

## FORMER FOCUS SITE, TAVISTOCK

### CHRONOLOGY OF EVENTS

DATE	EVENT
<b>2 April 2007</b>	Planning Permission was granted for the Focus DIY store which permitted the use of the whole unit as a non-food retail warehouse (Class A1) A condition restricted the goods that could be sold from the store (eg to DIY/Hardware) and prohibited the sale of other goods (eg food and clothing) without the prior written permission of the Council.
<b>11 July 2011</b>	Planning Permission was granted to alter elevations, including a new shop front and associated works. This was normal practice as the application was for minor alterations and it was judged that the conditions on the original application remained applicable.
<b>31 October 2011</b>	A major food retailer, accompanied by the owner of the Focus Store, attended a meeting with Marion Playle and Jo Perry asserting that they had Counsel's opinion which confirmed that they could use the Focus Store for food retailing. Given the seriousness of the issue it was decided to seek our own legal opinion, rather than accept the fact on face value
<b>21 November 2011</b>	Legal were instructed to seek our own counsel opinion who themselves confirmed that case law now allowed food retail on the site.
<b>Late November</b>	An email was sent to Marion Playle from the major food retailer confirming that they were no longer interested in the site
<b>23 December 2011</b>	An application for a Certificate of Lawfulness for a Proposed Use or Development Application (CLOPD) was received from Marchfield Properties Limited for the proposed alteration and sub-division of the unit for unrestricted retail use (Class A1)
<b>23 Feb 2012</b>	Officers, with leading members, considered whether to issue the Certificate or not and decided to seek further legal advice as to whether a remedy was available
<b>12 March 2012</b>	Counsel advised that High Court Action to quash the July 2011 Planning permission was the only remedy available. Given the impact an out of town supermarket could have on the Town Centre of Tavistock it was decided to recommend such action to Council
<b>17 April 2012</b>	Council were presented with a report recommending High Court Action – the decision was deferred pending the results of the retail study
<b>15 May 2012</b>	A further report was presented to Council. A decision was

	taken to pursue High Court action to quash the planning permission and to seek an extension of time to do so
<b>June 2012</b>	The claim was made to the High Court
<b>22 August 2012</b>	Marchfield properties lodged an appeal with the Planning Inspectorate against non-determination of the Certificate of Lawfulness (CLOPD)
<b>9 October 2012</b>	The Judge ordered a hearing
<b>22 January 2013</b>	At the hearing the Judge refused an extension of time
<b>28 January 2013</b>	Marchfield made a request to the Planning Inspectorate to delay the appeal for non determination of the CLOPD until after September 2013. The Council and PINS agreed.
<b>12 February 2013</b>	A report was presented to Council noting the High Court decision to refuse the extension of time, and the current planning status of the site
<b>16 April 2013</b>	A further report was presented to Council seeking agreement to a review of the process and decisions that led to the High Court Judgement
<b>7 May 2013</b>	First meeting of the Focus Review Working Group was held and Terms of Reference were agreed
<b>4 June 2013</b>	Interim report of Focus Review Working Group presented to Overview and Scrutiny Committee, and agreement sought to present final report directly to Council