

LAND AT THE REAR OF 99-133 BENETS ROAD, HORNCHURCH, RM11 3PT

Enforcement case ref: ENF/300/24

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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: London Borough of Havering herein after referred to as “the Council”

To:

- (1) The Owner(s), land at the rear of 99-133 Benets Road, Hornchurch RM11 3PT
- (2) The Occupier(s), land at the rear of 99-133 Benets Road, Hornchurch RM11 3PT
- (3) Gerry Barlow, 57 Elmer Gardens, Rainham RM13 7BT
- (4) David Rayment, 57 Elmer Gardens, Rainham RM13 7BT
- (5) The Contractor (known as ‘Rome Construction’) working on the land at the rear of 99-133 Benets Road, Hornchurch RM11 3PT

1. On **9th August 2024**, 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 section 3 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 on the land described in paragraph 4 below. The breach of planning control is engineering operations with the formation of earth bunds and unauthorised work on trees protected by “Area” Tree Preservation Order 31 of 1991.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land at The Rear of 99 - 133 Benets Road, Hornchurch, RM11 3PT as edged black on the attached plan

5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

All unauthorised development including building and engineering operations and work without appropriate consent on trees protected by Tree Preservation Order 31 of 1991.

6. WHAT YOU ARE REQUIRED TO DO

To cease all unauthorised development including immediately ceasing all building and engineering operations and ceasing any works to trees protected by Tree Preservation Order 31 of 1991 as to the land edged back on the plan attached hereto.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **9th August 2024** when all the activity specified in this notice shall cease. This notice will cease to have effect on **4th October 2024**

Dated: **9TH August 2024**

Signed: 
David Colwill
ENFORCEMENT TEAM LEADER

On behalf of: London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BB

ANNEXE

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.

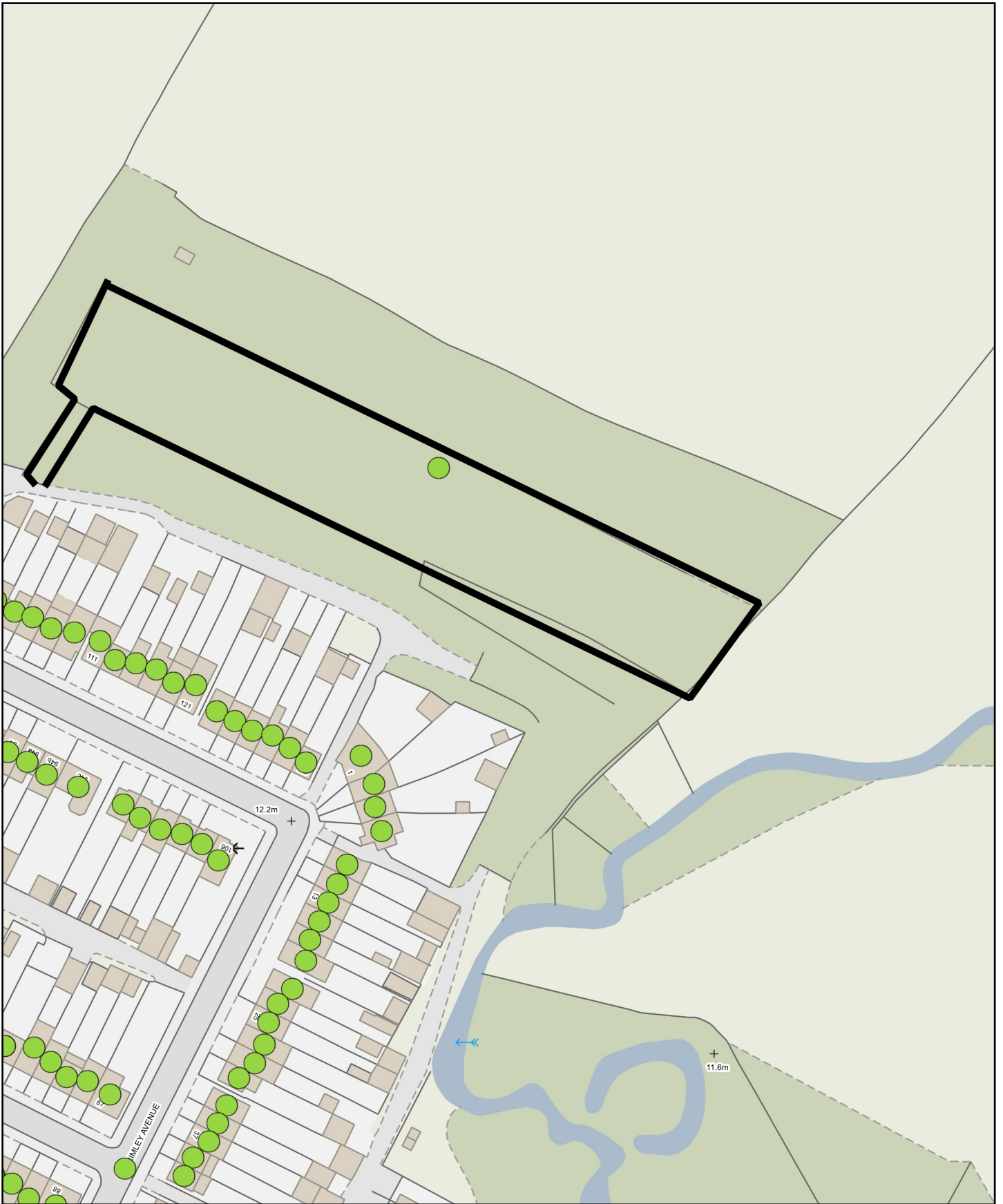
It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you (Section 171G of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is unlimited 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 **Chris Stathers, Principal Enforcement Officer**, Town Hall, Main Road, Romford, RM1 3BB, **01708 433619**. 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.

S.171G. Temporary stop notice: offences


- (1) A person commits an offence if he contravenes a temporary stop notice—
 - (a) which has been served on him, or

- (b) a copy of which has been displayed in accordance with section 171E (5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
 - (3) An offence under this section may be charged by reference to a day or a longer period.
 - (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
 - (5) A person does not commit an offence under this section if he proves—
 - (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
 - (6) A person convicted of an offence under this section is liable—
 - (a) on summary conviction, to an unlimited fine;
 - (b) on conviction on indictment, to a fine.
 - (7) In determining the amount of the fine, the court must have regard in particular to any financial benefit, which has accrued or has appeared to accrue to the person convicted in consequence of the offence.

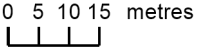



**LAND AT THE REAR OF 99-133 BENETS ROAD,
HORNCHURCH
ENF/300/24**

TQ5550087283




Scale: 1:1250
Date: 08 August 2024

London Borough of Havering
Town Hall, Main Road
Romford, RM1 3BD
Tel: 01708 434343

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