



Hinckley & Bosworth
Borough Council

A Borough to be proud of

HINCKLEY AND BOSWORTH BOROUGH COUNCIL("The Council")

BREACH OF CONDITION NOTICE

(This communication affects your property)

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991) ("The Act")

SERVED BY: Hinckley and Bosworth Borough Council

To: Manager of:
The Gate Inn
Ashby Road
Osbaston
Nuneaton
Leicestershire
CV13 0HP

To: To the Company Secretary of:
Marston's Pubs Limited
Marstons House
Wolverhampton
WV1 4JT

To: To the Company
Secretary of:
HSBC Trustee Limited
1 Grenville Street
St Helier
Jersey
JE4 9PF

1. **This is a formal notice** which is issued by the Council under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. The Annex at the end of this notice contains important additional information .
2. **The land affected by the notice:** -
The Gate Inn Ashby Road Osbaston Nuneaton, shown edged red on the attached plan.
3. **The relevant Planning permission:**

The relevant planning permission to which this notice relates is the permission granted on the 30 March 2011 (Planning Reference: 10/01007/FUL), the terms of which are set out in Paragraph 4 of this Notice

4. Breach of condition;

The following condition has not been complied with; -

Condition 7

No development shall take place until a scheme detailing all proposed external plant and extraction systems has been submitted to and approved in writing by the Local Planning Authority. These details shall include: -

- a) Details of all new ventilation/extraction units including siting, installation method, noise performance and future maintenance and management including replacing any existing external plant and extraction systems
- b) Details of all other proposed external mechanical plant including the fridge/freezer condensing units, beer coolers etc.

The approved scheme shall be carried out and fully operational before the first use of the development hereby approved and shall be maintained thereafter.

5. What you are required to do:

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the said condition by taking the following steps;

To comply with condition 7

- i. Remove the beer Cellar compressor unit and make good the land to the condition before its installation
- ii. Prior to the installation of any new equipment to submit an application into the Local Planning Authority for consideration in compliance with Condition 7 of planning permission 10/01007/FUL.

6. Time for Compliance;

2 months from the date this notice is served.

ANNEXE

THIS NOTICE TAKES EFFECT **IMMEDIATELY** IT IS SERVED UPON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE COMMUNITIES AND LOCAL GOVERNMENT AGAINST THIS NOTICE

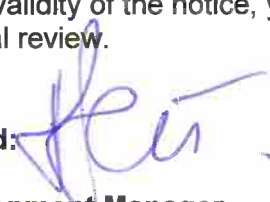
FOR THE DEPARTMENT FOR LOCAL GOVERNMENT AND THE REGIONS AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of **immediate prosecution** in the Magistrates court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with The Enforcement Officer given at the end of this notice.

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, a 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.

Dated: 26 November 2014

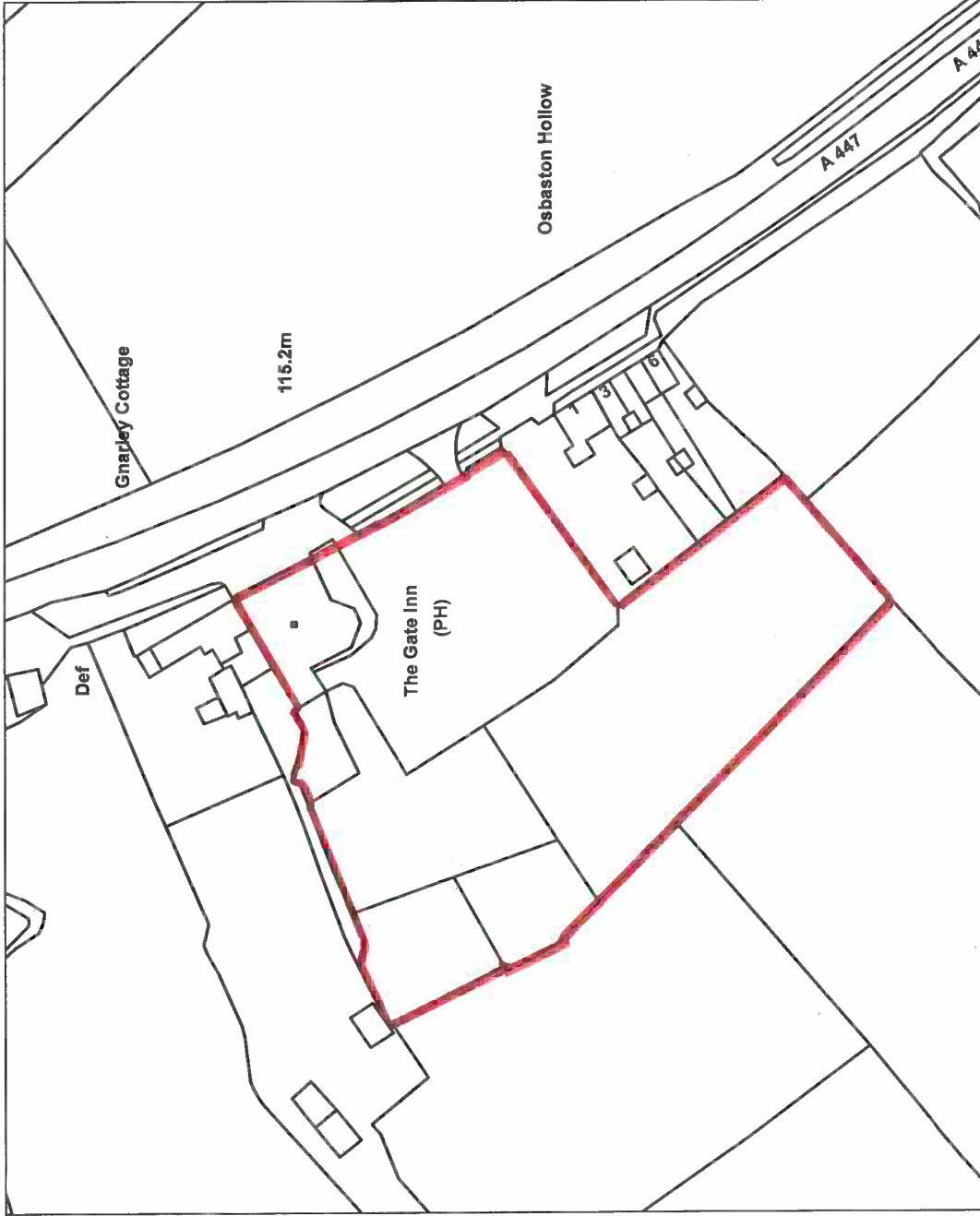
Signed:



Development Manager
Hinckley and Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

Breach of Condition Notice Plan

Not Set



Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	Hinckley and Bosworth BC
Department	Department
Comments	Not Set
Date	25/11/2014
MSA Number	100018489