



**Town and Country Development Planning Office**  
Block C, Garrison, St. Michael, BB14038, Barbados.

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**Important - This Communication Affects Your Property**  
**Town and Country Planning Act Cap. 240**

**Reference & Enforcement Nos. 1316/08/2013D & EN0042/2016/D**

**Owner:** Permanent Secretary, Ministry of Housing, Lands and Rural Development

**Occupier:** The Secretary, Barbados Motoring Federation Inc.

**Interested Party:** The Secretary, Bushy Park Circuit Inc.

**1. This Notice** is issued by the Chief Town Planner in exercise of powers conferred on him by Section 33 (1) of the Town and Country Planning Act, Cap. 240 and all other powers enabling him in that behalf, hereby gives notice that the development hereunder specified appears to him to have been carried out without the grant of permission or approval in accordance with the terms of the Town and Country Planning Development Order, 1972.

**2. The Land to Which the Notice Relates**

Land at Bushy Park, St. Philip adjoining lands of Gasikin Road to the north, Fairfield Plantation to the east, Lands of the Barbados Government to the south, and a Public road to the west.

**3. The Breach of Planning Control Alleged**

On May 12<sup>th</sup>, 2014 planning permission was granted for subdivision of land off other land and the erection of buildings, renovations to race tracks for sports and recreational purposes subject to conditions. One of those conditions was a reserve of a minimum of 4 metre shall be provided between the railway tracks and the boundary of the sports facility. It appears to the Chief Town Planner that the condition has not been complied with because the boundary enclosure has been erected within the 4 metre reserved area.

**4. Reasons for Issuing This Notice**

It appears to the Chief Town Planner that the above breach of planning control has occurred within the last four years. The erection of a boundary enclosure within the 4 metre reserved area. The Chief Town Planner does not consider that there should be any relaxation of the condition in question.

**5. What You Are Required To Do**

(i) Remove boundary enclosure within the 4 metre reserved area.

**6. Time for Compliance**

Fourteen (14) days after the notice takes effect.

**7. When This Notice Takes Effect**

This notice takes effect on June 30<sup>th</sup>, 2016, unless an appeal is made against it beforehand, or an application is made to the Chief Town Planner in accordance with the provisions of Section 22 of the Town and Country Planning Act, Cap. 240 for permission to retain on the land any buildings or works to which the enforcement notice relates, the enforcement notice shall not take effect until the expiry of a like period after the final determination of that application by the Chief Town Planner and if permission is granted on the application the enforcement notice shall not take effect.

Date

*June 2nd 2016*

Chief Town Planner

*[Signature]*



0502/163

**NOTES: -**

1. Any person aggrieved by an enforcement notice may at any time within the period specified in the enforcement notice by summons apply to a Judge in Chambers and on hearing such application the Judge -

(a) if satisfied that permission or approval was granted for the development specified in the enforcement notice relates, or that no such permission or approval was required in respect thereof, or as the case may be, that the conditions or limitations subject to which such permission or approval was granted have been complied with, shall quash the enforcement notice to which the application relates;

(b) if not so satisfied, but satisfied that the requirements of the enforcement notice exceed what is necessary for restoring the land to its condition before the development took place, or for securing compliance with the conditions or of limitations as the case may be, shall vary the enforcement notice accordingly;

(c) in any other case shall dismiss the application.

2. If within the period specified in an enforcement or within such extended period as the Chief Town Planner may allow, any steps required by the notice to be taken have not been taken, the Chief Town Planner or a person authorized in writing by him may enter upon the land and take those steps and may recover as a civil debt from the person upon whom the enforcement notice was served any expenses reasonable incurred by him in that behalf.

3. Without prejudice to the powers of the Chief Town Planner set out in paragraph 2 above, if within the period specified in the enforcement notice or within such extended period as the Chief Town Planner may allow, any steps required by the notice to be taken (other than the discontinuance of any use of land) have not been taken, the person on whom the notice was served, being the owner or occupier of the land to which the notice relates, shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding five hundred dollars. If a person so convicted does not as soon as practicable do everything in his power to secure compliance with the notice he shall be guilty of a further offence and shall be liable on conviction by court of summary jurisdiction to a fine not exceeding one hundred dollars for each day following his first conviction on which any of the requirements of the notice remain unfulfilled.

4. Where by virtue of an enforcement notice, any conditions are required to be complied with respect to the carrying out of operations thereon, then if any person, causes or permits those operations thereon, then if any person, causes or permits those operations to be carried out in contravention of the notice, he shall be guilty of an offence and liable, on conviction by a court of summary jurisdiction is liable to a fine of five hundred dollars; and if the operations continue after the conviction he shall be guilty of a further offence and liable on conviction thereof by a court of summary jurisdiction is liable to a fine of one hundred dollars for every day on which the use is so continued.

5. All communications in connection with this enforcement notice shall be addressed to the Chief Town Planner, Block C, The Garrison, St. Michael, BB14038.