

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

SECTION 215 NOTICE

SERVED BY: THE LONDON BOROUGH OF CAMDEN

TO: The Owner and the Occupier (as specified in the First Schedule of this Notice)

1. THE NOTICE

This Notice is served by the Council under Section 215 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, set out in paragraph 4 below.

2. THE LAND TO WHICH THE NOTICE RELATES

The land known as **Crescent Supermarket, 88 Queen's Crescent, London, NW5 4DY** shown in black on the attached plan.

3. WHAT YOU ARE REQUIRED TO DO

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

- a) The produce stand and displays should be completely removed when the shop is closed each day
- b) No fixtures, fittings, containers or produce is to be left on the forecourt or street when the shop is closed.
- c) Produce stand and displays should be to the front of the shop and within the private forecourt of the shopfront only
- d) Produce stand and display to be kept tidy at all times
- e) No rubbish to be left on the street during the day or night except for 30 minutes before it is due to be collected

Council reference: EN17/0034

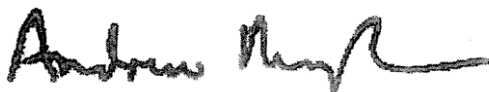
4. **TIME FOR COMPLIANCE**

Steps (a) to (e) inclusive to be complied with in full within one (1) month of the date on which this Notice takes effect.

5. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect 14th February 2019 unless an appeal is made against it beforehand.

DATED: Thursday 3rd January 2019

A handwritten signature in black ink, appearing to read 'Andrew Noyce', written over a horizontal line.

Signed: _____

Borough Solicitor, on behalf of the London Borough of Camden, Town Hall,
Judd Street, London WC1H 9LP.

Council reference: EN17/0034

FIRST SCHEDULE

THIS SECTION 215 ENFORCEMENT NOTICE HAS BEEN SERVED ON:

1. MOHAMMED SAIDIQ KHAN and AFSAR JEHAN KHAN of 88 and 88a Queen's Crescent, London NW5 4DY.
2. Asif Khan Flat 1st and 2nd Floor 88 Queen's Crescent London NW5 4DY

If you believe that there is someone else who should be served or any of those listed above has not received a copy of the notice or any other document please let that person and the Council know of this omission as soon as possible.

Council reference: EN17/0034

SECOND SCHEDULE

SITE PLAN



**RIGHT OF APPEAL AGAINST SECTION 215 NOTICE
SECTIONS 217-218 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

Section 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.
- (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.

Section 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.