



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: Mr Jeffrey Penman  
Tungsten Properties Ltd  
Unit 2  
Marina Court  
Maple Drive  
Hinckley  
Leicestershire  
LE10 3BF

To: Company Secretary of:  
Screwfix  
Unit D1  
Apex Court  
Maple Drive  
Hinckley  
Leicestershire  
LE10 3BE

To: Company Secretary of:  
Subway UK  
Unit D2  
Apex Court  
Maple Drive  
Hinckley  
Leicestershire  
LE10 3BE

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 Annexe at the end of this notice contains important additional information
2. **The land affected by the notice: -**  
Unit D1 and Unit D2, Apex Court, Maple Drive, Hinckley, Leicestershire 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 13 July 2015 (Planning Reference: 15/00559/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 2:

*"The lights shown on Lighting Project: Horizontal Illuminance levels (Drawing Number: LS21774\_1, Scale: 1:500) shall only be operational between the hours of 07:00 – 23:00 Monday to Sundays including Bank Holidays"*

**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 2

- a) All flood lights as approved under 15/00559/FUL shall only be operational between 07:00 – 23:00 hours. After 23:00 hours all flood lights within the car park of Unit D1 and Unit D2 shall be turned off.

**6. Time for Compliance;**

One month 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.

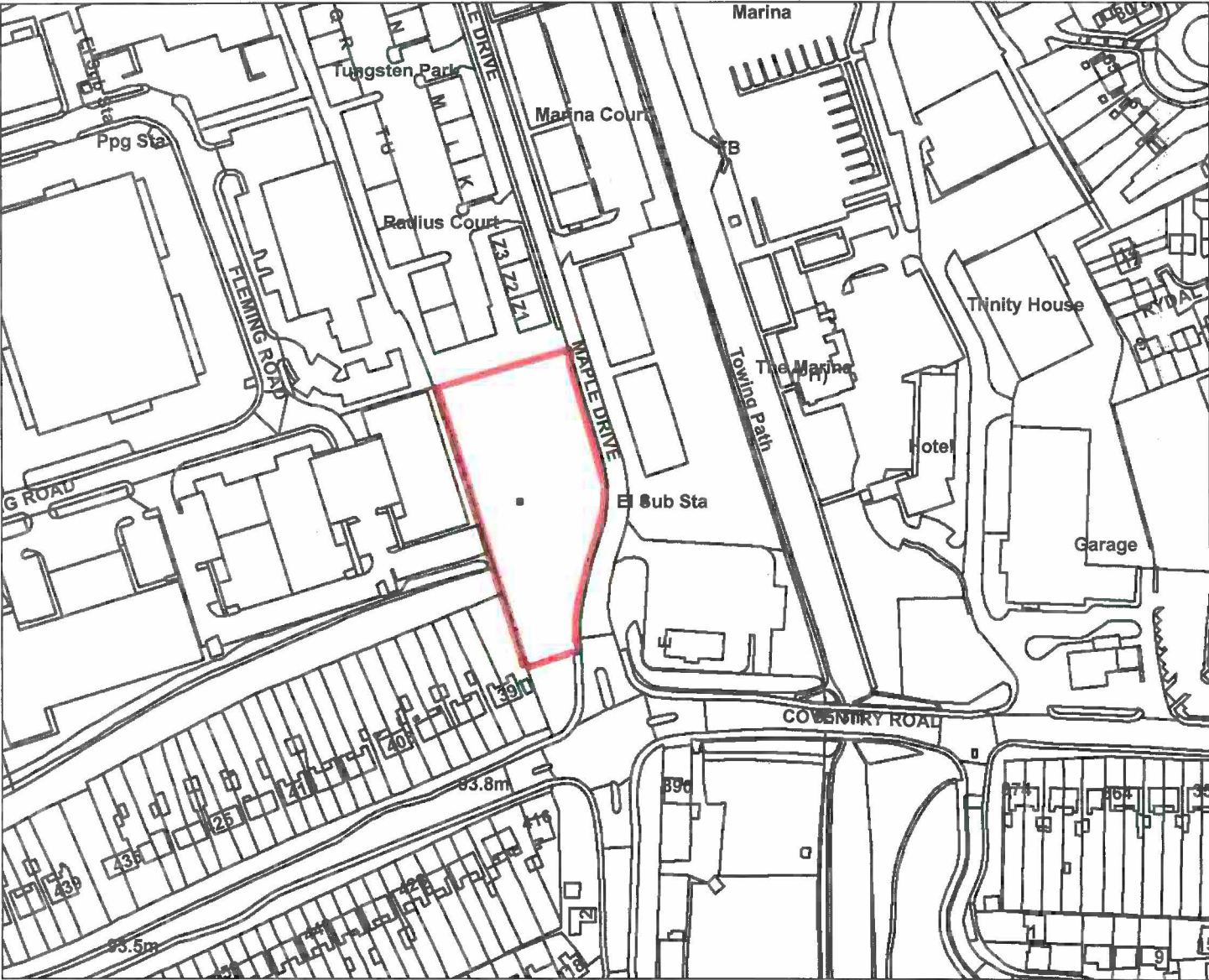
**Dated: 31 July 2015**

**Signed:**

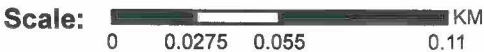


**Eleanor Overton**  
**Planning Manager (Development Management)**  
Hinckley and Bosworth Borough Council  
Hinckley Hub  
Rugby Road  
Hinckley  
Leicestershire  
LE10 0FR

Breach of Condition Notice Plan  
Not Set



Legend



Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	31/07/2015
PSMA Number	100018489