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| Application Number | 15/0191/CLUED | Agenda Item | |
| Date Received | 9th February 2015 | Officer | Lisa Lamb |
| Target Date | 6th April 2015 | | |
| Ward | Trumpington | | |
| Site | Sports Hall The Leys School Trumpington Road Cambridge Cambridgeshire | | |
| Proposal | Application for a certificate of lawfulness under Section 191 for regularisation of condition 14 of C/0943/91 to permit the hiring/use of the sports hall and associated facilities including the all-weather surface pitch (as approved under C/0943/91) by members of the public and non-educational organisations. | | |
| Applicant | The Leys School C/o Agent | | |

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| SUMMARY | <p>An application for a Certificate of Lawfulness has been submitted in respect of the use of the sports hall and all weather pitch at the Leys School, Trumpington Road.</p> <p>The application seeks to demonstrate that the hiring/use of the sports hall and all weather pitch (as approved under C/0943/91) to members of the public and non-educational organisations is lawful.</p> <p>A variety of evidence has been submitted in support of the application.</p> |
| RECOMMENDATION | <p>That a restricted Certificate of Lawfulness be issued in respect of the hiring/use of the sports hall (as approved under C/0943/91) to members of the public and non-educational organisations be granted.</p> |

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises an extensive school complex which is sited to the south of the junction of Fen Causeway with Trumpington Road. The school has entrances to the site from both The Fen Causeway and Trumpington Road. The school buildings are a mixture of traditional brick buildings and more modern, later additions. The specific locations the subject of this CLUED application are the sports hall sited to the south east of the site and the all- weather pitch which is set to the west of the sports hall and runs parallel to Coe Fen Straights.
- 1.2 The site lies within the Central Conservation Area.

2.0 BACKGROUND

- 2.1 This is an application for a Certificate of Lawfulness of existing use in breach of a planning condition. The application is made under Section 191 of the Town and Country Planning Act 1990. **It is not a planning application.** The application seeks to demonstrate that the existing lawful use of the sports hall and all weather pitch is for use by members of the public and non-educational organisations, contrary to the provisions of condition number 14 imposed on the original planning permission for the sports complex and all weather pitch (ref C/0943/91).
- 2.2 There was a subsequent application for an extension to the sports hall (see planning history section to report) which did not carry forward the restriction in use of the sports hall and so the extension to the sports hall is not restricted in the same way as the original building. The CLUED therefore, only relates to the original sports hall and the facilities contained therein. If the CLUED for the sports hall is granted, there is no conflict as this would mean that the whole building could lawfully be used by members of the public and non-educational organisations. The schedule denoting the sports hall site, would need to be restricted however, to the extent of the original sports hall only. This is as the extension was constructed in 2007 and so it would not be possible to claim lawfulness of the use for the requisite period and in any case this is not necessary as there is no condition controlling the use of the later extension.

- 2.3 When permission was originally granted for the sports hall and all weather pitch (ref C/0943/91) the use of these facilities was restricted by condition 14 to which reads :

'The development, the subject of this permission shall only be used by the Leys school, and other educational organisations. At no time shall the sports complex be hired out to members of the public or public organisations for private events without the prior written consent of the Local Planning Authority'

- 2.4 The application is being brought to Committee as Councillor Avery requested the application to be determined at Committee level if the recommendation were for approval due to the level of public interest.

3.0 CERTIFICATES OF LAWFULNESS

- 3.1 Applications for Certificates of Lawfulness are not normally considered by Committee and are routinely dealt with by officers under delegated powers. An application for a Certificate of Lawfulness differs from a planning application in that its purpose is to establish whether:

- a) any existing use of buildings or other land is lawful
- b) any operations which have been carried out in, on, over or under land are lawful
- c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful

- 3.2 Criteria C applies in this case.

- 3.3 Uses and operations are considered lawful if no enforcement action can be taken against them and the uses and operations do not contravene the requirement of an enforcement notice.

- 3.4 If a Certificate is granted then the development is immune from enforcement action. The judgment as to whether a use or operation is lawful is based on an assessment of evidence; the planning merits of the proposed development cannot be considered. For applications involving an unauthorised use in breach of a condition, the applicants have to prove, on the balance of probability that the breach and use of the sports hall

and all weather pitch occurred more than 10 years ago and has been continuous up to the date of the application.

- 3.5 When an application for a Lawful Development Certificate is made, the onus of proof is on the applicant to demonstrate to the local planning authority that a certificate should be issued. The evidence submitted should be clear and convincing.
- 3.6 Without sufficient or precise enough information, the authority will be justified in refusing a certificate. This does not preclude another application if more information can be produced later on.

4.0 THE PROPOSAL

4.1 The application is accompanied by the following information:

- 1) Site Location plan with the sports hall and all-weather pitch outlined in red.
- 2) A copy of the decision notice for planning permission ref: C/0943/91.
- 3) Statutory Declaration by Mr PD McKeown, Bursar to the Leys School.
- 4) A copy of cash receipts for use of the sports hall and all-weather pitch between 2004 and 2014.
- 5) A copy of invoices issued to private users of the sports hall and all weather pitches between 2004 and 2014.
- 6) A copy of cashing up printouts at the Leys showing payments for the use of the sports hall and all weather pitches between 2004 and 2014.
- 7) A copy of the terms and conditions of hire and an application form for the Leys Sports Complex.
- 8) 1 signed letter and 7 signed completed questionnaires from members of the public indicating that they have used the sports facilities at the Leys.
- 9) A note of advice from Hewitsons Solicitors dated 30 January 2015 concerning the certificate of lawfulness application.

5.0 SITE HISTORY

There is a long and complex history for this site, the most relevant planning history is outlined below:

| Reference | Description | Outcome |
|------------------|--|-------------------------|
| 05/0053/FUL | Erection of two storey extension to existing sports hall. | Permitted 03.03.2005 |
| C/91/0943 | ERECTION OF TWO STOREY SCHOOL SPORTS COMPLEX INCORPORATING SPORTS HALL, SQUASH COURTS, PROJECTILE RANGE, WEIGHTS AREA, STUDIO, CHANGING ROOMS AND SOCIAL AREA INSTALLATION OF ALL WEATHER SURFACE PITCH WITH FLOOD LIGHTING. | APC 05.05.92 |

6.0 PUBLICITY

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| 6.1 | Advertisement: | No |
| | Adjoining Owners: | No |
| | Site Notice Displayed: | No |

7.0 CONSULTATIONS AND THIRD PARTY RESPONSES

7.1 Applications for Certificates of Lawfulness are not usually subject to neighbourhood consultation because the merits of the proposals are not under consideration. In this case, no formal consultations have been carried out, but the owners/occupiers of the following addresses have made representations:

11 Latham Road
10 Chaucer Road
12 Chaucer Road
18 Chaucer Road (2 Statutory Declarations received)

7.2 The representations refer mainly to the use of the all-weather pitches and can be summarised as follows:

- a) The CLUED should only apply to the sports hall and should not be integrated with the adjacent outdoor facilities. The

use of the indoor facility is clearly materially different in terms of impacts.

- b) The indoor and outdoor facilities are very different and we urge you to consider them quite separately. Users of the indoor facility will rarely, if ever, be also at the same time, users of the outdoor facility.
- c) The Leys sports facility is extremely limited by the schools use. A member cannot use the facility during school hours nor on Saturday afternoons.
- d) The facility is totally shut down over the school holiday periods.
- e) There has been no discernable use of the sports pitches until around 2012.
- f) In winter the use of the Leys facilities becomes evident when the flood lights are turned on. Until 2012 or 2013 there was little, if any use of the facility after the end of the school day.
- g) Mikes Tennis Camps from 2005 – 2009 took place at the Perse Girls tennis courts between Lathan and Chaucer Road.
- h) There is no evidence of continuous commercial use and the application should be rejected.
- i) Our evidence relating to the all-weather pitches is based on level of nuisance from light intrusion and noise from both sporting activities and traffic, we have no way to distinguish between educational and non-educational use. We have no evidence about the use of the indoor sports hall as we have not been aware of any light or noise emanating from it.
- j) On the basis of 'fair play' or natural justice, we add that the granting of a CLUED to legitimize an activity that has caused so much nuisance to the amenity of the neighbours and interfered with the conservation area and wildlife reserve, would be quite unreasonable – indeed perverse.
- k) Before 2012 the nuisance was much less frequent and we recall many days of peaceful garden enjoyment during the summer holidays – indicating that the outdoor facilities were not in use. On this basis we can only recall nuisance for 2 to 3 years and certainly not 10 years.
- l) The evidence submitted shows a break in useage.
- m) The use of the hockey pitch and the sports hall has intensified since 2012.
- n) The Council has failed to put Exhibits PDM3, 4 and 5 on the Website there is no evidence in the public domain which clearly demonstrates the continuous use.

- o) Any grant of CLUED should expressly exclude the all-weather hockey pitch
- p) The CLUED should be refused in its entirety on the basis that the applicants agent has made a materially false statement in Clause 11 (site visit) he has stated the land cannot be seen from a publicly accessible vantage point. The site is manifestly clearly visible from Coe Fen and the paths which cross it and the school and its agent must have known this.

7.3 A letter has been received from Birketts LLP on behalf of local residents which raises the following points:

- The **two** red line areas identified on the application plan which identify 1) the indoor sports hall and 2) the outdoor all weather surface within the 'blue line' ownership area.
- The inadequacy of the supporting evidence submitted by the applicant as to the length of use, and continuity of use, of the outdoor weather surface; and
- The evidence of local residents as to the use of the outdoor all weather surface.

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

7.5 The Statutory Declarations from number 18 Chaucer Road can be summarised as follows:

7.6 **Statutory Declaration of Mr J S Smith dated 30 March 2015:**

- I have owned the property on Chaucer Road since 2010 and have lived there since March 2012.
- During 2012 I worked at home in an office to the rear of the property at first floor level and the sports pitch was clearly visible.
- There were periods when the pitches were not in use during 2012 and into 2013 specifically July and August 2012 and holiday periods in December 2012 and March 2013.
- It was late in 2013 and though into 2014 that Ms Howson became aware of the increasing intensification of use of the pitches. During the months of July and August 2014 we were disturbed by the use of the hockey hard pitches for summer camps and the floodlights were used in the evenings and

weekends almost daily. This is a contrast as to how things had been until this period.

- Enquiries have been made to the contractors on site at 18 Chaucer Road throughout 2011 who have confirmed that they were not aware of floodlights at all during the time they were at the property, which included afternoon working in the winter of 2011 and were only aware of noise from the pitch on an extremely infrequent basis.

7.7 **Statutory Declaration of Ms L Howson dated 30 March 2015:**

- I have discussed this with Mr JS Smith and my Daughter Ms L Howson, who was studying for her A levels from March to June 2012 and then for University entrance at the end of 2012, who corroborates my recollection that she observed very infrequent use from her bedroom at the rear of the home where she studied daily and from where there is a direct line of sight.

8.0 **ASSESSMENT**

- 8.1 Statutory Declaration: The statutory declaration of the Bursar of the Leys School at page 2 paragraph 4 confirms that:

'the sports complex has since before January 2005 consistently been used/hired out to both educational organisations and non-educational, commercial/public organisations and individual members of the public generally, for private events and continues to be so used to this day'

The declaration lists the clubs/organisations that have used the facilities and refers to other exhibits most notably the invoice records, cashing up print outs and cash receipts for the use of the facilities. This additional evidence is discussed below.

The declaration also states that the complex has been used at least weekly since January 2005 and that the cash receipts submitted relate to the use of the facilities within the sports complex and that they relate to individuals and not educational groups or organisations. I attach significant weight to the information contained in this declaration. In the event that this information was false, the Bursar of the Leys school would be liable for perjury.

Sports Hall Evidence:

- 8.2 Invoices: This evidence covers the period from December 2004 through to December 2014 and so provides cover the full 10 year period required. The invoices are issued to various teams and organisations which I am satisfied have no educational connection. The invoices cover a range of activities including volleyball, football, Gym, cricket, badminton, trampolining and karate all of which have been confirmed by the applicants' agent as taking place in the sports hall. This evidence alone does not demonstrate continuity of use for the full 10 year period alone and there are months where no invoices have been issued. I give significant weight to this evidence and I am satisfied that it does demonstrate some usage of the sports hall in breach of condition 14 to C/0943/91.
- 8.3 Cashing up Printouts: This evidence comprises photocopies of cash up data from the till/computer printouts at the Leys and lists activities and payments for use of the sports hall. Data on this evidence also includes activities taking place elsewhere on the site (eg swimming) and I have scrutinized this data and clarified the codes used for the activities to ensure that the activities can be clearly identified and also that these can be linked to taking place in the sports hall itself. The print outs indicate that the school has received payments in respect a wide range of activities including gym membership, badminton, cricket nets, squash, personal training, trampolining, karate, over 50's fitness, volleyball, football hire of Singapore room, massage, gym induction sessions, NPLQ course, aerobics, use of fitness suite.
- 8.4 This evidence covers the period from September 2007 through to December 2014 and whilst this evidence does not cover the full 10 year period required to be demonstrated as having continuous use alone, it can be read in conjunction with the other evidence submitted. I give this evidence significant weight in assessing whether a certificate should be granted and consider that this evidence again, does demonstrate some usage of the sports hall in breach of condition 14 to C/0943/91.
- 8.5 Cash Receipts: Evidence in the form of photocopies of cash receipts has been provided and this evidence predominates in the early part of the 10 year period from 2004 up to 2007. The information varies depending on who has completed the receipt

on behalf of the Leys, but the evidence is dated and signed and has a brief description of the use being paid for. I am satisfied that this evidence does relate to the use of the sports hall and the fact that this evidence covers the early part of the period from which lawfulness of the use is claimed adds credibility to this evidence in my view as it is likely that a cash receipt system would be in place at the start of the use commencing, with a more sophisticated electronic cashing up recording system being introduced at a later date. It is also credible that individual members of the public would pay individually and would not have 'block bookings' that could be invoiced. I am aware that the provenance of the cash receipts can never be fully verified but I am satisfied that the relevant test of 'balance of probabilities' is met. The cash receipts record payments for activities in the sports hall including cricket, personal training, badminton, squash, gym membership, personal training, gym induction, trampolining.

8.6 Letters and Questionnaires: I signed and dated letter and 7 completed and signed questionnaires have been submitted as evidence. The letter submitted states that the sports facilities have been used by the writer weekly, since 2003 for squash and that this activity is paid for in cash at the sports hall. The questionnaires state that the facilities have been used for periods generally in excess of 10 years, for various activities including squash, gym and badminton. Some questionnaires specify gaps in usage for holidays or periods when they were not a member of the facility. The questionnaires give approximate estimates of weekly usage and do not specify specific times/days or activities apart from the most recent use of the facility which is specified on all forms as either the 28 or 29 March 2015. Given the limited detail included and the fact that the information has not been signed under oath, I attach little weight to this evidence.

8.7 Conditions of hire: This evidence comprises a copy of the conditions of hiring facilities at the Leys school together with a blank booking form. I have considered this evidence and conclude that it does not clearly demonstrate that the pitches and sports hall have been available for hire for the requisite period of 10 years. The conditions of hire and booking form are general documents and could equally to educational institutions using the facilities. No completed/dated copies of the terms of

hire have been presented and accordingly, I attach little weight to this evidence.

8.8 Notwithstanding the concerns raised in respect of some of the evidence submitted outlined at paragraphs 8.3 and 8.5, the combination of the statutory declaration, the cashing up printouts, invoices and cash receipts form a strong body of evidence on which to base a judgment as to whether the certificate should be granted in respect of the sports hall.

8.9 When viewed in its entirety the evidence for the sports hall does in my view, constitute continuous use of the sports all over the requisite 10 year period. It has been demonstrated that there has been at least fortnightly use of the sports hall during term times and for the vast majority of the 10 year period the use is well in excess of this. There are some periods with no use demonstrated. These periods are:

- July and August 2006
- August 2007
- July 2008
- January 2013

I consider that the July and August breaks in evidence coincide squarely with the holiday periods for the school and as such do not represent a break in the continuity of use. The January 2013 period is an anomaly. However, given the weight of use of the sports hall for the rest of the period and given that it is likely the school would have been closed for some of January as part of the Christmas break for students again, I consider that this break is not sufficient to conclude that the use had been significantly interrupted. Consequently, after reviewing the evidence in its entirety, I am of the view that overall it has been demonstrated that the use of the sports hall has been demonstrated.

All Weather Pitch Evidence:

8.10 The evidence submitted for the all- weather pitch is as for the sports hall, cash receipts, invoices and cash up till/computer printouts. The provenance of the evidence is the same and the weight attached to it is also the same. However, viewing the evidence collectively reveals significant gaps in the continuity of the evidence of use, indeed there is not a single year when the

gaps in the evidence fall within the school holiday period. The gaps in use for where there is no evidence are:

- December 2004
- April, May, August, September, October and December 2005
- January, February, March and April 2006
- May, June and July 2007
- July, September and October 2008
- May and September 2009
- June, July, August, September 2010
- April, May, June, July, August, September and December 2011
- January, February, April, May and June 2012
- May, June, July, August, September, October, November, December 2013
- January, February, April, May, June, July, August, September, October, November and December 2014.

8.11 Having reviewed the body of evidence in its entirety and noting the significant gaps in the evidence for all the years I am of the opinion that there is no demonstration of a continuous use of the all-weather pitch and conclude that a certificate cannot be granted for this aspect.

Third Party Representations

Use of floodlights

8.12 The floodlights were granted permission at the same time as the sports hall and all weather pitch and are only restricted in terms of their hours of use until 9pm every evening. This means that the floodlights could legitimately be switched on until 9 pm every day if the pitch were to be in use by the school. The fact that the floodlights were not on, is not necessarily indicative of no use by non-school parties in itself as a use could occur at the weekends and a weekly use would in my view, be sufficient to demonstrate a lawful use of the pitch.

Noise disturbance

8.13 Many of the representations refer to noise and disturbance being caused by the use of the all-weather pitch. Residents cite this 'disturbance' as being indicative of when the use of the all-

weather pitch by non-school users began. However, it is difficult to distinguish, by noise/disturbance alone who the actual users of the pitches are. It is possible, that legitimate use of the pitches by the school could cause noise (and light) disturbance.

- 8.14 Officers are aware that noise and light disturbance has been investigated by the Councils Environmental Health Team and that Notices have been served under other legislation to remedy this. However, the impact of light and noise disturbance are not matters relevant as to whether a certificate should be granted.

Intensification of use

- 8.15 Issues surrounding the impact on the neighbours following intensification of the use of the all-weather sports pitch are not relevant considerations as to whether a certificate should be granted.
- 8.16 The representations refer to an intensification of use at the site and that this has been discernable through noticeable increased impacts. I cannot consider whether the use has intensified and the impacts that this may cause, as this is a CLUED application I can only consider whether the evidence demonstrates that on the balance of probabilities, the use has occurred for the requisite period of time as set out in paragraph 3.4.

Applying for sports hall and all weather pitch together

- 8.17 The Local Planning Authority has no control over what type of application is submitted or its scope. It is for the applicants and their agents to decide which uses they consider to be lawful and submitted the plans and evidence accordingly. Notwithstanding that an application for both the sports hall and all weather pitch has been submitted with one body of supporting evidence, the Local Planning Authority can restrict the CLUED if it considers that there is not sufficient evidence to demonstrate both uses have occurred, on the balance of probabilities for the requisite time period.

Two red site areas submitted with the application for the CLUED

8.18 The application as submitted includes two 'red site' areas one denoting the sports hall and one denoting the all-weather pitch. I consider that given the physical separation of the two parts of the site, their different use and the fact that the evidence can be related to each of the distinct areas, that this is appropriate for this application. It is preferable to have the red site areas denoting the application site for CLUEDS drawn as tightly as possible to the lawful use(s) being applied for to remove any ambiguity from the decision and to exclude 'non-essential' areas such as pathways, parking areas etc which in this case, have been excluded in the applicants submission. A single red site area would by necessity have been larger and would also have to include some 'non-essential' areas for which there would be no evidence and as such I do not consider that this would have been preferable.

Lack of use of the pitches over the school holiday periods

8.19 As outlined in the assessment of the evidence, a break in use which coincided with the holiday period for the school would not necessarily be sufficient to demonstrate a break in the use. I consider that it would be unreasonable to expect that the sports facilities would be open to the public when the rest of the school was closed and a cessation of the use of the sports hall and all-weather pitch in the holiday periods to resume again in term time would not constitute abandonment of the use and a lack of continuity required.

8.20 As outlined in the assessment section to this report, there are significant gaps in the evidence submitted for the use of the all-weather pitch which are considered significant and would go beyond a break that coincided with the holiday periods for the school and as such a continuous use has not been demonstrated at this time, although should the evidence be produced at a later date, excluding holiday periods the Council would look at this evidence afresh. The gaps identified for the sports hall are far fewer and do coincide with the usual school holidays and I have reached the view that the use in this case is sufficient to be deemed 'continuous' for the purposes of the issue of a certificate.

Failure to put exhibits PDM 3, 4 and 5 on the website.

8.21 When the application for the CLUED was received by the Council, the officers made the information submitted in Exhibits PDM 3, 4 and 5 'sensitive', that is not available for members of the public to view on-line in accordance with the Councils standard validation procedures. As case Officer I received requests to publish the information. I consider that the sensitive information on the invoices including details of third parties, total amounts payable and signatures is financially sensitive to the Leys and should not be made available. Whilst I appreciate anyone can ascertain the cost of hiring the facilities it would not however, be possible to have access to total amounts paid by groups/organisations or indeed the total amount that the school has been paid for the hire of facilities and all of this information is available when the information is reviewed in its entirety. The information relating to the takings obviously outlines financial details which I do also consider to be financially sensitive to the school. The Council can and does redact information, including removing signatures and personal information. It is the Councils general approach that where a document would require most of the useful information to be redacted to allow the document to be publically viewable, the whole document is made sensitive. There is obviously an argument that making heavily redacted material available is counter-productive in that it is meaningless to the third party viewing that information. In addition to this, for CLUED applications there is no requirement for the evidence submitted to be scrutinised by independent third parties or available for comment/consultation. For these reasons, the information has remained sensitive.

Information provided in respect of Clause 11 concerning site visit and visibility of the site from a public vantage point.

8.22 I have considered this point and conclude that in order to visit the site and adequately understand the layout of the site to accurately assess the evidence submitted with the application, it was in fact necessary to have internal access to the sports hall and also view the all-weather pitches in close quarters. Whilst the location of the facilities is visible from outside of the site, this would not have been sufficient to adequately understand the locations of the facilities within the sports hall. Given the safeguarding issues with children at the site I fully accept that it was necessary to contact the school to arrange access to the site. I do not consider that the application has been prejudiced in any way by the response given on the application form, or that the response to this question was intended to deceive. This cannot form a basis on which to refuse the application.

9.0 CONCLUSIONS

9.1 **Evidence relating to the use of the all-weather pitch:** Based on the evidence provided in the application, particularly the statutory declaration of The Bursar of the Leys School, Invoices, cashing up print outs and cash receipts for the use of the all-weather pitch and after considering the information made available from residents and third parties I am not satisfied that there is sufficient demonstration that the all-weather pitch has been in use continuously for a period of 10 years immediately preceding the submission of the application. As outlined above, both noise and light nuisance have been investigated by the Council's environmental health team under separate legislation.

9.2 **Evidence relating to the use of the sports hall:** Based on the evidence provided in the application, particularly the statutory declaration of The Bursar of the Leys School, Invoices, cashing up print outs and cash receipts for the use of the sports hall, and after considering the information made available from residents and third parties, I am satisfied that on the balance of probability, the **original** sports hall (as approved under C/0943/91) has been used by, and hired to, members of the public and non-educational organisations from December 2004 to the date of the application. The use has not been abandoned

at any stage, substantially interrupted or significantly altered in nature.

9.3 Implications of the conclusions and further recommendations: The conclusions reached at paragraphs 9.1 and 9.2 above, mean that only part of the current unlawful use of the site would be regularised through the partial grant of a certificate of lawfulness. The use of the all-weather pitches will remain unresolved if members are minded to accept the recommendation at paragraph 10.1.

9.4 It is also appropriate for Enforcement Action to be pursued in the form the service of a Breach of Condition Notice in respect of the use of the all-weather sports pitches. This course of action is considered necessary based on the fact that evidence has been submitted by the Leys School which clearly demonstrates there have been breaches of condition 14 to C/0943/91 in relation to the use of the all-weather sports pitches within the last 10 years. Officers have delegated authority to issue Breach of Condition Notices and will produce a delegated report prior to the service of this Notice setting out the breaches and addressing all other relevant matters.

10.0 RECOMMENDATION

1. That a restricted Certificate of Lawfulness be granted under Section 191 of the Town and Country Planning Act 1990 (as amended) for the hiring/use of the sports hall, as originally constructed under planning permission reference C/0943/91 by use by members of the public and non-educational organisations as outlined in red on the amended plan.