

**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: London Borough of Havering**  
herein after referred to as "the Council".

**To:**

1. **Company Secretary  
Emperor Estates Limited  
67 Westow Street  
Upper Norwood  
London SE19 3RW**
2. **Company Secretary  
Emperor Estates Limited  
16-18 Woodford Road  
Forest Gate  
London E7 OHA**
3. **The Occupier  
Grovelands Garden Centre  
Clay Tye Lane  
Upminster  
RM14 3PL**

1. On 19<sup>th</sup> November 2008 the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.

2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Town and Country Planning Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 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.

**3. THE REASONS FOR ISSUING THIS NOTICE**

No planning permission has been granted for the laying of additional hardstanding or to use the land for storage purposes. The operational development and change of use that has taken place is not appropriate development in the Green Belt and has resulted in significant harm to the openness and visual amenity of the area. Any further development or storage use would exacerbate that harm.

**4. THE LAND TO WHICH THIS NOTICE RELATES**

Land at the former Grovelands Garden Centre Clay Tye Road, Upminster, RM14 3PL shown edged black in bold on the attached plan (the "Land").

186000N

559000E

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Map Reference: TQ5985NW  
Date: 14/11/2008

Scale: 1:2500

Scale  
0 15 30 45 60 75 m

**Grovelands Horticultural Nursery. Clay Tye  
Road. Upminster. RM14 3PL**

**nlp** **NSG** **OS** Ordnance Survey  
The National Land & Property Gazetteer  
NATIONAL STREET GAZETTEER



London Borough of Havering  
Planning Department  
Mercury House, Mercury Gardens  
Romford, RM1 3SL  
Tel: 01708 434343

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## 5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

Without planning permission the formation of hardstanding, the placement and storage of mobile temporary single and double storey buildings, the placement and storage of haulage containers. Without planning permission the use of the land for storage purposes.

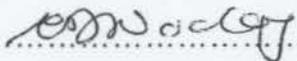
## 6. WHAT YOU ARE REQUIRED TO DO

Cease all works for the formation of additional hardstanding and do not bring onto the land any additional plant, haulage containers, mobile temporary buildings and machinery, save for machinery brought onto the site for the purpose of removing unauthorised plant, haulage containers and mobile temporary buildings from the Land.

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 19<sup>th</sup> November 2008 when all the activity specified in this notice shall cease. This notice will cease to have effect on 16<sup>th</sup> December 2008.

Dated: 19<sup>th</sup> November 2008

Signed:..........Authorised officer

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

Nominated Officer Simon Thelwell

Telephone Number 01708 432685

## ANNEX

### WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

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 the 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 Simon Thelwell, Planning Department, 7<sup>th</sup> Floor, Mercury House, Mercury Gardens, Romford RM1 3SL, telephone number 01708 432685. 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.

- P171G.01** 171G.—(1) A person commits an offence if he contravenes a temporary stop notice—
- (a) which has been served on him, or
  - (b) a copy of which has been displayed in accordance with section 171E(5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period of time.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
- (a) that the temporary stop notice was not served on him, and
  - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
- (a) on summary conviction, to a fine not exceeding £20,000;
  - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.