

**82 CAMDEN HIGH STREET
LONDON
NW1 0LT**

GROUND S OF APPEAL AGAINST ENFORCEMENT NOTICE

GROUND A:

The enforcement notice does not make clear what objections the Council has, nor has the Council contacted the appellants at all, to advise us of their objections.

We have also asked them to explain their objections but they have refused to respond.

In any event there are several examples of these type of shop fronts very close by.

Furthermore, we understand that the planning department will take enforcement action regarding similar shopfronts at 42 Camden High Street, but have not done so.

GROUND E:

Although the senior lawyer of Camden Council has confirmed that “the Council is required to serve a copy of the enforcement notice on all those with an interest in the land”, they have not done so.

We are still waiting for information from the Council, but we provisionally understand that the Council served a different notice on the manager of the café.

Furthermore, the notice that we received does not make clear what we are required to do.

Paragraph 5.2 of the enforcement notice refers to drawing A101 and appendix 1. None of these were attached so we have no idea what the Council expects us to do.

Furthermore, the appellants are the freeholders. The premises are leased for 999 lease from 1981 on terms that the freeholder does not have any right to do works to the premises, only the leaseholder has the right.

We have written to the Council explaining this to them requesting that the obligation of the enforcement notice should be removed from us, even if they wish to enforce it on the leaseholder, and asked them for an undertaking that in the event that the leaseholder does not comply with the notice (if they have been correctly served) that we as freeholders will not be prosecuted if the leaseholder does not carry out any required works.

Naturally draconian Camden Council did not agree to this simple request, so we are forced to appeal. We are also seeking for our costs to be reimbursed seeing that the Council are being so unreasonable.

GROUND F:

The Council requires us to reinstate a shopfront as per drawing A101 on Appendix 1. We really don't know what they expect from us, if they want the existing recessed doors brought forward, or a new shopfront with only one or two doors in a fixed shopfront in the existing recess location.

Alternatively, if the Council's objections are that when the doors are open there is no shopfront, they could have simply requested that the bio-folding doors are not used and kept closed, except for the centre door for entry and exiting.

Alternatively, the Council should have requested that instead of removing the entire shop front it should be altered to a shopfront

similar to 42 Camden High Street, or the Argos store or the Savers store which are recessed.

GROUND G:

The Council expect this to be done within 3 months. In the event that this appeal fails, the freeholders would have to commence court proceedings against the leaseholder to comply with the decision as the freeholder can legally not carry out the works themselves.

These court proceedings are likely to take at least 12-18 months, therefore we ask that the time given should be at least a fixed number of months after such court proceedings, providing they are successful.