

To The Occupier and Owner of land
adjoining
259 Gloucester Road
Cheltenham
Gloucestershire

Ddi number: 01242 774986
Our ref: 11/00069/DCUCOU
Ask for: Martin Levick
e-mail: martin.levick@cheltenham.gov.uk
Date: 19th April 2011

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

To the Occupier/Owner of the land

Unauthorised development adjoining 259 Gloucester Road Cheltenham Gloucestershire

Enclosed by way of service on you is a copy of an Temporary Stop Notice issued by the Council on 19th April 2011 concerning the unauthorised development at the above address.

The Notice will immediately take effect on 19th April 2011.

Failure to comply with the requirements of this Notice can result in prosecution being taken by the Council.

Yours sincerely

Martin Levick
Senior Planner - Enforcement

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**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: CHELTENHAM BOROUGH COUNCIL herein after referred to as “the Council”.

**To: The Occupier of the land - Mr Guy Ross t/a GM Cars
- Mr Jonathon Williams t/a GM Cars**

**The registered office of the Owner of the land – The Company Secretary Homeward Properties Ltd (Co. Regn. No. 3868710) Kingsley House Church Lane Shurdington
CHELTENHAM Glos GL51 4TQ**

1. On *19th April 2011* 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 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

The Council considers that there has been a breach of planning control and it is necessary in order to safeguard the amenity of the area and in the interests of public highway safety that the activity that amounts to the breach should stop immediately

4. THE LAND TO WHICH THIS NOTICE RELATES

Land adjoining 259 Gloucester Road Cheltenham Glos GL51 8NW *shown edged red on the attached plan.*

5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

The use of the land for the display, storage and sale of cars and motor vehicles

6. WHAT YOU ARE REQUIRED TO DO

Cease all the activity specified in this notice.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on *19th April 2011* when all the activity specified in this notice shall cease. This notice will cease to have effect on *16th May 2011*

Dated: *18th April 2011*

Signed: Director Built Environment *[Council's authorised officer]*

On behalf of CHELTENHAM BOROUGH COUNCIL

Nominated Officer *Martin Levick*

Telephone Number *01242 774986*

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 *Martin Levick Senior Planner – Enforcement 01242 774986 Cheltenham Borough Council Municipal Offices Cheltenham GL50 9SA* 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.

Ref: 11/00069/DCUCOU