

**LITIGATION, FAILURE TO COMPLY WITH A NOTICE, ADVERTISING
ONGOING TO DATE (11.06.09)**

Planning Reference and Officer	Legal Reference and Officer	Address And Activity	Details of actions Planning prefaced (P) Legal prefaced (L)
2006/0038 2 BL	JRB T3/619	Land Adj. 100 Waterbeach Road Unauthorised erection of Building containing residential Flats.	<p>(P) Legal instructed and Land Charges Informed 27/3/07.</p> <p>(P) JB has forwarded a memo seeking further information dated 3/5/07.</p> <p>(P) Reply to forgoing sent 9/5/07</p> <p>(P) Legal requested 12 copies of plan in memo dated 15/5/07</p> <p>(P) Plans sent to legal as requested.</p> <p>(P) Enforcement Notice served 13/6/07, effective 16/7/07 compliance by 16/10/07.</p> <p>(P) Appeal lodged.</p> <p>(P) App/J0350/c/07/2050463. The Planning Inspectorate refuse the appeal. Not valid by Time. Prosecution to be commenced.</p> <p>(P) No compliance. Prosecution papers being prepared.</p> <p>(P) Prosecution Case File to, Tania Fletcher, Wednesday 14 November 2007</p> <p>(L) Prosecution considered and will continue. TEF to arrange filing of documents to be served.</p> <p>(L) Proceedings filed 29.11.07. first call 18.01.08. TEF awaiting documents to be returned then to prepare for Planning to serve</p> <p>(L) docs ready to serve TEF to give to planning</p> <p>(L) docs served</p> <p>(L) first call 18.01.08. defendant did not appear. Adjourned to 15.02.08. warrant to follow if non attendance.</p> <p>(L) Adjourned until 13 June 2008.</p> <p>(L) Pleaded guilty, £4.500 fine, £450 costs.</p> <p>(L) The owners agent has been made aware that we are monitoring the situation. Meeting arranged for 15 September 2008 to discuss regularisation application to be submitted. Prosecution being considered in view of length of time being taken to submit application.</p>

2006/0043 0 BL	JRB T3/602	8 Middlegreen Road Slough Unauthorised Development Front Wall	<p>(P) Legal Instructed and Charges Informed 17 October 2006</p> <p>(P) Notified that John Bell dealing. 16 November 2006</p> <p>(L) Sight line issue – waiting on planning</p> <p>(P) Plans forwarded to legal 19/3/07.</p> <p>(P) Enforcement notice served 10/4/07, effective 15/5/07 compliance by 15/8/07.</p> <p>(P) Notice not complied with. Prosecution papers prepared and moved to Part 11</p> <p>(L) TEF to locate file and discuss next week</p> <p>(L) Proceedings filed 29.11.07. first call 18.01.08. TEF awaiting documents to be returned then to prepare for Planning to serve (NB see below matters filed together)</p> <p>(L) docs ready to serve TEF to give to planning</p> <p>(L) docs served</p> <p>(L) Contact from those concerned disputing validity of Notice.</p> <p>(L) Notice served 08. 10. 08, took effect 05. 11. 08. Compliance 05.02.09</p>
2005/0026 0 NFC	L16/025 011219	Rhea's Indian Cuisine, 295- 297, High Street, Slough Shutters	<p>(P) Legal Instructed and Land Charges informed. 30/8/05</p> <p>(L) acknowledgement of instructions sent out on 22/09</p> <p>(L) Requisitions sent out to 8 parties on 5/10/05</p> <p>(L) SH to draft Enforcement Notice</p> <p>(L) Enforcement notice served 6/1/06, effective 6/2/06 for compliance 6/4/06, Land Charges informed</p> <p>(P) Site visit required to establish if compliance has been achieved.</p> <p>(P) Appeal lodged.</p> <p>(P) Appeal dismissed. New date for compliance 18/12/06.</p> <p>(P) No compliance moved to Part 11.</p> <p>(P) Prosecution papers being prepared.</p> <p>(P) Prosecution papers signed by David Scourfield 18/5/07 and forwarded to legal the same day.</p> <p>(P) Legal Acknowledged instructions 7/8/07.</p> <p>(L) as above</p> <p>(L) File located. TEF has requested NC carry out a site visit.</p> <p>(L) NC doing a pre-action letter</p> <p>(P) NC meeting with new occupier on 17.01.08</p> <p>(P) planning in discussions about the way forward. No legal action required at this stage.</p>

<p>2006/0000 1 BL</p>		<p>2 Upton Court Road S215 Action. Storage/parking motor vehicles.</p>	<p>(P) Legal instructed and Land Charges informed 27/02/06 (P) Legal acknowledged instructions 8/3/06. (L) Requisitions sent 10.3.06 File passed to JRB (P) Draft notice agreed and returned to legal w/e 14/7/06 (P) Sec 215 Notices served 27 July 2006. Compliance date. 3 September 2006. (P) No compliance. Prosecution papers prepared and moved to Part 11 (P) KKC has requested a meeting with BL. Yet to be arranged. (P) Attended court on 6 September 2007. Plea of guilty. Fined £720 with £1500 costs. Will monitor the property for post conviction compliance. (L) meeting TEF and NC – NC to monitor compliance (L) Bob Lee to provide up to date statement (L) statement provided, we are waiting on a land registry search and a record of conviction then we will be able to file proceedings for continued non compliance. (L) Papers being prepared for prosecution for non compliance. (L) Adjourned for representations. Next Court date 11th July 2008 (L) Pled not guilty, next Court date 5 November 2008. (L) Convicted guilty at Court. Fined £2500.00 and ordered to pay costs of £584.61 (L) Considering further prosecution.</p>
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NFC	EJ/T3/306	Poyle Recycling Centre, Poyle Rd. Slough Unauthorised use of land for storage and recycling.	<p>(P) Legal instructed 13/8/98.</p> <p>(P) Enforcement Notice issued and served 25/8/99 for compliance on various dated ending on 23/9/00.</p> <p>(P) Appeal lodged and dismissed.</p> <p>(L) Judicial Review dismissed. New compliance dates as follows: - 8/10/02 to cease use for recycling, 17/1/03 to remove scrap/soil etc., 18/4/03 topsoil area and sow grass seed.</p> <p>(P) Notice not complied with and instructions to legal to commence a prosecution on 6/1/04.</p> <p>(P) Whilst there is no compliance prosecution is on hold pending confirmation from legal that notices that will be required to be served under PACE are acceptable.</p> <p>(P) Although the advise sought above has not been given site visit 9/8/04 and prosecution file updated.</p> <p>(P) PACE issues resolved and evidence gathered. Added to prosecution file.</p> <p>(L) March 05 - Evidence received by Legal to lay papers at court.</p> <p>(L) Counsel instructed who is reviewing papers prior to laying information at Court.</p> <p>(P) Site visit 5/8/05 with an Environment Agency surveyor and a soil scientist to gather evidence pending a prosecution for failure to comply with an enforcement notice.</p> <p>(P) Following the above visit the soil scientist has failed to supply a statement and accordingly the file is being reviewed for evidential quality.</p> <p>(L) TEF no prosecution file can be located. NC to look to see what they have</p> <p>(L) Site visited by Planning, papers being prepared for prosecution for non compliance.</p> <p>(L) In Court 25 July for Plea.</p> <p>(L) Pleaded not guilty, Pre trial review on 19 September 2008 to fix trial date.</p> <p>(L) 2 day trial fixed for 11 and 12 February 2009.</p> <p>(L) Trial vacated to next hearing 20/02/08.</p> <p>(L) And case below, defendant pleaded guilty, fined £9500.00 with costs of £1500.00 awarded to the Council.</p>
2004/0060 6 NFC	L7/010 010831	Land at Poyle Manor Farm Caravans on Land Prosecution breach of enforcement notice	<p>(L) Meeting with TEF and NC. This matter is quite old. Enforcement notice issued in 2004. NC to do a site visit.</p> <p>(L) as above</p> <p>(L) Adjourned at Court until 25th July 2008 for plea.</p> <p>(L) As above</p>

2005/0040 9/ENF	T1/077 011746	13 Grasmere Avenue Tyres sales and fitting Prosecution for breach of enforcement notice	(P) file sent to legal (L) Trial on 21 st and 28 th January 2009 at Bracknell. (L) Pleaded guilty, fine £1000.00, costs of £668.00 awarded. CASE CLOSED
ENF/2005 /00396 NFC	T3/651	271 Langley Road Slough Failure to Comply with an Enforcement Notice	(L) (L) In Court 1 st August 2008 for plea, proof in absence or warrant of arrest. (L) Matter proved in absence and warrant of arrest issued.
2007/0041 2/ENF	T3/653	50 Northern Road Slough Failure to Comply with a S215 Notice	(L) Hearing 22 nd October 2008 at Bracknell (L) Appeal dismissed by Magistrates, award of costs £150.00. (P) Default work proposed May/June 2009
2005/0052 2/ENF	T3/643	56 Hillside Slough Failure to Comply with an Enforcement Notice	(L) In Court 8 th August 2008 for plea. (L) Adjourned until 29 August 2008 for pre trial review. (L) Trial 17 December 2008. (L) Counsel instructed to attend Trial. (L) Trial date set for 16 th January 2009 at Maidenhead Magistrates Court. (L) Adjourned until the 25/05/09.

GLOSSARY OF ABBREVIATIONS

PLANNING

NC = Nigel Craske

BL = Bob Lee

LEGAL

EJ = Elizabeth Jenkins

KKC = Kuldip Channa

DP = Dawn Pelle

CF = Ciara Feeney

SQ = Steven Quayle

General

HMO = House in Multiple Occupation

PA = Planning Application