



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: ED2016/0027/ENF - 01

SERVED BY: East Dunbartonshire Council

**SERVED TO: Raphaelson Holdings Limited
2 Dumbarton Road
Clydebank
Glasgow
G81 1TU**

**RELATING TO: 79 Milngavie Road
Bearsden
Glasgow
G61 2DL**

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 has 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 has occurred 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:-

- a) A written statement declaring the date on which the intermodal container coloured orange/brown as described in Schedule 2 was placed on the land;
- b) A written statement declaring the full name and address of any person known to you to use or have used for any purposes the intermodal container coloured orange/brown as described in Schedule 2;
- c) A written statement declaring the purpose for which the intermodal container coloured orange/brown as described in Schedule 2 is placed on the land;
- d) A written statement declaring details of any planning permission granted for the placing of the intermodal container on the land, including reference number. If appropriate provide a copy.
- e) A written statement declaring any reason why such permission is not required.
- f) A written statement declaring the nature of your interest in the land, your full name, address and designation.
- g) A written statement declaring the full name and address of any other person known to you to have an interest in the land and the intermodal container coloured orange/brown as described in Schedule 2 i.e. an individual, a company, a bank, building society, other lender, feu superior etc.

Dated: 16.6.17

Signed:



Thomas Glen
Depute Chief Executive Place Neighbourhood and Corporate Assets

On behalf of: **East Dunbartonshire Council**
Southbank House
Strathkelvin Place
Kirkintilloch
Glasgow
G66 1XQ

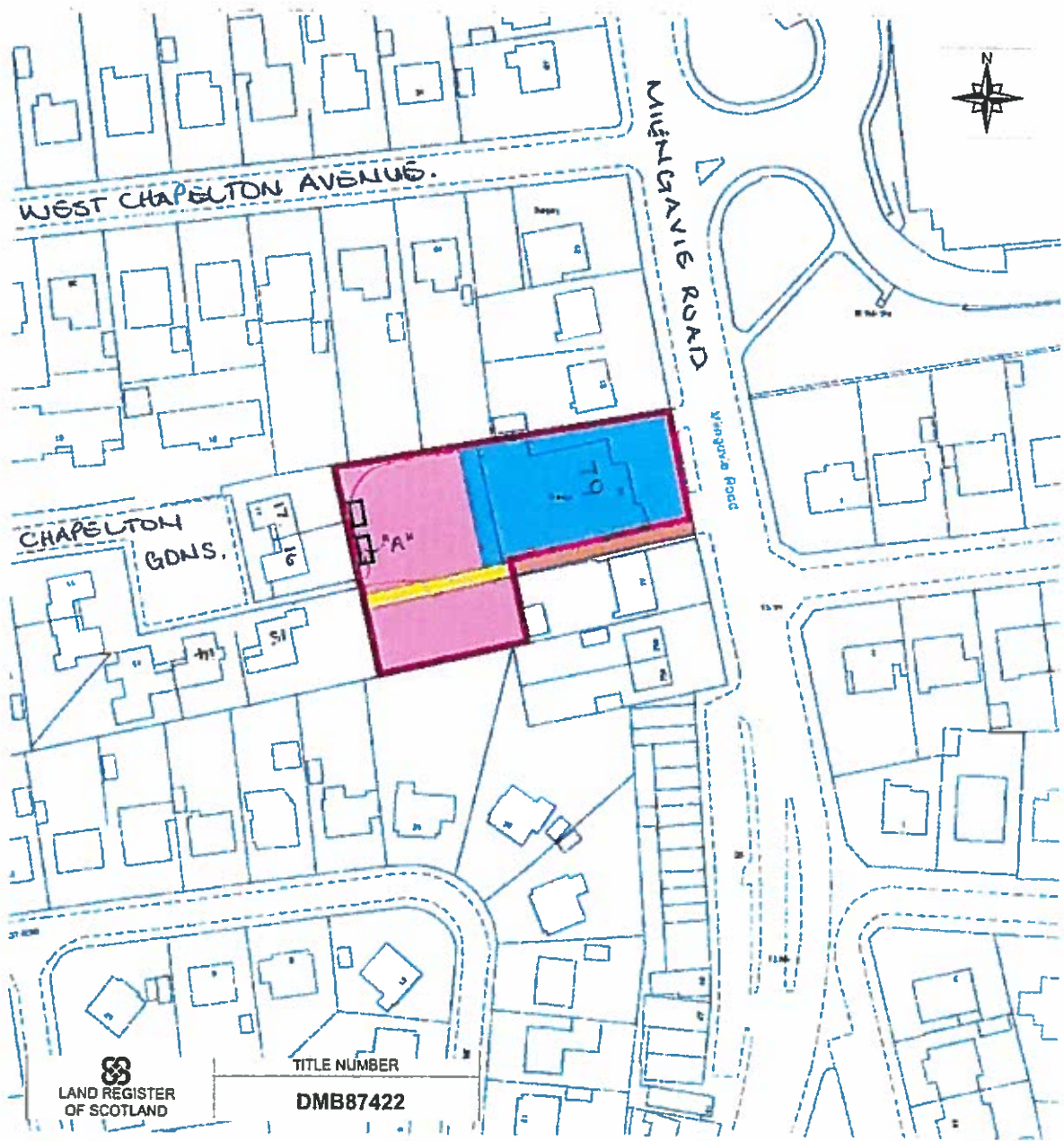
**PLANNING CONTRAVENTION NOTICE UNDER REFERENCE
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SCHEDULE 1

DESCRIPTION OF THE LAND REFERRED TO IN THIS NOTICE

The site to which this Notice relates forms an area of land and premises at 79 Milngavie Road, Bearsden, Glasgow, G61 2DL as edged in red on the Title Plan referred to and described on the Land Certificate with Title Number DMB87422 as shown on the Location Plan below.

LOCATION PLAN



Scale 1:1250

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SCHEDULE 2

**DESCRIPTION OF THE BREACH OF PLANNING CONTROL REFERRED
TO IN THIS NOTICE**

Breach of planning control:

The siting of an intermodal container coloured orange/brown without planning permission. The container is a mobile box food grade storage unit with reference number GSTU 484880 2 in white text and with a vertical emphasised company logo GESEACO to its side. The container annotated "A" is more particularly identified in the photograph below and is located within the area outlined in red in the Location Plan of Schedule 1. The container is placed within the car park of the premises at 79 Milngavie Road, Bearsden and to the rear of the residential properties at 16 and 17 Chapelton Gardens, Bearsden.



WARNING

- 1) It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within 21 days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.
- 2) It is also an offence to knowingly or recklessly give information in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this is a fine of £5,000.

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.

