

Dacorum Borough Council Planning Department

Civic Centre Marlowes
Hemel Hempstead
Herts HP1 1HH



TOWN AND COUNTRY PLANNING ACT 1990

SECTION 191

(as amended by section 10 of the
Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

ARTICLE 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT
for existing use or development

The Dacorum Borough Council hereby certifies that on 26 August 1999 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this Certificate was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The boat known as "Frobisher" has been permanently moored at the location specified in the Second Schedule for a period of more than ten years and has, during this time, been used for the purposes set out in the First Schedule. The use of the boat for the purposes set out in the First Schedule is therefore lawful within the meaning of s.191 (2) (a) of the Town and Country Planning Act 1990 because this use has been in existence for more than ten years and the time within which enforcement action could be taken, as referred to in s.171B(3) of the 1990 Act, has expired.

Signed:

A handwritten signature in black ink, appearing to read 'K. B. Smith'.

Director of Planning
On behalf of Dacorum Borough Council

Date: 21 February 2000

Reference: 4/02079/99/LDE

FIRST SCHEDULE

THE USE OF THE BOAT REFERRED TO IN THE SECOND SCHEDULE FOR RESIDENTIAL PURPOSES AS A HOUSEBOAT

SECOND SCHEDULE

THE PART OF THE GRAND UNION CANAL EDGED RED ON THE PLAN ATTACHED TO THIS CERTIFICATE COMPRISING THE PERMANENT MOORING OF THE HOUSEBOAT KNOWN AS "FROBISHER", COW ROAST, TRING, HERTS, HP235RE

Notes

1. This Certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, thus, 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 any 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.