

Amy Cater

From: Taylor, Martin (Bilfinger GVA) <Martin.Taylor@gva.co.uk>
Sent: 06 August 2015 12:12
To: Harvey, Lyn
Cc: Hogan, Matthew; Dowell, Andrew (Bilfinger GVA)
Subject: RE: Fulney Lane Site Licence Application

Dear Lyn

Thank you for your prompt reply of yesterday, as below. I tried to phone today to discuss, but understand that you are out till Monday, so I shall revert to emailing and hopefully you could respond then either by phoning my mobile in the morning or by email in the afternoon.

With regard to the Land Registry, I have spoken to Mr Willet, and he understands that this clause was removed by his solicitor in negotiations before he purchased the site.

With regard to the LDC, I am still of the view, that lawfully, plots 1-9 is an address identifying the location of the site, not a restriction on numbers, and that the LDC description, allows for the use of the site for caravans, without any restriction on numbers.

You seem to agree with the first point, as you are prepared to issue a site licence for 11 caravans (the site licence is for caravans as 'units' have no definition under the Caravan Acts) rather than for 9.

Therefore, I can only guess that you are saying that the LDC gave permission for the use of the land for 11 caravans as that was the number present at the time, However, clearly, it carries no such restriction in the wording of the LDC.

Therefore, if you were to issue a site licence restricted to 11 caravans, I suspect that my client would wish to appeal any such condition, as being a restriction greater than that allowed by the planning permission prevailing at the site.

Therefore, before we go down this road, which seems a bit of an unnecessary cost to all parties, I wondered if you could get a second view from your legal and planning colleagues after consideration of my original letter, the email below, and this email.

With thanks and regards

Martin

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From: Harvey, Lyn [<mailto:lharvey@sholland.gov.uk>]
Sent: 05 August 2015 08:59
To: Taylor, Martin (Bilfinger GVA)
Cc: Hogan, Matthew
Subject: RE: Fulney Lane Site Licence Application

Martin

A meeting between our legal services, planning , housing management and our team took place earlier in the year after my visit to the site just after Mr Willett purchased it. The conclusion was that I could issue a licence for 11 units and Planning Permission would need to be sought before more could be added. It appears from the Land Registry transfer that if Mr Willett wishes to put more units on the site he would have to pay SHDC extra monies. Mr Willett was informed of this at the time. He stated he would speak to his own legal people to get their opinion.

Andrew forwarded me a copy of the site licence application which stated no restriction on numbers. We cannot issue a licence with this on.

Please let me know whether you want me to issue the licence for 11 units or you would prefer to wait until you have sought legal advice.

Lyn Harvey | Private Sector Housing Officer | **South Holland District Council**

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