



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED BY THE
PLANNING ETC. (SCOTLAND) ACT 2006)**

PLANNING CONTRAVENTION NOTICE

Reference Number: ED2012/0033/ENF

Served By: EAST DUNBARTONSHIRE COUNCIL

**Served To: Mark Mills, 17 Marmion Drive, Kirkintilloch, East
Dunbartonshire,
G66 2BH,**

Relating To: 17 Marmion Drive, Kirkintilloch, East Dunbartonshire, G66 2BH,

WHEREAS:

1. It appears to the Council, being the Planning Authority for the purposes of Section 125(1) – (8) of the Town and Country Planning (Scotland) Act 1997 ("the Act"), that there **may** have been a breach of planning control in respect of the land described in the attached **Schedule 1** below ("the land").
2. The breach of planning control which may have occurred are is specified in the attached **Schedule 2** below.
3. This notice is served on you as a person who:-
 - a) Is the owner or occupier of the land or has another interest in it; or
 - b) Is carrying out operations in, on, over or under the land or is using it for any purpose.
4. In exercise of their powers under Section 125(2) and (3) of the Act, the Council requires you, so far as you are able, to provide the following information in writing within twenty-one days, beginning with the day on which this notice is served on you:-



East Dunbartonshire Council

www.eastdunbarton.gov.uk

Ref No. ED2012/0033/ENF

If Calling or telephoning please ask for
David Patey

17 July 2013

Mr Mark Mills
17 Marmion Drive
Kirkintilloch
East Dunbartonshire
G66 2BH

NO RESPONSE
RECEIVED 7/8/2013
COPY
13/8/13
PCN RETURNED NOT CALLED
FOR AT POST OFFICE.

GOVERNANCE & REGULATION

Broomhill Industrial Estate
Kilsyth Road
Kirkintilloch,
Glasgow
G66 1TF

Telephone: 0141 578 8600
Fax No: 0141 578 8575
Direct Line: 0141 578 8544
E-mail: david.patey@eastdunbarton.gov.uk

Reference Number: ED2012/0033/ENF

Served To: , 17 Marmion Drive, Kirkintilloch, East Dunbartonshire, G66 2BH,

Relating To: 17 Marmion Drive, Kirkintilloch, East Dunbartonshire, G66 2BH

Dear Sir/Madam

I also enclose with this letter a Planning Contravention Notice pursuant to Section 125 of the Town and Country Planning (Scotland) Act 1997 (as amended), which requires you to provide information about the ownership of the property and of any other person who may have an interest in it.

WARNING – Failure to respond to the enclosed Planning Contravention Notice is an offence. Those found guilty of such an offence will be liable on summary conviction to a fine of up to £1,000. It is also an offence to make a false statement in response to this Notice and is punishable on summary conviction to a fine of up to £5,000. The Local Authority may seek prosecution of this matter in the Courts should there be a breach of this or any subsequent notice.

Please complete in full the Notice Reply form and return to me within 21 days of the date of this letter.

Should you wish to discuss any of the above in detail, you can contact the officer named above on the number given, who will be pleased to assist you. It is my hope that this matter can be resolved in a spirit of mutual co-operation.

Yours Sincerely,

David Patey



ADDITIONAL INFORMATION

- 1) If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice under S127 of the Act, requiring the breach, or any injury to amenity caused by it to be remedied.
- 2) If the Council serve a stop notice, under S140 of the Act, S143 (5)(b) of the Act provides that should you otherwise become entitled (under S143) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.



- a) A statement declaring if the operations or activities described in paragraph 2 a) and b) are being or have been carried out on the land;
- b) A statement declaring whether or not the land is being used for the purposes described in paragraph 2 b);
- c) A statement declaring when any use, operation or activity began. If this was more than 10 years ago, evidence showing this should be provided;
- d) Details of any planning permission granted for the use or operation on the land described in paragraph 2 a) and b), or any reason why such permission is not required;
- e) A statement declaring the nature of your interest in the land, your full name and designation and the names and addresses of any other persons with an interest in the land including a bank, building society, other lender, feu superior etc.

5 If you wish to make:-

- (a) an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial work, or
- (b) any representations about this notice,

the Council, or representative of the Council will consider them at the offices of **Governance & Regulation, Broomhill Industrial Estate, Kilsyth Road, Kirkintilloch, G66 1TF** when you will be able to make any such offer or representations in person at that time and place. If you wish to do so, please contact: David Patey Planning Enforcement Officer on **0141 578 8600**

Dated: 17.7.13

Signed: 

Diane Campbell
Director of Governance & Regulation

On behalf of: **East Dunbartonshire Council**
Governance & Regulation,
Broomhill Industrial Estate,
Kilsyth Road,
Kirkintilloch,
G66 1TF



SCHEDULE 1

The site to which this Notice relates forms an area of land and premises at 17 Marmion Drive, Kirkintilloch, East Dunbartonshire, G66 2BH, as shown edged in red on the attached Location Plan (Page 4 of 5 of this Notice).



SCHEDULE 2

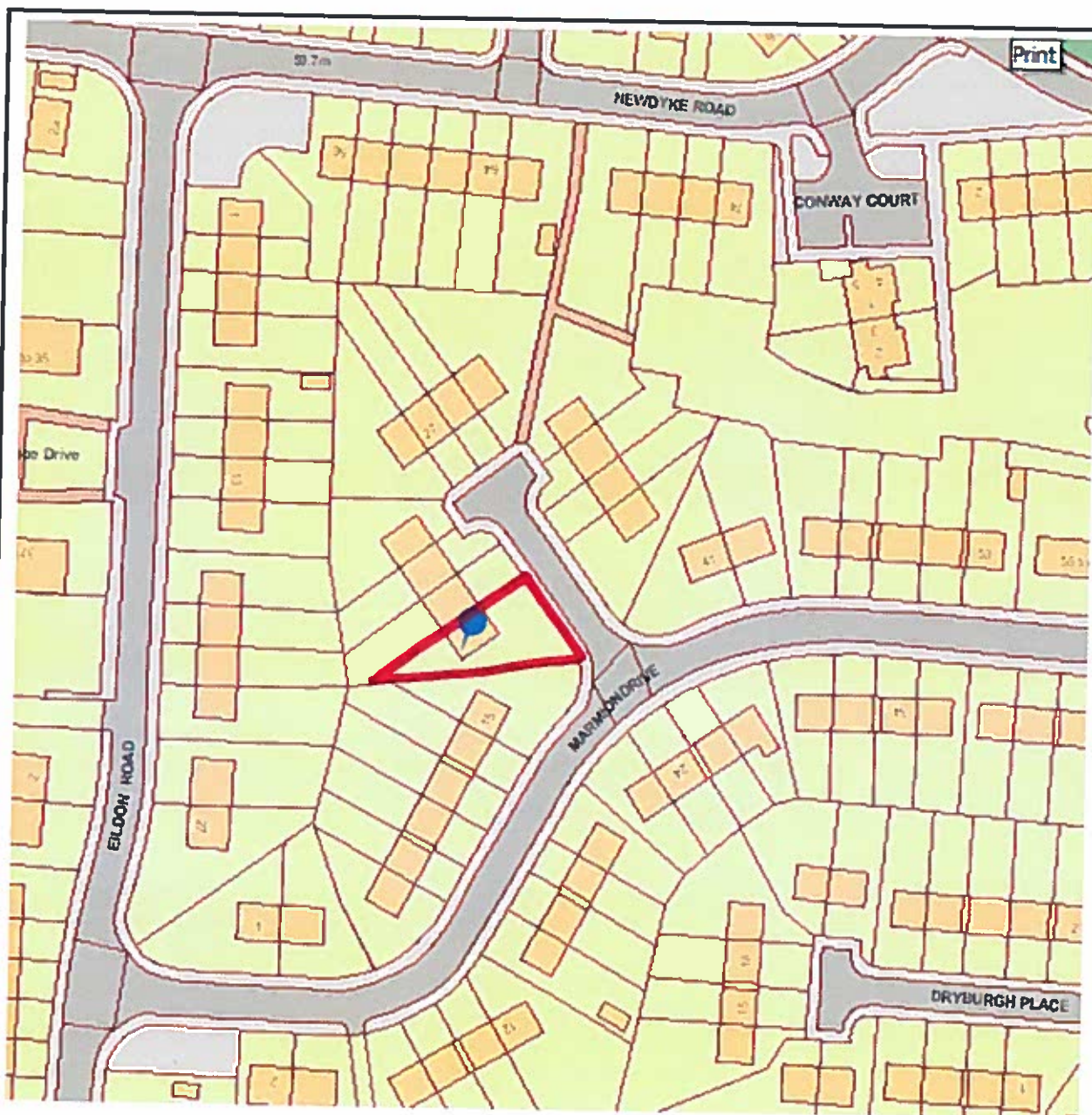
Suspected breach of planning control:

Unauthorised erection of 2000mm High Fence to front and side of property at 17 Marmion Drive, Kirkintilloch





LOCATION PLAN



This is the plan referred to in the foregoing **Planning Contravention Notice** served in accordance with the terms of Section 125 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 relating to land and premises at 17 Marmion Drive, Kirkintilloch, East Dunbartonshire, G66 2BH as shown edged in red.

Dated: 17.7.13

Signed: 

Diane Campbell, Director of Governance & Regulation, Broomhill Industrial Estate, Kilsyth Road, Kirkintilloch, G66 1TF

PHOTOCOPY OF ORIGINAL ENVELOPE
RETURNED. 19/7/13.



015259

Return Address
Broomhill Depot
Broomhill Ind Est
Kirkintilloch
G66 1TF

Royal Mail

P739 Notice Left

Date

19/7/13

Duty Number

14

Initials

2

If Calling or telephoning please ask for
David Patey

17 July 2013

Mr Mark Mills
17 Marmion Drive
Kirkintilloch
East Dunbartonshire

Tel
Fax
Dir
E-mail

Royal Mail

We were unable to deliver this item because

- ☐ addressee gone away ☐ refused
☐ address incomplete ☒ not called for
☐ address inaccessible ☐ no such address
☐ addressee unknown

date

initials

P59407/202543



