

Lisa Hughes

From: Gae [gae@barkerparry.co.uk]
Sent: 22 August 2011 17:05
To: Lisa Hughes
Cc: k.power@welhat.gov.uk
Subject: Woodlands
Attachments: MX-2600N_20110822_171429.pdf

Letter as promise

Mrs Lisa Hughes
Principal Planning Officer
Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City
Herts AL8 6AE

Our Ref: GDP/pm/08064_04

22 August 2011

Dear Mrs Hughes

Enforcement Actions

Woodlands, Leggatts Park, Great North Road, Potters Bar, Herts EN6 1NZ

Your Ref: ENF/2007/0107

-

I am writing further to our recent meeting in respect of the above matter specifically in connection with the detail provided to your Authority about the date on which the works the subject of the Enforcement Notice were completed. In this regards I would ask that you consider the following information.

Firstly, let me make my professional relationship with Mr Rickards (the owner of the property) perfectly clear. I have not been retained by Mr Rickards throughout the meetings/discussions with the various enforcement officers of the Council as itemised in correspondence with Mr Evans. I may have been copied into your correspondence as a "contact" for Mr Rickards but I was not a party to any discussions or instructed to respond. The only correspondence I have had with your Council on this matter, until recently, was by way of a letter dated the 6th May 2008 in response to a letter from Rebecca Neil dated 9th April 2008. Please note that my letter states "*late summer*" as the point when the building was constructed and makes no mention of September 2007 as Mr Evans has continued to allege.

The information supplied by me in that letter was given to me by my client and pre-dates the formal 'Requisition for Information' sent to Mr Rickards. I was not informed of the information he supplied nor indeed have I ever seen the formal response.

That aside, my client informs me that in completing the form he was not aware that a very specific date was required from him. He has a recollection that he checked the invoices from English Heritage which shows a Final Balance invoice dated 11th September 2007 and used this September date for filling in the PCN. However, as has subsequently been explained, that invoice post-dated the final completion of the building and was a sum withheld by Mr Rickards pending agreement with English Heritage in respect of damage to the driveway caused by a heavy roofer's vehicle. The money was withheld until the damage was repaired. Please see attached letter from the Company dated 31st August 2007.

Both Mr Rickards and I have informed Mr Evans of this error in conversations and in correspondence. Indeed Mr Rickards has acknowledged that it was a genuine mistake on his part. Mr Rickards has no formal legal or planning training and it is not surprising that he was unaware of the problem that this could generate this was made clear to Mr Evans in an email of the 12th July 2011.

I would also point out, by the same token, that Mr Rickard was not aware of the fact that a building could become immune to enforcement proceedings once 4 years had lapsed. Indeed he only became aware of the fact when Mr Evans informed him that this was the case. At the time of the submission of the PCN in November 2010 the expiration of the 4 year period was still some months in the future and the Council had already resolved to take enforcement action on the 30th September 2010, as a consequence he had nothing to gain by being evasive or untruthful about the date. The Council has, with respect, had a considerable period of time (at least since April 2008) within which to pursue enforcement proceedings on this site and has not done so.

However, following Mr Evans comments Mr Rickards decided to double check his records and discussed the matter with me. As a matter of fact, it is the case that both the building and the driveway were clearly completed in line with the details supplied to you by way of the submitted CLEUD application. In the light of this I trust you will be in a position to withdraw the enforcement notice as soon as possible in order that neither my client nor the Council should be involved in any more time and expense on this matter.

Yours sincerely

Gae Parry

Email: gae@barkerparry.co.uk

Click [here](#) to report this email as spam.