

RE: UNIT D8 STAR BUSINESS CENTRE FAIRVIEW INDUSTRIAL PARK
MARSH WAY RAINHAM

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Robert Bartram Unit D8 Star Business Centre Fairview Industrial Park Marsh Way Rainham Essex
 4. Alan Brown, trustee of Jones Heating (Redbridge) Limited Retirement Benefit Scheme (SEN9789) of 12 Mill Park Avenue, Hornchurch, Essex RM12 6HA
 5. Merle Gweneth Brown, trustee of Jones Heating (Redbridge) Limited Retirement Benefit Scheme (SEN9789) of 12 Mill Park Avenue Hornchurch Essex RM12 6HA

ISSUED BY: London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to the Council that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

The land at Unit D8 Star Business Centre Fairview Industrial Park Marsh Way Rainham shown edged black on the attached plan (hereinafter called " the Land ")

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission change of use of the Land from general industry and warehouse including distribution and storage to club use providing adult entertainment and alcohol

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The unauthorised use is harmful in an industrial area which has resulted in the

unacceptable loss of employment space and has highways and parking implications. The relevant policy consideration is policy DC9 of the Havering Local Development Framework, Development Control Policies Development Plan Document. The Rainham Employment Area provides for the needs of all industrial businesses by offering a choice of small, medium, and large premises and is considered to be a strategically and locally important area. The unauthorised use is by definition inappropriate in this location. It is materially harmful as it is contrary to the Council's adopted policy DC9 of providing industrial parks as an exclusive area for the purpose of industrial storage and distribution in connection with the economy.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Stop using the Land as an adult entertainment club with sale of alcohol

Time for compliance : 3 months from the effective date of this notice

- (ii) Stop using the Land for the display and sale of adult entertainment products

Time for compliance : 3 months from the effective date of this notice

- (iii) Remove from the Land the bar for the sale of drinks and refreshments, the dance floor area, the furniture and fittings associated with club use

Time for compliance : 3 months from the effective date of this notice

- (iv) Restore the Land back to its authorised use for general industrial use and associated distribution and storage

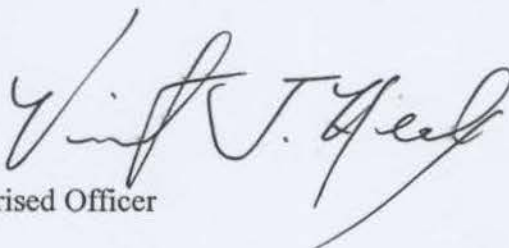
Time for compliance : 3 months from the effective date of this notice

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 17th August 2009, unless an appeal is made against it beforehand

Dated: 1st July 2009

Signed:



Authorised Officer

on behalf of London Borough of Havering
Town Hall
Main Road
Romford RM1 3BD

YOUR RIGHT OF APPEAL

You can appeal against this Enforcement Notice to the Secretary of State by 17th August 2009. Further details are given on the information sheet from the Planning

Inspectorate which accompanies this Notice. The enclosed booklet "Enforcement Appeals – A guide to procedure" also sets out your rights.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 17th August 2009 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice.

FAILURE TO COMPLY WITH AN ENFORCEMENT NOTICE WHICH HAS TAKEN EFFECT CAN RESULT IN PROSECUTION AND/OR REMEDIAL ACTION BY THE COUNCIL

EXPLANATORY NOTES

STATUTORY PROVISIONS

A copy of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

YOUR RIGHT OF APPEAL

Any appeal must be in writing and received, or posted (with the postage paid and properly addressed) in time to be received in the ordinary course of the post, by the Secretary of State before 17th August 2009.

If you intend to appeal this Notice you should follow instructions given on the information sheet from the Planning Inspectorate which accompanies this Notice.

GROUND OF APPEAL

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds :-

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the enforcement notice were not served as required by section 172;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all these grounds may be relevant to you.

PLANNING APPLICATION FEE

Should you wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £ 335 . 00 is payable both to the Secretary of State and to the Council, making the total fees payable £ 670 . 00 . If the fees are not paid then that ground of appeal will not be valid.

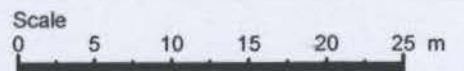
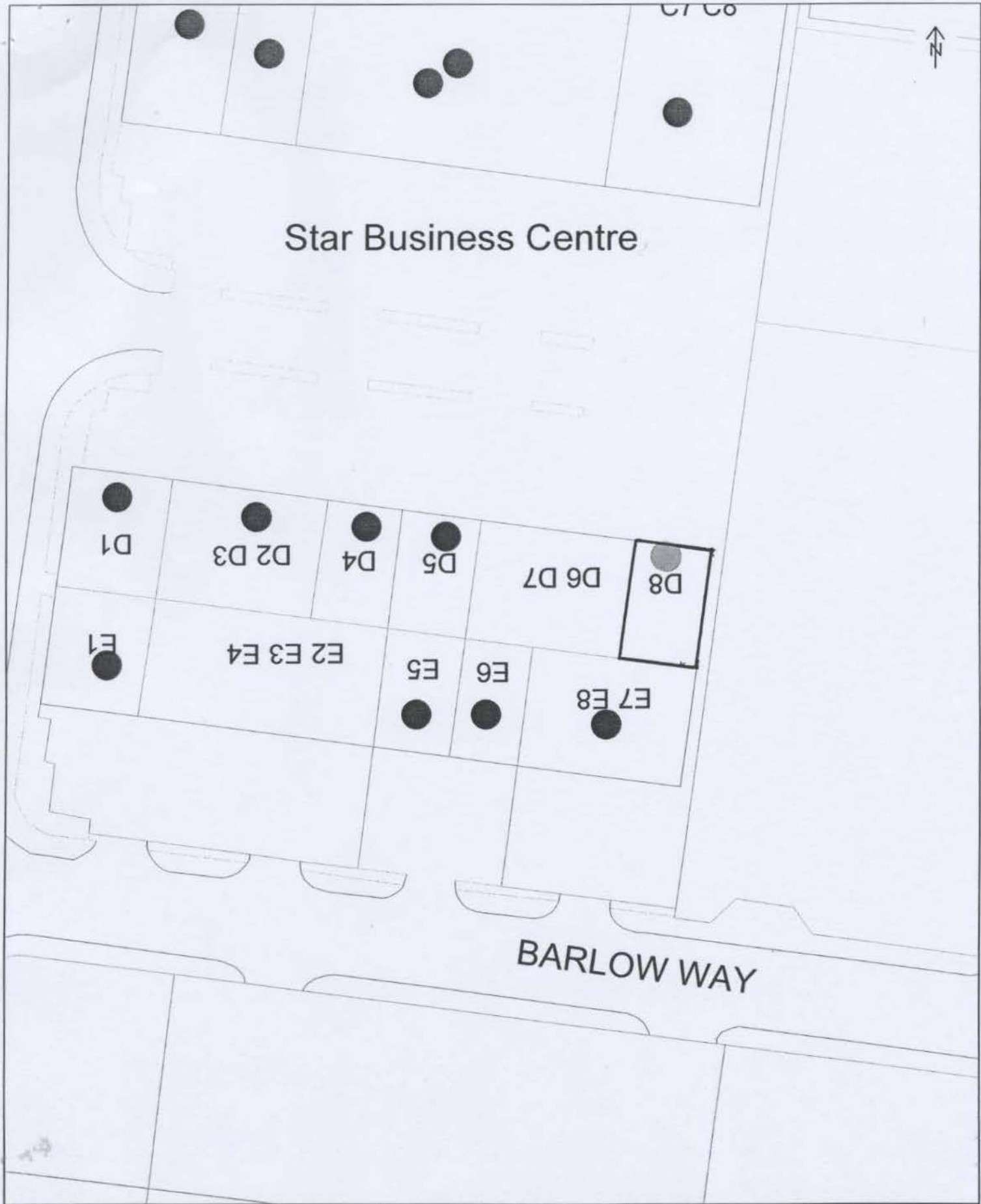
STATEMENT ON GROUNDS OF APPEAL

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends a notice so requiring, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

RECIPIENTS OF THE ENFORCEMENT NOTICE

The names and addresses of all the persons on whom the Enforcement Notice has been served are:

- TO:**
1. The Owner of the said land
 2. The Occupier of the said land
 3. Robert Bartram Unit D8 Star Business Centre Fairview Industrial Park Marsh Way Rainham Essex
 4. Alan Brown, trustee of Jones Heating (Redbridge) Limited Retirement Benefit Scheme (SEN9789) of 12 Mill Park Avenue Hornchurch Essex RM12 6HA
 5. Merle Gweneth Brown, trustee of Jones Heating (Redbridge) Limited Retirement Benefit Scheme (SEN9789) of 12 Mill Park Avenue Hornchurch Essex RM12 6HA



Scale @ A4 1:500

London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

Based upon the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office.
Crown © copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
London Borough of Havering, 100024327