



East Ayrshire
COUNCIL

PLEASE NOTE THAT THIS NOTICE AFFECTS LAND OWNED BY YOU

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006**

STOP NOTICE

**ISSUED BY EAST AYRSHIRE COUNCIL
EN/17/0216/UA**

To: Sneddon Law Community Wind Company Ltd

**Caledonia Exchange
19A Canning Street
Edinburgh
EH3 8HE,**

and

**Community Windpower Ltd
Godscroft Lane
Frodsham
Warrington
Cheshire
WA6 6XU**

and

**Jacqueline Grant
Raithmuir Farm
Galston
KA4 8PP**

and

**Thomas James Paterson
Alton Muirhouse Farm
Newmilns
KA16 9LJ**

and

**FIM Forest Funds General Partner Limited
Glebe Barn, Great Barrington
Burford, Oxford
OX18 4US**

and

**Royal Bank of Scotland PLC
2nd Floor, Drummond House
1 Redheughs Avenue, Edinburgh
EH12 9LJ**

and
Natural Power Services Ltd
The Green House Forrest Estate
St John's Town of Dalry
Castle Douglas
DG7 3XS

Whereas:

- (1) East Ayrshire Council, being the Planning Authority for the land to which this Notice relates, have issued an Enforcement Notice dated **9 August 2017** under section 127 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning Etc. (Scotland) Act 2006, alleging that there has been a breach of planning control on the land described in Schedule 1 to this Notice; and
- (2) The Council consider it expedient that a relevant activity required by the Enforcement Notice to cease must cease before the expiry of the period allowed for compliance with the requirements of the Enforcement Notice.

NOTICE IS HEREBY GIVEN THAT THE COUNCIL, IN EXERCISE OF THEIR POWER CONTAINED WITHIN SECTION 140 OF THE ABOVE ACT, NOW PROHIBIT THE CARRYING OUT OF THE UNAUTHORISED ACTIVITY SPECIFIED IN SCHEDULE 2 TO THIS NOTICE WITH EFFECT FROM 9 August 2017 (See appendix 1).

A copy of the aforementioned Enforcement Notice is annexed to this Stop Notice. That Notice shall take effect on **8 September 2017** when all the activity specified in Schedule 2 to that Notice shall cease.

PLEASE NOTE THAT FAILURE TO COMPLY WITH THIS STOP NOTICE CAN RESULT IN PROSECUTION AS SPECIFIED IN SCHEDULE 3.

Date: 9 August 2017

Signed


Council's Authorised Officer

On behalf of: **EAST AYRSHIRE COUNCIL, COUNCIL H.Q., LONDON ROAD, KILMARNOCK, KA3 7DG**

SCHEDULE 1

The land or premises to which this Notice relates comprises land at Sneddon Law Windfarm, Moscow, East Ayrshire, the location of which is shown edged in red on the attached location plan.

SCHEDULE 2

, Site investigation works have been undertaken on site, at or adjacent to the turbine locations identified in planning consent 13/0198/PP prior to the discharge of negative suspensive conditions attached to said consent. It is believed that this works has been undertaken in preparation for

commencement of more intrusive engineering works at the site. Stop all works associated with the windfarm development including intrusive ground investigation works with immediate effect with the exception of any works required to fulfil the requirements of Condition 36 of Planning Permission 13/0198/PP.

SCHEDULE 3

If any person on whom this Stop Notice has been served contravenes it after the 9 August 2017 he/she or they shall be guilty of an offence under the terms of the Town and Country Planning (Scotland) Act 1997. Any person(s) found guilty of an offence shall be liable:

- (a) on summary conviction to a fine not exceeding £20,000
- (b) on conviction on indictment to a fine

EN/17/0216/UA

Reasons for the immediate effect of Stop Notice

The works described in Schedule 2 in the attached notice have the potential to cause environmental harm by way of contamination and pollution of existing private water supplies as identified by the MacArthur Green Technical Report on Private Water Supplies: Consolidated Water Risk Assessment dated 15 November 2016 and Scottish Ministers, Department of Planning and Environmental Appeals Reporter Michael Cunliffe's Decision Notice relating to the discharge of Condition 36 of 13/0198/PP. No acceptable mitigation measures have been demonstrated for the site as being in place as required by Condition 36. It is therefore considered expedient that this Stop Notice takes immediate effect.

