



**FAREHAM** BOROUGH  
COUNCIL

www.fareham.gov.uk

**TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 (as amended by  
Section 10 of the Planning and Compensation Act 1991**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)  
ORDER 1995: ARTICLE 24**

Ref No: P/10/0822/LU

Mr D Sheppard  
9 Peak Lane  
Fareham  
Hampshire  
PO14 1RP

## **CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

The Fareham Borough Council hereby certify that on 9<sup>th</sup> September 2010 the use described in the First Schedule to this certificate (subject to the particulars specified in the third schedule) in respect of the land specified in the Second Schedule to this certificate as outlined 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 specified land has been used for the purpose set out in the first schedule for a period of time in excess of ten years prior to 9<sup>th</sup> September 2010.

HEAD OF  
DEVELOPMENT CONTROL

Signed.....

Head of Development Control  
On behalf of Fareham Borough Council

Date 2<sup>nd</sup> November 2010

### **First Schedule**

USE OF PROPERTY FOR MIXED RESIDENTIAL BUSINESS USE (CHILDMINDING) -  
CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE - SECTION 191)

### **Second Schedule**

9 PEAK LANE, FAREHAM, PO14 1RP

### **Third Schedule**

Not more than 12 children shall be present at the property at any one time in connection with the childminding business.



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**Notes**

1. This certificate is issued solely for the purpose 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 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 stated 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 operation begun in any of the matters relevant to determining such lawfulness.