Further to your Information request ER63949 please see your questions and our response below.

Compliance & Enforcement of Conditions related to the Certificate of Lawfulness – Charles Morris Fertilizers Ltd

I am writing on behalf of residents in the Hythe End area of Wraysbury to request the planning history related to land East of Hythe End Road, owned and operated by Charles Morris Fertilizers Ltd. Our interest is in understanding the limitations and conditions provided by the Certificate of Lawful Use issued on 9th September 1998 (Appn No: 97/75746) to Charles Morris (Fertilizers) Ltd (attached).

We understand that the CofL defines the activity that can be undertaken on the site based on a claim made by the owners of activities which they say had occurred on a significant basis over a period of 10 years prior to their application.

We are particularly interested in the approximate dates and activities that have commenced since the issue of the CofL. A chronology of events would be most helpful. Included in that chronology we would like to be informed of applications made by the owners for additional activities, changes of use, developments, intensification and any other material consideration that might impact or extend the original conditions & scope provided in the 1998 CofL. Please include events that did not include any formal approval process, events that included consultation of the Borough and events which were under the Borough’s authorisation as the authorised body. We would like to see this chronology for the period from the issue of the CofL to the date of this letter.

Given the scope of activities and conditions imposed in the CofL we would like to hear from the Borough of the actions they have taken to ensure compliance with the conditions imposed in the CofL.

Where conditions have been relaxed or where the scope of activities or intensification has been allowed we would appreciate a justification for each and every one of these events.

We realise this last request does require more investigation into planning history. With that in mind we kindly request that the timeline information is forwarded as soon as possible with the supporting event information including justification to follow as soon as it is prepared

Response: This is a refusal notice Under The Environmental Regulations we have applied exception 12(4)(b) Manifestly unreasonable. We are applying this exception because of the time this would take to complete.

If you are unhappy with the information we have provided in response to your request please write to:

Transaction Legal Team Leader
Royal Borough of Windsor & Maidenhead
Town Hall, St Ives Road
Maidenhead
SL6 1RF

or send an e-mail to martin.tubbs@rbwm.gov.uk

We are proud to be one of the leading authorities in England for consistently responding to information requests within the 20 working days set down by statute. Information about our performance and summaries of requests received can be found on our website:

http://www.rbwm.gov.uk/web/dataprotection_foi.htm

We are keen to hear about your experience with the Information Management Team here at the Royal Borough of Windsor & Maidenhead and look forward to receiving any comments you have about the way your information request was processed.

Please send any feedback to the Transactional Legal Team Leader either by e-mail martin.tubbs@rbwm.gov.uk or in writing to the address above.

This concludes your request ER63949.

Yours sincerely

Chris Daniels
Information Management Officer
Information Management Team
Legal Dept
Royal Borough of Windsor & Maidenhead
Town Hall, St. Ives Road
Maidenhead SL6 1RF