18

