



**Hinckley & Bosworth
Borough Council**

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

**NOTICE UNDER SECTION 215 OF THE TOWN AND COUNTRY PLANNING ACT 1990,
AS TO LAND ADVERSELY AFFECTING THE AMENITY OF THE AREA**

SERVED BY HINCKLEY AND BOSWORTH BOROUGH COUNCIL (the “Council”)

To:

The Company Secretary, Sunargow Hatton LTD., SKN Business Centre, 1 Guildford Street, Birmingham, West Midlands, B19 2HN

The Owners/The Occupiers of Land at 129 Main Street, Newbold Verdon, Leicestershire, LE9 9NP

1. THE NOTICE

This notice is served by the Council under S215 of the above Act because it appears to them that the amenity of a part of their area is adversely affected by the condition of the land described below.

2. THE LAND TO WHICH THE NOTICE RELATES

The land known as 129 Main Street, Newbold Verdon, Leicestershire, LE9 9NP (Hereafter referred to as “The Land”) shown edged red on the attached Plan, as shown in photographs A, and B attached to this notice.

3. WHAT YOU ARE REQUIRED TO DO

The Council requires the following steps to be taken for remedying the condition of the Land:

- i. Main elevation (photograph A)

Repair and paint the door, repair/board up windows, and paint in white, or grey or

similar colour and repair the single storey roof

ii. Remove the redundant cola vending machine and building materials from the Land and dispose of to an authorised place of disposal.

iii. Side elevation (photograph B)

Repair render to the side elevation

4. TIME FOR COMPLIANCE

Steps i), ii) and iii) above to be complied with in full within 6 (six) months from the date this notice takes effect.

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the **21st June 2025**, unless an appeal is submitted to the Magistrates' court beforehand.

Date issued: 21st May 2025

Signed:



Christopher Brown MRTPI
Head of Planning

Authorised Officer

On behalf of:
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
Leicestershire
LE10 0FR

Nominated Officer: Adam Hicks, Planning Enforcement Officer
Email: adam.hicks@hinckley-bosworth.gov.uk

Enforcement reference: 25/00002/S215S

The Plan– Land at 129 Main Street, Newbold Verdon, Leicestershire, LE9 9NP



Site Photo A



Site Photo B



Penalty for non-compliance with s. 215 notice.

Section 216

(1) The provisions of this section shall have effect where a notice has been served under section 215.

(2) If any owner or occupier of the land on whom the notice was served fails to take steps required by the notice within the period specified in it for compliance with it, he shall be guilty of an offence and liable on summary conviction—

(a) to a fine, if the land is in England, or

(b) to a fine not exceeding level 3 on the standard scale, if the land is in Wales.

(3) Where proceedings have been brought under subsection (2) against a person as the owner of the land and he has, at some time before the end of the compliance period, ceased to be the owner of the land, if he—

(a) duly lays information to that effect, and

(b) gives the prosecution not less than three clear days' notice of his intention,

he shall be entitled to have the person who then became the owner of the land brought before the court in the proceedings.

(4) Where proceedings have been brought under subsection (2) against a person as the occupier of the land and he has, at some time before the end of the compliance period, ceased to be the occupier of the land, if he—

(a) duly lays information to that effect, and

(b) gives the prosecution not less than three clear days' notice of his intention, he shall be entitled to have brought before the court in the proceedings the person who then became the occupier of the land or, if nobody then became the occupier, the person who is the owner at the date of the notice.

(5) Where in such proceedings—

(a) it has been proved that any steps required by the notice under section 215 have not been taken within the compliance period, and

(b) the original defendant proves that the failure to take those steps was attributable, in whole or in part, to the default of a person specified in a notice under subsection (3) or (4), then—

(i) that person may be convicted of the offence; and

(ii) if the original defendant also proves that he took all reasonable steps to ensure compliance with the notice, he shall be acquitted of the offence.

Enforcement reference: 25/00002/S215S

(6) If, after a person has been convicted under the previous provisions of this section, he does not as soon as practicable do everything in his power to secure compliance with the notice, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding the relevant amount for each day following his first conviction on which any of the requirements of the notice remain unfulfilled.

(6A) In subsection (6) "the relevant amount" means—

(a) if the land is in England, one-tenth of the greater of—

(i) £5000, or

(ii) level 4 on the standard scale;

(b) if the land is in Wales, one-tenth of level 3 on the standard scale.

(7) Any reference in this section to the compliance period, in relation to a notice, is a reference to the period specified in the notice for compliance with it or such extended period as the local planning authority who served the notice may allow for compliance.

Right of Appeal against a section 215 Notice.

Sections 217-218

217—(1) A person on whom a notice under Section 215 is served, or any other person having an interest in the land to which the notice relates, may, at any time within the period specified in the notice as the period at the end of which it is to take effect, appeal against the notice on any of the following grounds:

(a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;

(b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from the carrying on of operations or a use of land which is not in contravention of Part III;

(c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority, who served the notice, or of any adjoining area;

(d) that the period specified in the notice as the period in within which any steps required by the notice are to be taken falls short of what should reasonably be allowed.

(2) Any appeal under this section shall be made to the Magistrates Court acting for the petty sessions in which the land in question is situated.

(3) Where such an appeal is brought, the notice to which it relates shall be of no effect pending the final determination or withdrawal of the appeal.

(4) On such an appeal the Magistrates Court may correct any informality, defect or error in the notice if satisfied that the informality, defect or error is not material.

Enforcement reference: 25/00002/S215S

(5) On the determination of such an appeal the Magistrates Court shall give directions for giving effect to their determination, including, where appropriate, directions for quashing the notice or for varying the terms of the notice in favour of the appellant.

(6) Where any person has appealed to a Magistrates Court under this section against a notice, neither that person nor any other shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed. 218 — Where an appeal has been brought under section 217, an appeal against the decision of the Magistrates Court on that appeal may be brought to the Crown Court by the appellant or by the local planning authority who served the notice in question under section 215.