

NORTH DEVON DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1984
SPECIAL ENFORCEMENT NOTICE

To: M. Rickard,
Mobile Cafe,
Layby on A39 adjacent to ATTURM,
Instow,
North Devon.

W H E R E A S

- (1) It appears to North Devon District Council ("the Council"), being the local planning authority for the purposes of Section 3 of the Town and Country Planning Act 1984 ("the Act") in this matter, that development of Crown land has been carried out, otherwise than by or on behalf of the Crown, at a time when no person is entitled to occupy it by virtue of a private interest (including a licence in writing). The land or premises ("the land") is described in schedule 1 below.
- (2) The matters alleged to constitute development are described in Schedule 2 below.
- (3) The Council consider it expedient, having regard to the provisions of the development plan and to any other material considerations, to issue this notice (a "special enforcement notice") in exercise of their powers contained in Section 3 of the Act for the reasons set out in the annex to this Notice.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken in order to discontinue any use of the land which has been instituted by the development within the period of 14 days from the date on which this notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Town and Country Planning Act 1971 (as applied by Section 3(8) of the Act) on 1st July 1988.



Issued this 2nd day of June 1988

Civic Centre,
Barnstaple,
EX31 1EA.

I Vernon George CHRISTIAN

.....
ENFORCEMENT OFFICER OF
NORTH DEVON DISTRICT COUNCIL,
CERTIFY THAT I SERVED ON
...MR. M. RICKARD..... A TRUE COPY
OF THIS ENFORCEMENT NOTICE
BY HANDING TO HIM PERSONALLY
OR BY LEAVING IT FOR HIM WITH
AN ADULT PERSON AT HIS USUAL
PLACE OF ABODE OR RESIDENCE
ON 2..... DAY OF JUNE.....

SIGNED



SCHEDULE 1

Land or premises to which this notice relates

Land at the layby adjacent to ATTURM at Instow, North Devon shown edged red on the plan annexed.

SCHEDULE 2

The matters alleged to constitute development

Unauthorised change of use of the land by the stationing thereon of a mobile van for the sale of refreshments.

SCHEDULE 3

Steps required to be taken

The removal of the said mobile van from the land and the discontinuance of the said unauthorised use within the period of fourteen days from the date on which this Notice takes effect.

Notes:

1. Your attention is drawn to the enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure".
2. An official Appeal Form is also enclosed.

I VICTOR GEORGE CHRISTIAN

ENFORCEMENT OFFICER OF
NORTH DEVON DISTRICT COUNCIL,
CERTIFY THAT I SERVED ON
MR. M. RICKARD A TRUE COPY
OF THIS ENFORCEMENT NOTICE
BY HANDING TO HIM PERSONALLY
OR BY LEAVING IT FOR HIM WITH
AN ADULT PERSON AT HIS USUAL
PLACE OF ABODE OR RESIDENCE
ON 2 DAY OF JUNE 1988

SIGNED



NORTH DEVON DISTRICT COUNCIL

ANNEX TO AN ENFORCEMENT NOTICE DATED

1. Following complaint received during the summer and autumn of 1987, investigations have been made into the siting of a mobile canteen on a layby at Instow on the A39 opposite to the Army Training Base.
2. The mobile canteen takes the form of a caravan which is parked on the layby at all times. During clement weather a metal table together with chairs are also sited next to the caravan in the layby.
3. The area around the caravan is, on occasion, cluttered with gas canisters, water bottles and rubbish sacks.
4. The owner of the caravan has no planning consent in respect of the change of use of the land for the stationing of a mobile caravan for the sale of refreshments.
5. Were planning consent applied for it would be refused on the following grounds:
 - (a) The general appearance, associated advertising and bold lettering used in the advertisements for the cafe are detrimental visually in this setting.
 - (b) The siting of the cafe interferes with the function of the layby by taking up parking spaces which could otherwise be used by vehicles.



SOLICITOR

JF/MJS

I Victor Gullett CHRISTIAN

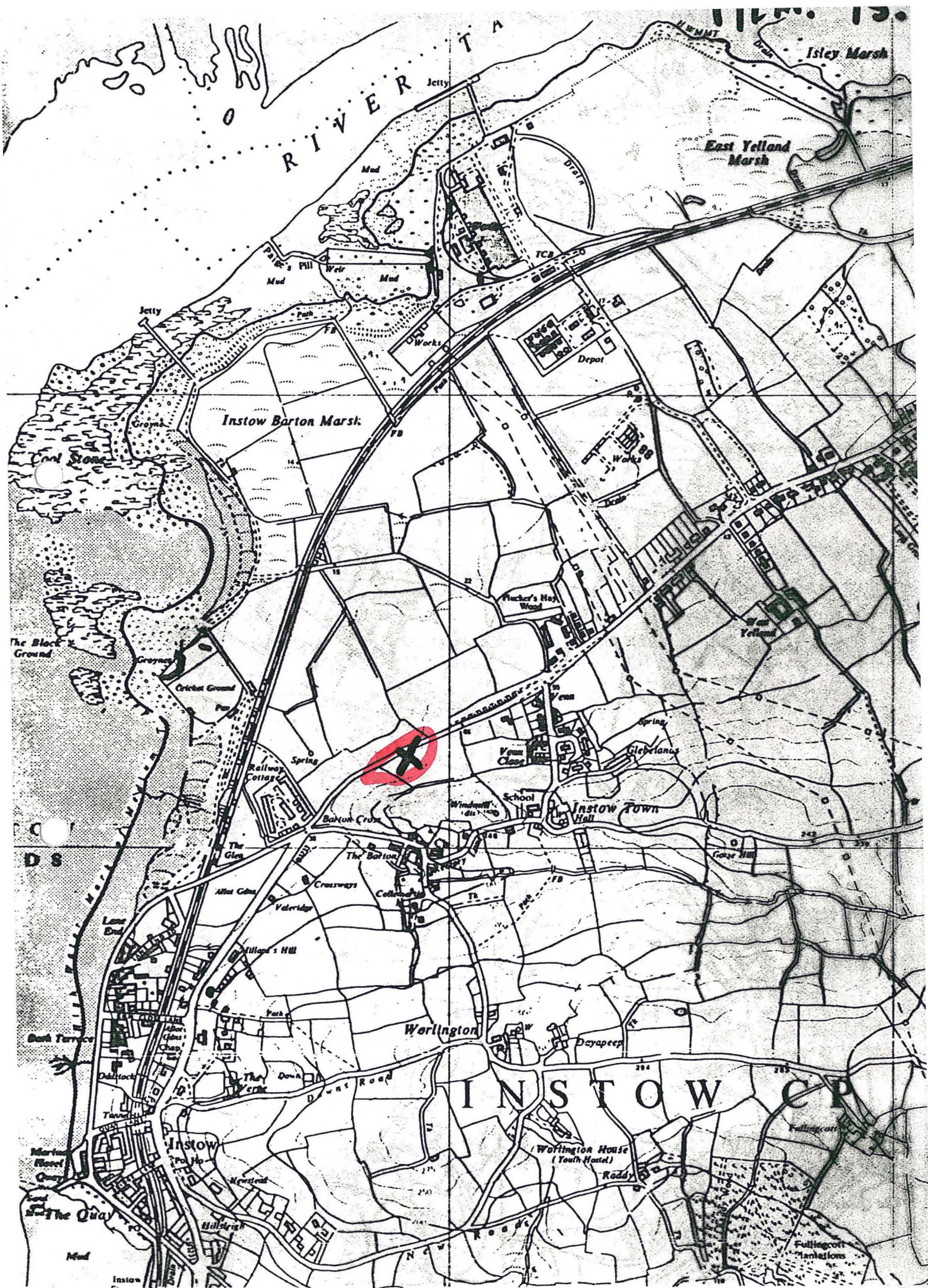
ENFORCEMENT OFFICER OF
NORTH DEVON DISTRICT COUNCIL,
CERTIFY THAT I SERVED ON

MR. M. RICKARD A TRUE COPY
OF THIS ENFORCEMENT NOTICE

BY HANDING TO HIM PERSONALLY
~~OR BY LEAVING IT FOR HIM WITH~~
~~AN ADULT PERSON~~ AT HIS USUAL
PLACE OF ABODE OR RESIDENCE
ON 2 DAY OF JUNE 1988

SIGNED







Lynton House, Commercial Road,
Barnstaple, EX31 1EA

Enforcement Notice 0922

Mobile Cafe, A39 Layby adjacent to ATTURM, Instow, EX39 4JQ

© Copyright and database right 2012 Ordnance Survey Licence No. 100021929. No unauthorised reproduction permitted.