**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**(as amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY:** Oldham Metropolitan Borough Council (“the Council”)

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regards to the provisions of the Development Plan and to other material planning considerations. The Annex at the end of the Notice contains important additional information.
2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at Silver Street, Oldham, OL1 1HU as shown edged red on the accompanying plan (“the Land”).

1. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

The continued storage of a container on the Land despite the refusal of planning permission under FUL/348984/22.

1. **REASONS FOR ISSUING THIS NOTICE**

The container is considered to have a harmful impact to the street scene due to its design and appearance and its purported use to serve hot food and drinks would be detrimental to traffic flow on Silver Street, Peter Street and Union Street, Oldham and to the safety of pedestrians. The container and use is contrary to Policies 9 (Local Environment), 15 (Centres) and 20 (Design) of the Council’s Development Plan Document – Joint Core Strategy and Development Management Policies.

It appears to the Council that the above breach of planning control has occurred within the last four years.

1. **WHAT YOU ARE REQUIRED TO DO**

Permanently remove the container and all associated materials from the Land.

1. **TIME FOR COMPLIANCE**

The action specified in paragraph 5 above must be carried out within two months of this Notice taking effect.

1. **WHEN THIS NOTICE TAKES EFFECT**

The Notice takes effect on xx March 2023, unless an appeal is made against it beforehand.

Dated: February 2023

Signed: ……………

 **For Paul Entwistle**

 **Director of Legal Services**

 **Council’s Authorised Officer**

On behalf of: Oldham Metropolitan Borough Council

 Civic Centre

 West Street

 Oldham

 OL1 1UL

**ANNEX**

**YOUR RIGHT OF APPEAL**

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of the Notice.

**WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 of the Notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of this Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

**IMPORTANT ADDITIONAL INFORMATION**

A copy of this Enforcement Notice has been served on the following person: -

**Mr Mohammed Waleed Hashim,** 3 Hoyle Avenue, Oldham, OL8 1EN