ENFORCEMENT AND STOP NOTICES INDEX

ADDRESS	PAGE	DATE SERVED
	NUMBER	
Land off Amberley Road	9a	17/3/1982
Land off Amberley Road	28	11/1/1990
Land at 27 Albert Road, Millisons Wood, Meriden	29	8/3/1993
5 Austrey Close, Knowle	34	
12 Arran Way, Smiths Wood	36	8/2/1995
Land adjoining 1 Arnold Grove, Shirley	40	2/6/1995
Land adjoining 1 Arnold Grove, Shirley	41	22/9/1995
38 Ashleigh Road	65	
3 Alderbrook Road	84	
Ashford Grange, Ashford Lane, Hockley Heath	84	17/12/2003
Ashford Grange, Ashford Lane, Hockley Heath	84	4/3/2004

ADDRESS	PAGE NUMBER	DATE SERVED
Land at Bickenhill Lane, Marston Green	1	17/3/1982
Land off Barn Lane	9a	17/3/1982
Agricultural workers dwelling adj to The Gate House, Barston Lane, Barston	2	10/6/1982
4 Birmingham Road, Meriden	2	11/8/1982
Pitt: off Benton Green Lane	4	10/2/1983
Barston Gate Farn, Barston Lane, Barston	7	19/7/1984
The Farmstead, Eastcote Place, Barston Lane, Barston	9a	13/12/1989
The Farmstead, Eastcote Place, Barston Lane, Barston	9a	2/3/1990
The Farmstead, Eastcote Place, Barston Lane, Barston	9a	31/10/1989
The Farmstead, Eastcote Place, Barston Lane, Barston	9a	27/11/1989
Land at field OS No 6172 Braggs Farm, Braggs Farm Lane, Shirley	17	18/6/1992
Land fronting Braggs Farm Lane, Shirley	17	19/6/1992
Land off Barn Lane	28	11/1/1990
9 Blythewood Close, Copt Heath	35	28/9/1994
Land at Back LaneFarm, Back lane, Meriden	35	
Meriden Hall Mobile Home Park, Berkswell Road, Meriden	46	1/3/1996
Meriden Garage, Birmingham Road, Meriden	53	1/9/1997
Bonniflinglas House, 3 Berkswell Road, Meriden	58	2/11/1998
Ryton End Farm, Bradnocks Marsh Lane, Barston	73	22/1/2002
45 Bannerlea Road, Kingshurst	74	7/3/2002
Meriden Garage, Brimingham Road, Meriden	76	31/1/2003
98 Bryanston Road	80	13/6/2003
2 Whitlocks End Farm Cottages, Bills Lane, Shirley	91	8/11/2005
The Dell, Bickenhill Lane, Catherine de Barnes	95	12/5/2006
Land to north of Braggs Farm Lane and east of Dickens Heath	96	31/10/2006 & 2/11/2006
Eastcote Hall, Barston Lane, HIA	96	10/11/2006

TI D D' 1221	00	07/0/0007
The Dell, Bickenhill Lane	99	27/6/2007
Land at Esvimingham food Marday	108	26/09/08
Wad Barn, Berkswell Rd. Wad Barn Celtage, Berkswell Rd. Wad Barn, Berkswell Road	110	6/4/09
Wad Brin Cottage, Bediswell Rd.	HO	6/4/09
Way Bam Berkswell Road	110	6/5/09 87/5/09
and Barn Cottage, Berkshell Road	111	6/5/09 8 7/5/09
card adj to Temple Clard, Benton	11/	20/1/09
	111	21/4/01
2 Roshand Roy Monta	G	23/10/28
300 130	<u> 58</u>	1
165 Bungfiel Food	150	21.10.15
BOUYER FARM, LADY LANE	130	15/01/16.
		,
	_	

1/2

	C	
ADDRESS	PAGE NUMBER	DATE SERVED
7 Chelmsley Lane, Marston Green	1	18/3/1982
Kingdom Hall, Chester Road/Windward Way, Kingshurst	4	14/1/1983
135 Colebrook Road, Solihull Lodge	5	28/3/1983
52 Creynolds Lane	8	6/6/1985
National Motorcycle Museum, Coventry Road, Bickenhill	10	16/4/1991
National Motorcycle Museum, Coventry Road, Bickenhill	10	16/4/1991
National Motorcycle Museum, Coventry Road, Bickenhill	11	16/4/1991
National Motorcycle Museum, Coventry Road, Bickenhill	11	16/4/1991
The Meadows, Catherine de Barnes Lane, Bickenhill	15	
106 Cooks Lane, Kingshurst	16	18/5/1992
Land fronting Coventry Road, Elmdon	18	30/6/1992
Land fronting Coventry Road, Elmdon	18	30/6/1992
Land fronting Coventry Road, Elmdon	19	10/7/1992
Land situate off Coventry Road, Bickenhill	19	10/7/1992
Land fronting Coventry Road, Elmdon	26	12/8/1992
82 Cropthorne Road, Shirley	28	15/1/1993
Parkways, 280-284 Chester Road, Castle Bromwich	32	
The Meadows, Church Lane, Bickenhill	50	18/3/1997
Myrtle Cottage Farm (Guardian Car Parks) Coventry Road, Bickenhill	38	1/5/1995
Myrtle Cottage Farm (Site B) Coventry Road, Bickenhill	39	1/5/1995
Myrtle Cottage Farm (Site C) Coventry Road, Bickenhill	39	1/5/1995
Myrtle Cottage Farm (Site E) Coventry Road, Bickenhill	39	1/5/1995
Cornyx Lane Motor Engineers, Cornyx Lane	54	16/1/1998
Land r/o Annes Pantry, Coventry Road, Bickenhill	54	9/2/1998

Land at junction of Cornets End	56	21/7/1998
Lane & Kenilworth Road,		
Hampton in Arden		
Land at junction of Cornets End	56	21/7/1998
Lane & Kenilworth Road,	00	21/1/1000
Hampton in Arden		
	F.7	22/0/4009
Tachbrook Honda, Coventry Road,	57	22/9/1998
Elmdon (Site A)		
Tachbrook Honda, Coventry Road,	57	22/9/1998
Elmdon (Site B)		
Land at junction of CoventryRd	65	16/3/2000
and Damson Parkway, Elmdon		
Land at junction of CoventryRd	65	16/3/2000
and Damson Parkway, Elmdon	00	10/0/2000
Village Farm, Coventry Road,	65	4/4/2000
, ,	US	4/4/2000
Elmdon	70	00/0/0000
71 Coleshill Road, Marston Green	76	20/3/2002
241 & 243 Castle Lane	76	6/2/2003
Myrtle Cottage Farm, Coventry	88	16/3/2005
Road, Bickenhill		
47 Coleshill Road, Marston Green	89	6/5/2005
85 Coverdale Road	91	14/11/2005
Land to roar of Onester Arms,	112	18/12/09
Choster Road		
92 CAMPDEN GREEN,	113	24/05/2010
85 Coverdare Lord	118	24/10/11
Land to year of 01.262 Chester Rd/	124	10'191:13
Hurst leve, Castle Brannich	+125	23/10/13
Land of Village From Cavenly Rd	126	24/11/14
	127	И
4		и
4	127	
11 0 4 9 11	12+	И
u v v v	127	и
148 Worksone Road	127	18/12/14
1		
		V

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ADDRESS	PAGE NUMBER	DATE SERVED
Diddington Hall Farm, Diddington Lane, Hampton in Arden	1	15/3/1982
89 Dorridge Road, Dorridge	6	24/7/1984
Land and premises known as The Uplands, Dickens Heath Road, Shirley	14	10/4/1992
Land fronting Dickens Heath Road, Shirley	19	22/7/1992
Land off Dickens Heath Road, Shirley	20	22/7/1992
Land off Dickens Heath Road, Shirley	20	22/7/1992
Land fronting Dickens Heath Road, Shirley	20	22/7/1992
Land fronting Dickens Heath Road, Shirley	20	22/7/1992
Land off Dickens Heath Road, Shirley	21	22/7/1992
Land off Dickens Heath Road, Shirley	21	22/7/1992
Land fronting Dickens Heath Road, Shirley	21	22/7/1992
Land fronting Dickens Heath Road, Shirley	22	22/7/1992
Land fronting Dickens Heath Road, Shirley	22	22/7/1992
Land off Dickens Heath Road, Shirley	23	22/7/1992
Land off Dickens Heath Road, Shirley	23	23/7/1992
The Mill, Darley Green Road, Dorridge	32	
The Mill, Darley Green Road, Dorridge	32	
Saffron Indian Takeaway, 58 Damson Lane	48	26/7/1996
Land at junction of Damson Parkway and Damson Parkway, Elmdon	65	16/3/2000
Land at junction of Damson Parkway and Damson Parkway, Elmdon	65	16/3/2000
180 Damson Lane	87	14/9/2004
2 Damson Lane	88	31/12/2004
The Uplands, 74 Dickens Heath Road, Shirley	90	12/10/2005

and to north of Braggs Farm ane and east of Dickens Heath	96	31/10/2006 & 2/11/2006
are and east of Dickers Fleatif		

ADDRESS	PAGE NUMBER	DATE SERVED
Camelot, Eaves Green Lane, Meriden	6	23/1/1984
Land at Camelot, Eaves Green Lane, Meriden	29	20/5/1993
110 Elmdon Lane, Marston Green	56	13/8/1998
110 Elmdon Lane, Marston Green	56	13/8/1998
Land off East Way, adjacent to Myrtle Cottage Farm, Middle Bickenhill Lane, Bickenhill	74	13/3/2002
Myrtle Cottage Farm, Coventry Road, Bickenhill (Cost Way)	88	16/3/2005
woodi Euro Green Live	115	23/25/11
led out House dues Gon	Lan 118	7/12/11
Last of Gaves Green Lone	118	1+2 March 2012
Carl of Eavez Green Low	119	11/09/12.

ADDRESS	PAGE NUMBER	DATE SERVED
Land off Fillongley Road, Meriden	15	5/3/1992
Meriden Tea Rooms, Fillongley, Meriden	51	24/3/1997
Land at Four Ashes Road, Dorridge	55	9/4/1998
Frogmore Barn, Frogmore Lane, Fen End	81	5/9/2003
Frogmore Barn, Frogmore Lane, Fen End	82	5/9/2003
Frogmore Barn, Frogmore Lane, Fen End	82	5/9/2003
Land at Friday Lane, Eastcote	85	8/1/2004
36 Fallowfield Road	98	18/5/2007
Earlswood Nurseries, Forshaw Heath Road, Earlswood	106	23/1/2008
The Five 124 Four Ashes Road	109	26/09/08
Howards Barn, Fernhull Lave, BC	119	16/4/12
I FARM CLOSE, SCUHULL	119	30/5/2012

<u> </u>			
ADDRESS	PAGE NUMBER	DATE SERVED	
5 Greyfort Place, Olton	9a	14/3/1990	
Tandoori Night, 256 Gospel Lane, Olton	32		
Greenlands Service Station Greenlands Road, Chelmsley Wood	35		
Greenlands Service Station Greenlands Road, Chelmsley Wood	36	11/1/1995	
17 Glencroft Road	47	12/7/1996	
17 Glencroft Road	47	12/7/1996	
17 Glencroft Road	48	12/7/1996	
17 Glencroft Road	48	12/7/1996	
he Grange Grange Road, Olton.	109	14/11/2908	
Palvier Green Love BC.	126	24/10/14.	

ADDRESS	PAGE	DATE SERVED	
	NUMBER	9/6/4090	
Land formerly known as Honiley Airfield, Honiley Road, Meer End	2	8/6/1982	
Land formerly known as Honiley Airfield, Honiley Road, Meer End	2	7/6/1982	
Land at Hob Lane, Barston	4	11/1/1983	
Land at Hob Lane, Barston	4	7/2/1983	
Land at Hob Lane, Barston	4	7/2/1983	
79 Holly Lane, Marston Green	15		
Land fronting Harvest Hill Lane, Meriden (known as "Fairview")	16	16/6/1992	
Land fronting Honiley Road, Fen End	28	15/1/1993	
Land adjoining Clementine Farm, Houndsfield Lane, Shirley	29	11/3/1993	
11 Hermitage Road	30		
100 High Street, Solihull Lodge	36	6/1/1995	
'Clarendon Cob' 80a High Street, Solihull	40	26/5/1995	
4 Haseley Road	43	11/12/1995	
1690 High Street, Knowle	43	5/1/1995	
102 - 106 Haslucks Green Road, Shirley	57	2/9/1998	
102 - 106 Haslucks Green Road, Shirley	57	2/9/1998	
142 Haslucks Green Road, Shirley	61	9/3/1999	
Beechwood Farm, Hodgetts Lane, Berkswell	64	10/10/1999	
27 Harnall Close, Shirley	66	9/5/2000	
40 Hansell Drive, Dorridge	70	20/3/2001	
1632 High Street, Knowle	70	23/4/2001	
2 Hollings Grove, Solihull	72	5/11/2001	
6 Hornbrook Grove	77	1/4/2003	
Knowle Garden Centre, (formerly Thackers Nursery), Hampton Road, Knowle	78	14/5/2003	
Knowle Garden Centre, (formerly Thackers Nursery), Hampton Road, Knowle	79	14/5/2003	
181/183 Haslucks Green Road, Shirley	90	22/6/2005	
162 Hobs Moat Road	94	6/3/2006	
The Greenwood, Helmswood Drive	97	8/12/2006	
326 Hobs Moat Road	98	21/5/2007	
326 Hobs Moat Road	105	8/1/2008	

	ADDRESS	PAGE NUMBER	DATE SERVED
	Grimshaw Lodge, Hamphon Rd Thewina, Honiley Rd Land off Hob Lave Batsall Common	109	15/10/08
	Treving Horiley Rd	110	15/4/09
	Land off Hob Lave Batsall Common	114	6/10/10
	Earl off Hob Lave, Balsall Common Beaut farm, Hob Lave, Baball Common Land at Fordson farm, Havest Hill Lave Lord opposite 26 Houndfield Lave, Shedey, Solubull	119	4/4/12
	Commin	,	
	and at Fordson Farm Harrest Hill	129	30/7/15
	lace.		,
	Land of Securit Form Has Louis	129	10/09/15.
	Land comite 26 Handfield Lane	130	19/11/15
	Shada Callell	130	1111/13
	STORING (SCIANITI		
5			
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			(
		+:	

ADDRESS	PAGE NUMBER	DATE SERVED
Winterton Farm, Illshaw Heath Road, Earlswood	9	2/8/1989

ADDRESS	PAGE NUMBER	DATE SERVED
Land adjoining 20 Jacobean Lane, Knowle	15	13/5/1992

ADDRESS	PAGE NUMBER	DATE SERVED
The White Horse, Kenilworth Road, Balsall Common	2	18/3/1982
Old Lodge Farm, Kenilworth Road, Balsall Common	3	16/12/1982
Land off Kenilworth Road, Hampton in Arden	23	24/7/1992
Land off Kenilworth Road, Hampton in Arden	23	24/7/1992
Land off Kenilworth Road, Hampton in Arden	24	24/7/1992
Land off Kenilworth Road, Hampton in Arden	24	24/7/1992
Land off Kenilworth Road, Hampton in Arden	24	24/7/1992
Land off Kenilworth Road, Hampton in Arden	25	24/7/1992
Land off Kenilworth Road, Hampton in Arden	25	24/7/1992
Land off Kenilworth Road, Hampton in Arden	25	24/7/1992
Land off Kenilworth Road, Hampton in Arden	26	24/7/1992
Land known as Mouldings Green Farm/Barfords, Kenilworth Road, Meriden	28	
Land adjacent to Old Lodge Farm, Kenilworth Road, Balsall Common	30	
Lincoln Farm Café, Kenilworth Road, Hampton in Arden	31	9/11/1993
23 Kixley Lane, Knowle	31	15/3/1994
Holly Acre Lodge, Kenilworth Road, Hampton in Arden	33	
Holly Acre Lodge, Kenilworth Road, Hampton in Arden	33	
91 Kingslea Road	42	9/11/1995
Land at Blythe Waters, Knowle Road,	50	28/10/1996
Land at Blythe Waters, Knowle Road	53	29/7/1997
12 Knightsbridge Road, Olton	54	1/12/1997
Land at junction of Kenilworth Road & Cornets End Lane, Hampton in Arden	56	21/7/1998
Land at junction of Kenilworth Road & Cornets End Lane, Hampton in Arden	56	21/7/1998

Sunnyside, Kenilworth Road, Hampton in Arden	100	17/8/2007
8 Knightsbridge Road, Olton	106	4/2/2008
9 Knightsbridge Road, solihull	124	25/7/2012
8 Knightsbridge Road, Olton 9 Knightsbridge Road, Solihull 164 Knoten Green Road, Souhull	128	25/7/2012 23/1/2015
*		
	<u></u>	^

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		L
ADDRESS	PAGE NUMBER	DATE SERVED
The Woodlands, Lodge Green Lane, Meriden	1	16/2/1982
244 Lyndon Road, Olton	2	10/5/1982
253a Longmore Road, Shirley	47	23/5/1996
The Woodlands, Lodge Green Lane, Meriden	58	6/11/1998
Land adj 2 Lightwood Close, Knowle	62	29/3/1999
104 Lugtrout Lane	84	3/12/2003
Bowyer Farm, Lady Lane, Earlswood	85	27/2/2004
91 Lode Lane	101	26/9/2007
25 Landey Hall Rand	110	7/4/2009
Bruges From Lody Lane	114	02 03/2011.
bowner from Lody Lave and to Lug from Love	125	08/10/14.

ADDRESS	PAGE NUMBER	DATE SERVED
36 Manor Park Road, Castle Bromwich	5	18/7/1983
36 Manor Park Road, Castle Bromwich	6	17/8/1983
Texas, 131 Marshall Lake Road, Shirley	8	27/11/1986
Land off Meriden Road, Hampton in Arden	14	28/2/1992
Malthouse Farm, Meer End Road, Meer End, Balsall Common	34	
Meriden Hall Mobile Home Park, Main Road, Meriden	43	22/2/1996
Meriden Hall Mobile Home Park, Main Road, Meriden	44	22/2/1996
Meriden Hall Mobile Home Park, Main Road, Meriden	44	22/2/1996
Meriden Hall Mobile Home Park, Main Road, Meriden	44	22/2/1996
Meriden Hall Mobile Home Park, Main Road, Meriden	46	22/2/1996
Land at Meer End Road, (Field nos 6207,7601 & 8200) Meer End	51	8/4/1997
Land at Meer End Road, (Field nos 6207,7601 & 8200) Meer End	52	8/4/1997
Solihull Cricket Club, Tippetts Field, Marsh Lane, Solihull	53	3/10/1997
Meriden Hall, Main Road, Meriden	61	5/2/1999
The Estate office, (formerly known as Tyne Lea), Meriden Road, Berkswell	70	9/1/2001
Land off East Way, adjacent to Myrtle Cottage Farm, Middle Bickenhill Lane, Bickenhill	74	13/3/2002
57 Moordown Avenue	75	15/3/2002
St Michaels Stud Farm, Meer End Road, Meer End	77	10/2/2002
Land at Masons Way, (r/o 61 Warwick Road, Olton	77	10/2/2003
Screek, Dichons Heath	112	17/11/09

PAGE NUMBER	DATE SERVED
7	16/7/1985
8	16/1/1986
12	19/7/1991
37	21/3/1995
67	1/9/2000
75	19/3/2002
81	6/8/2003
84	29/9/2003
	7 8 12 37 67 75

	DAGE DATE OFFICE	
ADDRESS	PAGE NUMBER	DATE SERVED
Land at Old Lodge Farm, Kenilworth Road, Balsall Common	29	
Land at 70 Needlers End Lane, Balsall Common	39	3/5/1995
Crest Homes, Land at Oakfields Way, Catherine de Barnes	41	25/8/1995
Brook Farm, Oldwich Lane East, Fen End	71	12/10/2001
The Queens Head. Old Road, Meriden	72	3/2/2006
Meriden Caravan Storage Compound, Old Birmingham Road, Meriden	97	18/12/2006 & 19/12/2006
The Gables Hotel, Old Damson Lane, Elmdon	104	24/10/2007
67 Olton Road, Shirley	109	17/10/2008
land at; Old Green Lane	11)	5/6/09

ADDRESS	PAGE NUMBER	DATE SERVED
2 Princethorpe Close, Shirley	30	
2 Princethorpe Close, Shirley 27 Pettyfields Close, Knowle	31	29/4/1994

		Q
ADDRESS	PAGE NUMBER	DATE SERVED

R		
ADDRESS	PAGE NUMBER	DATE SERVED
Reservoir Road, Olton	9	15/12/1989
and adjoining 13 Richmond Road, Olton	12	
43 Richmond Road, Olton	13	25/2/1989
Land fronting Richmond Road,	13	25/2/1992
Olton		
27 Reservoir Road, Olton	50	27/11/1996
Damsonwood Indian Takeaway, 69 Rowood Drive	51	27/3/1997
154 Ralph Road, Shirley	70	17/10/2000
107 Richmond Road, Olton	80	27/6/2003
90 Sc 100 Por	110	20/05/08.
77 RADBOURNE ROAD	114	80 22/06/2010.

ADDRESS	PAGE NUMBER	DATE SERVED
Hazel Farm, St Peters Lane, Bickenhill	3	24/9/1982
524 Stratford Road, Shirley	5	4/3/1983
Hazel Farm, St Peters Lane, Bickenhill	5	29/4/1983
2376 Stratford Road, Hockley Heath	7	10/12/1984
2376 Stratford Road, Hockley Heath	7	10/12/1984
2 Station Road, Knowle	8	8/4/1987
Land r/o 64 Shutt Lane, Earlswood	17	19/6/1992
Land fronting School Road, Hockley Heath	27	22/10/1992
Land at Salter Street, Earlswood	29	20/8/1993
15 Stratford Road, Shirley	33	
26 Stanbrook Road	34	
Land at 'The Homestead', School Road, Hockley Heath	40	26/5/1995
Forest Court, Dorridge Square, Station Road, Dorridge	42	27/11/1995
Priory Orchard, Spencers Lane, Berkswell	46	11/3/1996
Priory Orchard, Spencers Lane, Berkswell	46	11/3/1996
2300 Stratford Road, Hockley Heath	46	11/3/1996
Land r/o 91 Stroud Road, Shirley	49	23/8/1996, 26/8/1996 8 28/8/1996
Land adj Priory Orchard, Spencers Lane, Berkswell	49	19/9/1996
Josephines of Dorridge, 9 Station Approach, Dorridge	50	14/10/1996
Land at Box Trees Farm Art & Craft Centre, Stratford Road, Hockley Heath	55	2/7/1998
Bedsworth Farm House, Salter Street, Hockley Heath	59	29/12/1998
Bedsworth Farm House, Salter Street, Hockley Heath	59	29/12/1998
Bedsworth Farm House, Salter Street, Hockley Heath	60	29/12/1998
Bedsworth Farm House, Salter Street, Hockley Heath	60	29/12/1998
Bedsworth Farm House, Salter Street, Hockley Heath	61	29/12/1998
Land at Salter Street, Earlswood	62	18/6/1999

Con	. 1-2	
407 Stratsbrock Road, Low or north sill of Shorow brock	125	8/1/2013
405 Streatsbook Road	120	8/1/2013
232 St. Bernards Read		7/11/2012
232 St. Bernards Read	120	39/10/2012 WITHMAN
234 9t. Bernards Road	120	24/10/2012
	120	27/1/2012
St. Mary + St. Margarets Cof E, Southfield Ninue	117	
66A Solve Sheet		8/6/11
45 Stawberry Fields, Meridan	116	8/6/11
23 Strawbery Folds, Menden	116	Q/C/II
56 Shott laro, Garlshood	111	28/9/09
56 Shutt lare, Carlswood	1))	13/8/09
90 School Pood Vachley tanh.	108	20/05/08
399 Streetsbrook Road	107/8	16/4/2008
217 St Benards Road	167	15/4/2008
Stratford Road		
Land adjoining Tesco, 1505	104	20/12/2007
96 Station Road, Knowle	101	29/8/2007
2384 Stratford Road	100	7/8/2007
Hampton in Arden		
Home Farm, Shadowbrook Lane,	96	19/10/2006
Bickenhill		,2555
The Croft, St Peters Lane,	96	14/7/2006
Arden		
Shadowbrook Lane, Hampton in		
The Seedbed Centre,	94	8/3/2006
55 Slater Road, Bentley heath	92	27/1/2006
		17/11/2005
11 Solihull Road, Shirley	91	15/11/2005 &
Hampton in Arden		2
Land at Shadowbrook Lane,	89	10/5/2005
Land at Salter Street, Earlswood	87	14/9/2004 & 16/9/2004
Street, Hockley Heath		
Bedsworth Farm House, Salter	69	9/10/2000
Street, Hockley Heath	00	371072000
Bedsworth Farm House, Salter	68	9/10/2000
Road, Hockley Heath	00	18/9/2000
Wedges Bakery, 495 School	68	18/9/2000
Wedges Bakery, 495 School Road, Hockley Heath	07	18/9/2000
Station Road, Marston Green	67	18/0/2000
Marston Green Auto Centre, 32	67	8/6/2000
Station Road, Marston Green	07	0/0/0000
Marston Green Auto Centre, 32	66	16/5/2000
Land off Salter Street, Earlswood	64	23/12/1999
227 St Bernards Road	64	30/9/1999
007 Ot Davis availa David	0.4	20/0/4000

ADDRESS	PAGE NUMBER	DATE SERVED			
33 Treherne Close, Knowle	5	28/3/1983			
160 Tythe Barn Lane, Shirley. (Land between 158 and 170)	6	15/2/1984			
Land off Tilehouse Lane, Shirley	14	12/3/1992			
Glebe Farm, Tanners Lane. Berkswell	16	18/6/1992			
Land at Earlsdon Stud, Truggist Lane, Berkswell	36	13/1/1995			
57 Tower Croft, Chelmsley Wood	36	24/1/1995			
170 Tilehouse Lane, Tidbury Green	37	28/3/1995			
Land adj 393 Tilehouse Lane, Tidbury Green	49	23/8/1996 & 26/8/1996			
Land at Truggist Hall Farm, Truggist Lane, Berkswell	49	11/10/1996			
Centre of England Stores, The Green, Meriden	73	28/2/2002			
Centre of England Stores, The Green, Meriden	74	28/2/2002			
Akamba Troodmell Nurseny, Tythe Ban lane	113	11/3/2010			
Highleys Farm, 389 Tanworth	115	11/4/2011			
As 22 Tengle Food	116	01/06/11.			
Adj 527 Tanworth Line	123	9/4/13			
The Grave House Tarrers Green Lare	123 124	10 4 13			
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		(6			

	U						
ADDRESS	PAGE NUMBER	DATE SERVED					
60 Ulleries Road, Olton	35	12/10/1994					
94 I Ilverley Green Road Olton	102	10/10/2007					
94 Ulverley Green Road, Olton 6 Ullenhall Road	108	13/= 12000					
6 Ullenhau Koad	100	13/5/2008					

ADDRESS	PAGE NUMBER	DATE SERVED
Unit 4, Valley Road, Earlswood	86	24/3/2004
om i, randy rioda, Editoriosa		

ADDRESS	PAGE NUMBER	13/1/1982			
387 Warwick Road, Olton	1				
Land off Wagon Lane	9a	17/3/1982			
167 Wood Lane, Earlswood	3	17/8/1982			
113 Warwick Road, Olton	3	20/9/1982			
Land at r/o 61a Wood Lane, Earlswood	3	24/9/1982			
64 Warwick Road, Olton	5	17/7/1983			
47 Wharton Avenue	6	13/12/1983			
Widney Service Station, Widney Road, Knowle	7	12/12/1984			
87 Warwick Road, Olton	7	28/3/1985			
122 Water Orton Road, Castle Bromwich	7	11/7/1985			
Nesta Bungalow, Warings Green Road, Hockley Heath	8	28/1/1986			
Yew Tree Cottage, 1405 Warwick Road, Knowle	9	14/6/1988			
Land at premises known as The Old Barn Field os No 7600 Windmill Lane, Dorridge	9	15/12/1989			
Hillcrest House, Windmill Lane, Balsall Common	12	18/2/1989			
Land fronting Wootton Green Lane, Balsall Common	15	21/5/1992			
1 Wootton Green Lane, Balsall Common	26	27/8/1992			
1 Wootton Green Lane, Balsall Common	27	3/9/1992			
1 Wootton Green Lane, Balsall Common	27	22/9/1992			
Land off Wagon Lane	28	11/1/1990			
Land at Station Approach, Olton Railway Station, Warwick Road, Olton	30				
1656 Warwick Road	30				
44 Whitford Drive, Monkspath	31	29/4/1994			
2 Wilsons Road, Knowle	33	2/9/1994			
35 Wollescote Drive	37	28/3/1995			
Site 1 Widney Manor Goods Yard, (Second City Recovery) Widney Lane	38	26/4/1995			
Site 1 Widney Manor Goods Yard, (Keane Construction (Midlands) Ltd) Widney Lane	38	26/4/1995			
Site 6 Widney Manor Goods Yard,	38	26/4/1995			

Widney Lane Land at 124 Widney Road, Bentley	41	8/9/1995		
Heath				
Olton Indian Takeaway, 47 Warwick Road, Olton	42	3/11/1995		
Wootton Green Lane, Balsall Common	47 18/3/1996			
60 Winster Avenue, Dorridge	51	26/3/1997		
60 Winster Avenue, Dorridge	51	26/3/1997		
124 Widney Road, Bentley Heath	52	17/4/1997		
Land at Wootton Green Lane, Balsall Common	52	16/6/1997		
167 Warwick Road, Olton	56	6/7/1998		
14 Waverley Grove	63	16/7/1999		
Hill Farm House, Warwick Road, Knowle	63	10/9/1999		
Land at Masons Way, (r/o 61 Warwick Road, Olton	77	10/2/2003		
72 Wells Green Road	78	24/4/2003		
Olton Mere, Warwick Road, Olton	86	15/3/2004		
Broad Oaks Garage, Warwick Road	90	30/9/2005		
Earlswood Lakes Craft Centre, Wood Lane, Earlswood	92	28/2/2006		
467 Warwick Road	94	5/5/2006		
Earlswood Lakes Craft Centre, Wood Lane, Earlswood	95	12/5/2006		
95 Wavers Marston, Marston Green	96	24/7/2006 & 25/7/2006		
95 Wavers Marston, Marston Green	97	15/11/2006		
Heronsbrook Farm, Warwick Road	97	27/12/2006		
115 Wood Lane	98	25/5/2007		

ADDRESS	PAGE NUMBER	E DATE SERVED							

ADDRESS	PAGE NUMBER	DATE SERVED		
1198 Yardley Wood Road, Solihull Lodge	3	10/8/1982		
1198 Yardley Wood Road, Solihull Lodge	8	29/8/1985		

ADDRESS	PAGE NUMBER	DATE SERVED			

1981 No. 1569

TOWN AND COUNTRY PLANNING ENGLAND AND WALES

The Town and Country Planning General Development (Amendment) (No. 2) Order 1981

Made - - -

30th October 1981

Laid before Parliament

6th November 1981

Coming into Operation

27th November 1981

The Secretary of State for the Environment in exercise of the powers conferred on him by sections 24, 92A and 287 of the Town and Country Planning Act 1971(a) as amended by the Local Government and Planning (Amendment) Act 1981(b) and of all other powers enabling him in that behalf hereby makes the following order:—

- 1.—(1) This order may be cited as the Town and Country Planning General Development (Amendment) (No. 2) Order 1981, and shall be included amongst the orders which may be cited together as the Town and Country Planning General Development Orders 1977 to 1981.
 - (2) This order shall come into operation on 27th November 1981.
- 2. The Town and Country Planning General Development Order 1977(e) shall be amended by the insertion of the following article after article 21:

"Register of Enforcement and Stop Notices

- 21A—(1) Subject to paragraph (2) of this article the register which every district planning authority and every council of a London borough is required to keep under the provisions of section 92A of the Act shall contain the following information with respect to every enforcement notice issued in relation to land in their area:—
 - (a) the address of the land to which the notice relates or a plan by reference to which its situation can be ascertained;
 - (b) the name of the issuing authority;
 - (c) the date of issue of the notice;
 - (d) the date of service of copies of the notice;
 - (e) a statement or summary of the breach of planning control alleged and the requirements of the notice, including the period within which any required steps are to be taken;
 - (f) the date specified in the notice as the date on which it is to take effect:

(a) 1971 c. 78.

(b) 1981 c. 41.

(c) S.I. 1977/289.

[DET 0058]

- (g) information on any postponement of the date specified as the date on which the notice will take effect by reason of section 88(10) of the Act (appeal to Secretary of State) and the date of the final determination or withdrawal of any appeal;
- (h) the date of service and, if applicable, of withdrawal of any stop notice referring to the enforcement notice, together with a statement or summary of the activity prohibited by any such stop notice;
- (i) the date, if any, on which the local planning authority are satisfied that steps required by the notice for a purpose mentioned in section 87(10)(b) of the Act (removal or alleviation of injury to amenity) have been taken.
- (2) The entry relating to any enforcement notice or stop notice and everything relating to any such notice shall be removed from the register when the enforcement notice is quashed by the Secretary of State or withdrawn.
- (3) Every register shall include an index for enabling a person to trace any entry in the register by reference to the address of the land to which the notice relates.
- (4) Where a county planning authority issue an enforcement notice or serve a stop notice, they shall supply the information specified in paragraph (1) of this article to the district planning authority in whose area the land to which the notice relates is situated and shall inform the district planning authority of the withdrawal or quashing of any enforcement notice.
- (5) Where the Greater London Council issue an enforcement notice or serve a stop notice, they shall supply the information specified in paragraph (1) of this article to the council of the London borough in whose area the land to which the notice relates is situated and shall inform the council of the withdrawal or quashing of any enforcement notice.
- (6) The information prescribed in paragraph (1) of this article shall be entered in the register as soon as practicable and in any event within 14 days of the occurrence to which it relates, and information shall be so supplied under paragraphs (4) or (5) that entries may be made within the said period of 14 days.
- (7) Registers shall be kept at the office of the district or London borough council:

Provided that so much of the register as relates to land in a part of the area of that authority may be kept at a place within or convenient to that part.

(8) References to the Secretary of State shall be construed as including references to a person appointed by the Secretary of State under Schedule 9 to the Act to determine an appeal.".

Michael R. D. Heseltine, Secretary of State for the Environment.

30th October 1981.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Town and Country Planning General Development Order 1977, which is the general order made under section 24 of the Town and Country Planning Act 1971. The Local Government and Planning (Amendment) Act 1981 provided, in paragraph 6 of the Schedule, that district planning authorities and councils of London boroughs are to keep a register containing prescribed information with respect to enforcement notices and stop notices issued or served under sections 87 and 90 of the Town and Country Planning Act 1971. This order prescribes the information to be contained in such registers and the manner in which the register is to be kept.

STATUTORY INSTRUMENTS

1981 No. 1569

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TOWN AND COUNTRY PLANNING ENGLAND AND WALES

The Town and Country Planning General Development (Amendment) (No. 2) Order 1981

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SVW/KMC

Register of enforcement notices and stop notices to be kept by local planning authorities (LPAs) from 27 November 1981

The new section 92A of the Town and Country Planning Act 1971 requires every district planning authority in England and Wales and every London Borough Council to maintain, in a prescribed manner, a register of enforcement and stop notices which relate to land in their area, for all notices issued or served on and after 27 November 1981.

Amendment to the General Development Orders (GDO) 1977 to 1981

2. To prescribe how the new register should be kept, the Secretary of State for the Environment has made the Town and Country Planning General Development (Amendment) (No 2) Order 1981 (SI 1981/1569), which comes into operation on 27 November. This Amendment Order inserts a new Article 21A in the GDO, prescribing the information which district planning authorities and London borough councils are to record in the new register. Most of the information is concerned with identification of the land to which enforcement and stop notices relate and the date on which various events in the life of an enforcement notice take place. The purpose of recording this information is to enable anyone with a prospective interest in the land to which an enforcement notice relates to ascertain, by examining the register, whether a notice exists and, if so, what its effect is. The only information whose recording may possibly cause difficulty for register authorities is the date on which the LPA are satisfied that steps required by the notice for a purpose mentioned in section 87(10)(b) of the 1971 Act have been taken. This information is to enable an enquirer to ascertain whether a "deemed planning permission" exists, under section 87(16) of the 1971 Act, for the erection of a building or the errying out of works which are required by a LPA to remove or alleviate any injury to amenity which has been sed by the unlawful development specified in an enforcement notice. It is assumed that, in these circumstances, an authority would always want to satisfy themselves that there has been compliance with the requirements of such a notice.

Removal of entries from the register

- 5. Paragraph (2) of the new Article 21A specifies that the circumstances in which an entry is to be removed from the new register are when:-
 - (1) an enforcement notice is quashed by the Secretary of State, in consequence of an appeal to him under section 88 of the 1971 Act; or
 - (2) the authority decide to withdraw the notice, under section 87(14) of the 1971 Act.

An entry in the register is not to be removed simply because the LPA are satisfied that persons served with a copy of the notice have complied with its requirements: in these circumstances, an enforcement notice still continues to be a charge on the land (unless compliance with the notice has resulted in a "deemed planning permission" under section 87(16) of the 1971 Act) and it is therefore important that an intending purchaser should be able to obtain information about its effect.

Transmission of information by County Councils and Greater London Council

Paragraphs (4) and (5) of the new Article 21A require County Councils and the Greater London Council to transmit, to district planning authorities and London Borough Councils respectively, relevant information about notices issued by the County Council or Greater London Council so that it can be recorded in the register.

Form of the register

- 5. In making the Amendment Order, the Secretary of State has sought to leave register authorities with maximum possible discretion to decide how they prefer to keep the new register. It might be kept in the same way as the planning register, under Article 21 of the GDO, or in some different way provided only that the required information is recorded in the register within 14 days of its occurrence and the register itself is kept conveniently for public inspection during normal working hours.
- 6. Some LPAs already enter information about enforcement notices in the local land charges register. The Secretary of State is advised that there is no legal requirement for this and, in future, the only requirement is to maintain the new register under section 92A of the 1971 Act. However, those authorities who wish to maintain, in future, their present local land charges register practice may like to enter in that register a cross-reference to the fact that a complete entry for an enforcement notice is to be found in the new register.

Department of the Environment (PLUP 2)

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Welsh Office Cathays Park Cardiff, CF1 3NQ

9 November 1981

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