

2002

FAO Clive Richards

SJP004 / 1

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HJC

Mr Mark Harper
2 St James's Place
Brighton BN2 1 RS

Date: 27th June 2003
Our Ref: SJD/022806
Your Ref:
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Dear Mr Harper

Section 257 Town and Country Planning Act 1990-Propose Stopping Up of Part of St James's Place

At the meeting on the 24th June with Matt Payne the following issues were immediately identified and thought given to the probable time table as follows:-

- (i) I understand that Mr Virk owns the garden immediately behind 9 Old Steine so do you or any of the other applicants happen to know who else might own any of the other gardens as some appear to have access onto St James's Place and therefore would have an interest in the proposed stopping up. Please indicate on the plan provided or mail note me if you prefer.
- (ii) Matt also tells me that there is a locked gate at the northern end of the footpath to allow access from the Mews over a private right of way is that your understanding.

I ask because I want to identify as many owners/occupiers as possible who have an immediate interest in the land that is to be the subject of the stopping up order rather than having to resort to serving requisitions for information which as I am sure your are aware can be time consuming.

The Council can charge for this application subject to certain refund provisions (the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 SI 1993 No 407) so it would help me if you and the other applicants could nominally appoint someone to receive and undertake to pay for the cost of this exercise.

As yet I have no figurers on actual costs although only as a guide apart from officer/administrative charges based on hourly rates the actual cost of the newspaper advertising will be fully recharged. Those costs fixed by the newspaper in this case the Argus will be based on column inches of type and for a typical set of two adverts even with the discount arrangements the council has would I suspect be around £2,000 but please do not try and hold me to that figure it is only a guess!

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As to time scale Matt is now on leave returning on the 7th July so I am trying to marshal all the necessary information in the hope that I can advertise the making of the order during the week he returns along with serving, sending and or posting up the necessary documentation subject as I have said to the need to serve requisitions.

The legislation provides for a minimum 28 day period for receipt of all representations and objections following advertising so provided there are none the order could be confirmed soon thereafter ie early August. In the event that this cannot happen I will write and let you know what the council proposes to do.

I look forward to hearing from you.

Yours sincerely

Stephen Dryden
Lawyer
For Head of Law

cc Matt Payne Planning Officer, Development Control Team, Hove Town Hall.

