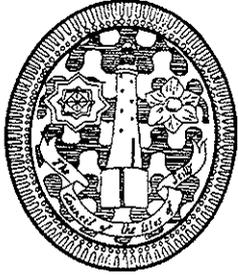


IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY



COUNCIL OF THE ISLES OF SCILLY

Old Wesleyan Chapel, Garrison Lane
St Mary's TR21 OJD

Telephone: 01720 424350 – Fax: 01720 424317

Town and Country Planning Act 1990: Section 191

Town and Country Planning (Development Management Procedure)
(England) Order 2010: Article 35

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Application No: P/13/032/CLU **Date Application Registered:** 6th June 2013

Applicant: Council of the Isles of Scilly
Town Hall
St Mary's
Isles Of Scilly
TR21 0LW

Agent: Ian Lofthouse
SLR Consulting Ltd
Suite 5 Brindley Court
Gresley Road
Worcester
Worcestershire
WR4 9FD

The Isles of Scilly Council hereby certify that on the 16th May 2013 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on Plan LDC 03 which is attached to this certificate, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 for the following reason(s):

On the basis of the evidence submitted in support of the application and applying the balance of probability test set out in the Legal Advice.

Signed

A handwritten signature in black ink, appearing to be 'Ian Lofthouse'.

Chief Planning Officer

DATE OF ISSUE: 17th July 2013

FIRST SCHEDULE

Continued use of the Moorwell Waste Management Site and associated buildings for waste management activities including the; a) Stockpiling of commercial, domestic and construction & demolition (C&D) waste; b) Sorting and processing of those wastes for: i) Recycling or re-use on island; ii) Export to mainland for recovery or disposal; or iii) Incineration; c) Stockpiling of ash from the incineration of waste; d) Stockpiling, baling and exporting of recyclable materials (including soils and recycled aggregates).

The recyclable and other materials considered to fall within b(i), b(ii) and d. include glass, metals, plastics, white goods, batteries, light bulbs (WEEE) and similar hazardous materials (requiring specialist treatment not available on site).

SECOND SCHEDULE

Moorwell Waste Management Site, Moorwell Lane, Hugh Town, St Mary's, Isles of Scilly

NOTES

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990.
2. It certifies the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, therefore, was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.