



SITE NOTICE STATING TEMPORARY STOP NOTICE SERVED

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991 and the Planning and Compulsory Purchase Act 2004)

TO WHOM IT MAY CONCERN

SOUTHAMPTON CITY COUNCIL have served a **TEMPORARY STOP NOTICE** prohibiting from the date on which the notice takes effect the importation, tipping and depositing of:-

Refuse and waste materials including but not exclusively:-

- Tarmacadam waste
- Brick and building waste and rubble
- Rocks
- Imported soil
- Waste concrete materials
- Waste timber materials

This notice will cease to have effect on 31st March 2011

WHEREAS

1. The Temporary Stop Notice relates to land at 53 to 63 Botany Bay Road and land to the rear of 53 to 73 Botany Bay Road adjoining Shoreburs Greenway and shown edged red on the attached plan
2. The Temporary Stop Notice takes effect on 3rd March 2011.
3. The Temporary Stop Notice requires the cessation of all activities referred to above.

TAKE NOTICE that any person contravening or causing or permitting the contravention of the Temporary Stop Notice may be prosecuted for an offence under section 171G of the Town and Country Planning Act 1990.

Date: 3rd March 2011

Signed

Solicitor to the Council
Southampton City Council
Civic Centre
Southampton
SO14 7LY



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: Southampton City Council herein after referred to as "the Council"

To:

Amanda J Hulbert, Mark A Hulbert, Edwin J Young and Jean Young, all of 53 Botany Bay Road, Sholing, Southampton;
Bonny C James, Debbie S James, Deborah James and Stephen James, all of 59 Botany Bay Road, Sholing, Southampton;
Emma J Maynard, Karen Maynard, Stephen K Maynard and Stephen K Maynard, all of 61 Botany Bay Road, Sholing, Southampton;
Mrs P J James of 63 Botany Bay Road, Sholing, Southampton SO19 8FD;
Mr E James and Mrs G James of 63 Botany Bay Road, Sholing, Southampton SO19 8FD;
Mr C R Langley and Mrs A Langley of 73 Botany Road, Sholing, Southampton

1. On the 2nd March 2011 the Council 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 paragraph 4 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 importation, tipping and depositing of waste materials on the Land - (most of which is a Site of Importance for Nature Conservation) - is considered to be harmful to nature conservation, the visual amenities of the area and outlook and safety of occupiers of adjoining property. It has the potential to cause contamination and general harm to the environment and adversely affect the quality of groundwater, notably a stream, which has been caused to be diverted from its original alignment. It is also the most likely cause for a public sewer to have collapsed, which resulted in a pollution incident. The unauthorised tipping activity is therefore considered to be contrary to the following policies of the Development Plan for Southampton set out below:

City of Southampton Local Plan Review (March 2006)
 SDP1 (i), SDP7 (i)/(ii)/(v), SDP9, SDP12, SDP23, NE4 and CLT3

City of Southampton Local Development Framework Core Strategy (January 2010)
 CS13 (6)/(7)/(10), CS21 and CS22

4. THE LAND TO WHICH THIS NOTICE RELATES

53 to 63 Botany Bay Road and to land at the rear of 53 to 73 Botany Bay Road adjoining Shoreburs Greenway shown edged red on the attached plan

5. THE ACTIVITY TO WHICH THIS NOTICE RELATES

The importation, tipping and deposit of refuse and waste materials including but not exclusively:-

- Tarmacadam waste
- Brick and building waste and rubble
- Rocks
- Imported soil
- Waste concrete materials
- Waste timber materials

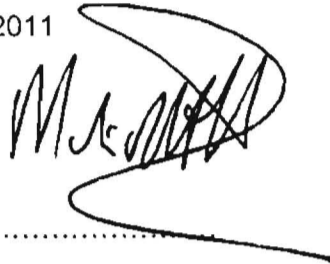
6. WHAT YOU ARE REQUIRED TO DO

Cease all the activity specified in this notice.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 3rd March 2011 when all the activity specified in this notice shall cease. This notice will cease to have effect on 31st March 2011

Dated: 3rd March 2011

A handwritten signature in black ink, appearing to be 'M. Collymore', written over a dotted line.

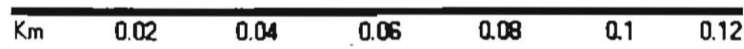
Signed:

Solicitor to the Council
On behalf of Southampton City Council
Civic Centre Road, Southampton

Nominated Officer: Karl Collymore
Telephone Number: 02380 834318

TEMPORARY STOP NOTICE

LAND AT BOTANY BAY ROAD SOUTHAMPTON



[Handwritten signature]

ANNEX**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 £20,000 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 Karl Collymore who is the council's nominated officer to deal with enquiries within Planning Services, Civic Centre, Civic Centre Road, Southampton or on 02380 834318. 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.

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Compensation Act 1991 and the Planning and
Compulsory Purchase Act 2004)**

TEMPORARY STOP NOTICE

LAND AT 53 TO 63 BOTANY BAY ROAD;

**AND LAND AT THE REAR OF 53 TO 73 BOTANY
BAY ROAD ADJOINING SHOREBURS
GREENWAY**

**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
LAND AT 53 TO 63 BOTANY BAY ROAD;
AND LAND AT THE REAR OF 53 TO 73 BOTANY BAY ROAD ADJOINING SHOREBURS GREENWAY**

CERTIFICATE OF SERVICE	
I	<u>Karl Collymore</u>
of	<u>Planning Consultant</u>
hereby certify that on 03 March 2011	
I served Mrs P J James	
of	63 Botany Bay Road, Sholing, Southampton SO19 8FD
with the Temporary Stop Notice	
of which this is a true copy by delivering the said Notice	
to him/her personally (or by leaving the said Notice)	
at	63 Botany Bay Road, Sholing, Southampton SO19 8FD
being the above persons'	
last known (or usual) place of abode (or business)	
DATED the	<u>3rd</u> day of <u>March</u> 2011
Signature	