

**IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

LOCATION: Marston Moor Airfield Rudgate Tockwith York North Yorkshire

CASE NUMBER: 96/00413/PR15

- 1) It appears to the Council of the Borough of Harrogate ("the Council"), being the local planning authority for the purposes of Section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been breaches of planning control in respect of the land described in Schedule 1 below ("the Land").
- 2) The breaches of planning control which may have occurred are specified in Schedule 2 below.
- 3) This notice is served on you as a person who –
 - (1) is the owner or occupier of the Land or has any other interest in it; or
 - (2) 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 171C(2) and (3) of the Act the Council will require you, so far as you are able, to give them the following information in writing **within twenty-eight days**, beginning with the day on which this notice is served on you:
- 5) Separate reply sheets for your answers to questions raised under para (vii) may be submitted where appropriate, in view of the amount of information sought

i. Name (in full) and address of occupier(s):-

ii. State whether Land is held by the occupier(s):-

(a) On a weekly tenancy

YES

NO

(b) Under an agreement

YES

NO

If so, for what period

(c) Under a lease, and

YES

NO

If so, for what term

iii. Name (in full) and address of freeholder(s)

iv. Name (in full) and address of leaseholder(s)

v. Name (in full) and address of mortgagee(s)

vi. Name (in full) and address of any person(s) other than those specified above having an interest in the Land and the nature of such interest.

vii Please provide written details of the following:

(a) Bus depot/parking -

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years

6. Please provide copies of any licences or agreements entered into with the persons/companies identified in (a) 3 & 5 above for the operation of the bus depot.

(b) Residential caravans -

1. identify on the attached plan the part(s) of the Land used for this purpose.

2. give the date when this use began.

3. give the name and addresses of the persons/companies currently occupying the caravan(s).

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have occupied caravans on the site during the previous 10 years.

6. Please provide copies of any licences or agreements entered into with the persons/companies using the caravan(s) as identified in (b) 3 & 5 above.

(c) Storage of barriers

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. please advise whether the barriers are kept on the land exclusively for use on the Tockwith Airfield or are barriers supplied to other sites outside Tockwith Airfield.

7. If barriers are supplied offsite please advise when this use began.

8. Please provide copies of any licences or agreements entered into with the persons/companies identified in (c) 3 & 5 above relating to the storage or provision of barriers..

(d) Parking of heavy goods vehicles

1. identify on the attached plan the part(s) of the Land used for this purpose.

2. give the date when this use began.

3. give the names and addresses of the persons/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. Please provide copies of any licences or agreements entered into with the persons/companies identified in (d) 3 & 5 above relating to the parking of heavy goods vehicles.

(e) Storage of tyres

1. identify on the attached plan the part(s) of the Land used for this purpose.

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. please advise whether the tyres are kept on the Land exclusively for use on the Tockwith Airfield or are tyres supplied to other sites outside Tockwith Airfield.

7. If tyres are supplied offsite please advise when this use first began.

8. Please provide copies of any licences or agreements entered into with the persons/companies identified in (e) 3 & 5 above relating to tyre collection, storage, use and disposal.

(f) Go Karting

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6 please describe what works have been undertaken to create, maintain or improve the surface used for this purpose and when the works were substantially completed. ie laying of tarmac or other hard surface

7 does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

8. Please provide copies of any licences or agreements entered into with the persons/companies identified in (f) 3 & 5 above relating to the Go Karting operation.

(g) Pro-Am Karting

1. identify on the attached plan the part(s) of the Land used for this purpose.

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. please explain how this use differs from the Go Karting use addressed in (f) above.

7. please describe what works have been undertaken to create, maintain or improve the surface used for this purpose and when the works were substantially completed. ie laying of tarmac or other hard surface

8. does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

9. advise how many days this use has been operated on the Land in the last 12 months.

10. Please provide copies of any licences or agreements entered into with the persons/companies identified in (g) 3 & 5 above relating to the Pro-Am Karting operation

(h) Ginetta driving

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. please describe what works have been undertaken to create, maintain or improve the surface used for this purpose and when the works were substantially completed. ie laying of tarmac or other hard surface

7. does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

8. advise how many days this use has been operated on the Land in the last 12 months.

9. does the driving involve any element of competitive racing or driving against other vehicles and drivers or against the clock and for how long this has been an integral part of the use.

10. is the driving done by members of the public or by professional drivers or both and if both please give details of the split between the two in percentage terms.

11. Please provide the names and addresses of any professional drivers who regularly use the facilities at Tockwith Airfield.

12. Please provide copies of any licences or agreements entered into with the persons/companies identified in (h) 3 & 5 above relating to the Ginetta vehicle use.

(i) Rally Cross

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. please describe what works have been undertaken to create, maintain or improve the surface used for this purpose and when the works were substantially completed. ie laying of tarmac or other hard surface

7. does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

8. advise how many days this use has been operated on the Land in the last 12 months.

9. does the driving involve competitive racing or driving against the clock and for how long this has been an integral part of the use.

10. is the driving done by members of the public or by professional drivers, or both, and if the latter please give details of the two in percentage terms.

11. Please provide the names and addresses of any professional drivers who regularly use the facilities at Tockwith Airfield.

12. Please provide copies of any licences or agreements entered into with the persons/companies identified in (i) 3 & 5 above relating to the Rally Cross operation

(j) Corporate Use

You have previously publicized the use of the site for corporate use or corporate days

1. does "corporate" use or do "corporate days" take place in relation to the uses addressed in paragraphs (f) (g) (h) (i) above and if so in each case explain how such usage differs from the normal operation of the use as explained in answers to the questions listed under the said paragraphs above.

2. give the name and address of the person/company currently operating this use.

3. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

4. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years

5. advise how many days this use has been operated on the Land in the last 12 months.

6. does the driving involve competitive racing or driving against the clock and for how long this has been an integral part of the use.

7. does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

(k) Track Days

You have previously publicized events called "Track Days"

1. do such days take place in relation to the uses addressed in paragraphs (f) (g) (h) (i) above and if so in each case explain how such usage differs from the normal operation of the use as explained in answers to the questions listed under the said paragraphs above.

2. give the name and address of the person/company currently operating this use.

3. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

4. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years

5. advise how many days this use has been operated on the Land in the last 12 months.

6. does the driving involve competitive racing or driving against the clock and for how long this has been an integral part of the use.

7. does the use involve the giving of training to drivers and if so explain the nature of the training given and say for how long this has been an integral part of the use.

(l) Driver Training

1. please explain the nature of driver training carried out on the land and the vehicles involved.

2. identify on the attached plan the part(s) of the Land used for this purpose.

3. give the date when this use began.

4. give the name and address of the person/company currently operating this use.

5. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

6. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

(m) Vehicle testing

1. please explain the nature of the vehicle or vehicle component testing carried out, and the vehicles involved.

2. identify on the attached plan the part(s) of the Land used for this purpose

3. give the date when this use began.

4 give the name and address of the person/company currently operating this use.

5. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

6. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

(n) Vehicle repairs

1. identify on the attached plan the part(s) of the Land used for this purpose

2. give the date when this use began.

3. give the name and address of the person/company currently operating this use.

4. if the use began less than 10 years ago advise what the previous use of the Land was and when this began.

5. if the use began more than 10 years ago give the current names and addresses of the persons/companies who have operated the use during the previous 10 years.

6. Is this use related only to vehicles used on the Tockwith Airfield. If the answer is no, what is the nature and extent of work on vehicles not used on the airfield.

6) 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 works;
- (b) Any representations about this notice,

The Council, or representatives of the Council, will consider your offer and/or representations.

Dated:

Signed:
Council's authorised officer

SCHEDULE 1

Land to which this Notice relates

Marston Moor Airfield Rudgate Tockwith York North Yorkshire

SCHEDULE 2

Suspected breach of planning control

Use of the site for (i) bus depot (ii) siting and residential occupation of caravans (iii) sale/hire of portable barriers; (iv) HGV park; (v) collection and storage of tyres (vi) Go Karting; (vii) Pro-Am Karting; (viii) Ginetta vehicle usage; (ix) Rally Cross (x) Corporate Activities (xi) Track Days (xii) Driver Training (xiii) Vehicle Testing (xiv) repair of vehicles

WARNING

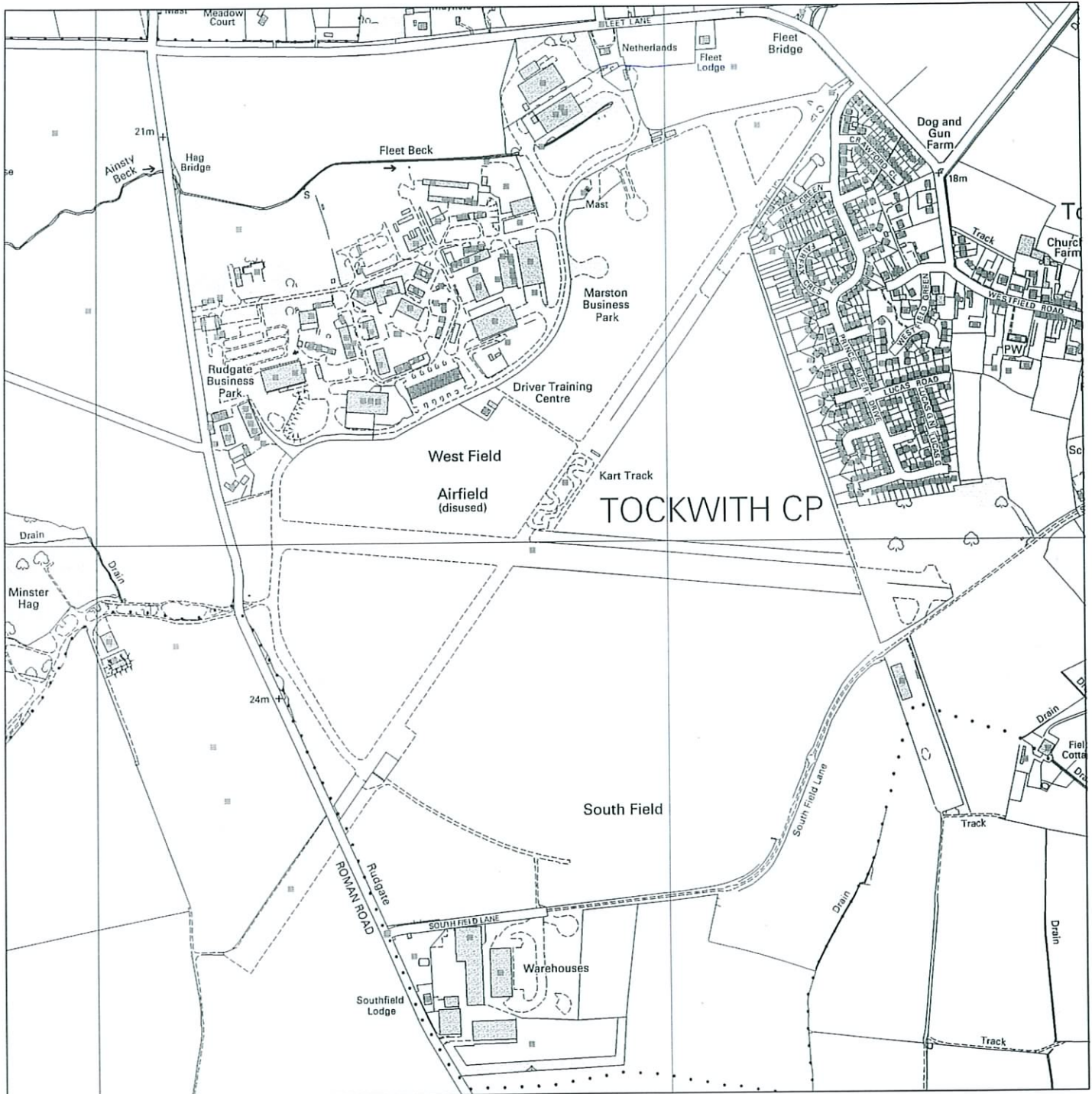
1. It is an offence to fail, without reasonable excuse, to comply with any requirement of this Notice within twenty eight days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £400. Continuing failure to comply following a conviction will constitute a further offence.
2. It is also an offence knowingly or recklessly to give information, in response to this Notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £2000.

ADDITIONAL INFORMATION

3. 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 Section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
4. If the council serve a stop notice, under Section 183 of the 1990 Act, Section 186 (5)(b) of the Act provides that you should otherwise become entitled (under Section 186) 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.



GIS by ESRI (UK)



Scale : 1:10000

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Comments	Case No:- 09/00051/PR15
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