

Our Ref 707-000222-4-NL

Your Ref

15th November 2012

FIRST CLASS POST
Colliers CRE
Companies House
32-38 Linenhall Street
BELFAST
BT2 8BG

Dear Sirs

Re: Car Boot Sale at Hillview Retail Park, Crumlin Road, Belfast

I refer to the above car boot sale, which I understand is held every Saturday.

I have been instructed to write to you on behalf of Belfast City Council in respect of the car boot sale.

I would advise you that Belfast City Council holds both the statutory and franchise rights to establish and hold Markets. This means that no Market may take place within the Belfast area without the permission of the Council.

As such the Market that you are permitting to operate on your land is unlawful. I also understand that an Application for Planning Permission to change the use of the carpark was refused in August 2010.

I enclose herewith a copy of the Council's Markets Policy, together with a copy of the Application to operate a commercial Market in Belfast. You can also obtain further information in relation to the Council's Policy on the website www.belfastcity.gov.uk/markets.

I would advise that unless an Application is made in respect of holding the said Market, Proceedings may be issued against you for the purpose of obtaining an Injunction and use of this letter will be made for the purposes of fixing you with the costs of same.

I await hearing from you.

Yours faithfully

Nora Largey
Solicitor

cc. Cityguard Security Services Ltd
Room 213
2nd Floor Container Base
Box Lane
Renwick Road
BARKING
Essex IG11 0SQ

Snoddons Developments Limited
10 Ballynahinch Street
Hillsborough
Co Down BT26 6AW

Killultagh Properties Limited
5A Meeting House Road
Ballinderry
Lisburn BT28 2NN

NL/EC

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Room 213
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Solicitor

CC. Killultagh Properties Limited
5A Meeting House Road
Ballinderry
Lisburn
Antrim BT28 2NN

Snoddons Developments Limited
10 Ballynahinch Street
Hillsborough
Co Down BT26 6AW

Colliers CRE
32-28 Linenhall Street
BELFAST BT2 8BG

NL/EC

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15th November 2012

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Killultagh Properties Ltd
5A Meeting House Road
Ballinderry
Lisburn
BT28 2NN'

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Snoddons Developments Limited
10 Ballynahinch Street
Hillsborough
Co Down BT26 6AW

Colliers CRE
32-28 Linenhall Street
BELFAST BT2 8BG

NL/EC

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Your Ref

15th November 2012

FIRST CLASS POST

Snoddens Developments Ltd
10 Ballynahinch Street
HILLSBOROUGH
Co Down
BT26 6AW

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5A Meeting House Road
Ballinderry
Lisburn
Antrim BT28 2NN

Colliers CRE
32-28 Linenhall Street
BELFAST BT2 8BG

NL/EC



15.

Our Ref:- KP/RS

Date;- 06 January, 2009

The Planning Service
Bedford House
16-22 Bedford Street
Belfast
BT2 7FD

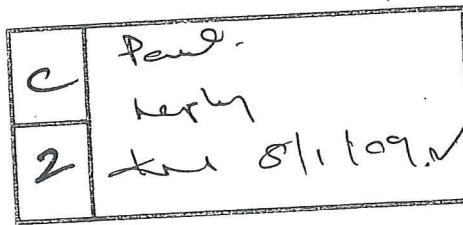
Killultagh Properties Ltd.

The Linenhall
7th Floor, 32-38 Linenhall Street,
Belfast, BT2 8BG.
Tel: 028 9027 8899
Fax: 028 9027 8879
Email: mail@killultagh.com
www.killultagh.com

For the attention of Mr P O'Reilly

Dear Sirs ,

Your Ref.,



Z/2008/0363CA Unauthorised signage advertising car boot sale

Z/2008/0364CA Unauthorised car wash

Z/2008/0365CA Unauthorised signage advertising car wash
Corner of Crumlin Road/ Hillview Road, Belfast

We acknowledge receipt of your correspondence dated 29/ 30 December, 2009 in respect of the above with particular reference to your previous correspondence of 15 October, 2008.

You will be aware of our response dated 07 November, 2008 and can advise that we have been eagerly awaiting a formal response from the tenants occupying the site for the purposes detailed above. This response, despite our best endeavours, has not been forthcoming.

We can confirm that the existing tenant, under the terms of the licence agreement, is wholly responsible for "observing all Acts of Parliament and all Regulations and By-laws of the Local Authority and other official bodies relating to the Sale of Goods and Trading". As of today's date, formal notice to terminate occupation of the site has been issued by our Managing Agent (copy letter enclosed).

We trust the foregoing performance will conclude any actions being pursued by the Department on this site with this organisation. For your convenience please find detailed below contact details of the Tenant, as follows ;-

10

Spoke to [redacted] PD [redacted] 10am Thur 19/2.
(Returning call from Wed. 18/2).

PD [redacted] stated he was involved in security of market / boat sole. and they wished to run a market on the site Saturday mornings, & car boot sole Sunday mornings.

I told him that he had PD rights for 14 days a year, and any more would require planning permission.

He enquired where he could get form & I directed him to planning webs page.

U. Me Sord
19/2/09.

PD.



File Ref:

Z/08/03680A

phoned to confirm that she views the car boot sale. She enquired if they could continue to trade pending D.C. appeal. I pointed out that this could take 2+ years but that she could put this request formally in writing e.g. call Director with Senior staff.

Signature:

Date:

P. Kelly
08/02/10



File Ref:

Z/2008/0368e4

Lucy Elliot of Colliers CRE
phoned to point out that the
contract between them was landlords
and the tenant operating the markets.

P.O. has been terminated
on the grounds that they don't have
planning permission. She will forward
a copy of this letter to the
Dept.

Ms. Elliot said that 21/02/00
was the final trading day for the
car boot sale. If the tenant
fails to stop trading, Colliers will
take legal action.

Signature:

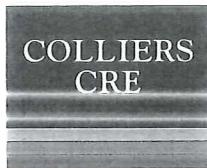
Date:

PO Cally

Colliers CRE

Chartered Surveyors & International Property Consultants
Commercial Property Agency of the Year 2007 - NI Property Awards

Our Ref: LD



19 February 2010

The Linenhall
32-38 Linenhall Street
Belfast BT2 8BG
Tel: 028 9024 1500
Fax: 028 9023 7278

PD

www.colliers.com/belfast

Dear [redacted]

(copy)

RE: HILLVIEW RETAIL PARK

Further to the attached letter that we have recently received (copy attached) I am writing to inform you that the landlord has confirmed that you do not have permission to use the above site for a car boot sale with effect from 23 February 2010.

I understand that you are currently in the process of appealing the refused planning application referred to in the letter. Should you be successful in appealing this then please provide me with the appropriate documentation showing that planning permission has indeed been granted. At this point your landlord will consider allowing you to occupy the site once one as a car boot operator.

I must reiterate once more that you do not have permission to hold any car boot sales with effect from 23 February 2010.

If you have any queries please do not hesitate to contact me.

Kind regards

[Signature]

LUCY ELLIOTT CTA MRICS
lucy.elliott@collierscre.co.uk
 Direct Line: 028 90511028

Belfast Birmingham Bristol Edinburgh Glasgow Leeds London: West End & City Manchester

Colliers CRE is the principal business of Colliers Conrad Ritblat Erdman (Belfast) Limited, registered No. NI 27116.
 Registered Office: Norwich Union House, 7 Fountain Street, Belfast BT1 5EA.

Colliers Conrad Ritblat Erdman (Belfast) Limited is an independently owned and operated associate of Colliers CRE plc., which is a member firm of Colliers International Property Consultants, an affiliation of independent companies, with over 240 offices throughout more than 50 countries worldwide.
 Regulated by RICS.

29

The Planning Service RECEIVED	
PO 11 8W2B12	24 FEB 2010
File No. Belfast Division 3	

PO

REF Z/2009/0434/F

P.D

ad

Dear Mr O'Reilly

-- Enclosed?
SS2412.

I am writing this letter to explain to you about Hillview Retail Park BootSale at Hillview Road. I founded this bootsale almost 6 years ago as a cross community project, and we have all worked very hard to bring the people of North Belfast together. We do not get grants of any kind, but we still have to pay £10 per week in advance. I do not know who received the letters from your Office regarding more information about the planning permission for the bootsale but two weeks ago we were told that

29a

It was turned down in December 2009
if G. had received any remon from Loyalists
about this I would have dealt with it
right away If the boot sale has to close
pending our appeal we will never get
the people back again as they will
be seeking other boot sales We have both
Loyalist and republican standing beside
each other and we do not allow any
kind of flags or regalia to be sold and
that is the way it should be This
place is the best thing that has
taken off in North Belfast in all the
years of the trouble and it would be
a real disaster to us if we loose it
So could you please help us in any
way

Thanking you | PD

Colliers CRE

Chartered Surveyors & International Property Consultants
Commercial Property Agency of the Year 2007 - NI Property Awards



Our Ref: LE

8 March 2010

Citiguard Security Services

The Linenhall
32-38 Linenhall Street
Belfast BT2 8BG
Tel: 028 9024 1500
Fax: 028 9023 7278

www.colliers.com/belfast

PD

CPY

Dear Paul

RE: **BELFAST – HILLVIEW RETAIL PARK**
CAR BOOT SALE

I refer to the above.

I would advise that the licence agreement for the car boot sale has been terminated with effect from 23 February 2010 for the following reasons:-

IP

2. Clause 5.12 – Breach of other terms within the agreement. As previously advised the car boot sale requires planning consent. Further correspondence has been received from the Planning Service requesting termination of the car boot sale. Therefore, in accordance with Clause 5.15 the licence will be terminated immediately.

I must reiterate once more that you do not have permission to hold any car boot sales with effect from 23 February 2010.

Yours sincerely

LUCY ELLIOTT CTA MRICS
lucy.elliott@collierscre.co.uk
Direct Line: 028 90511028

Cc Richard Steenson Killultagh Estates Ltd

Belfast Birmingham Bristol Edinburgh Glasgow Leeds London: West End & City Manchester

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COLLIERS
CRE

Our Ref: LD

19 February 2010

The Linenhall
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Dear

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File Ref: Z/2008/0368CA

Lucy Elliott of Colliers (90511028) phoned to confirm that car boot sale is still operating. She said that the operator is using their site. It is noted that Colliers padlocked the site only to find that the operator broke the locks off & replaced them with new locks so Colliers can't access the site. Ms Elliott also confirmed that they are

IP

Colliers have no control over the site due to this

Signature *Dorothy Cooper*

Date 28/03/10



40

File Ref: Z/2008/036804

Laney Elliott of Colliers phoned to point out that they have been unable to evict the current tenant of the site.

IP

also confirm that ASDA have now bought the lease to the premises & will soon begin to fit out the units to suit their purposes. works are due to commence after the July 12th holidays i.e. ASDA will have 26th seems on site during this period which will prevent illegal access by the car boot sale operators.

Signature

D. Polk

Date

29/06/10

43A

I refer to our earlier telephone conversation in respect of the above we have been liaising with your planning enforcement section regarding an unauthorised boot sale

IP

I can however confirm, that Asda have signed an agreement to lease to take the large old Dunnes unit at Hillview Retail Park. Their licensing appeal is scheduled for 14/15 September and once this is agreed, together with planning in respect of the right hand access/ egress issue, the lease will complete and fit out commence. As a result of the Asda deal we have further secured offers from other retailers for 4 of the 5 remaining units from other tenants of a similar calibre.

We are keen to ensure these lettings complete as this site plays an important part of the regeneration of the area and are therefore keen to avoid any disturbances in the short term. We are confident that once the units are occupied we, along with the new tenants, will be able to provide enough pressure to ensure the unauthorised boot sale ceases to operate.

I would be grateful if you could postpone enforcement proceedings in light of this information.

Should you have any queries please do not hesitate to contact me.

Regards

Richard Steenson

Killultagh
The Linenahill
32- 38 Linenhall Street
Belfast
BT2 8BG

Tel 02890 278899
Mob 07989 278899

Pain

Mon. 14/3/11

PD

Phoned

Re. Market at Hillview Rd

Said he has nothing to do with
the market would like you to
call him on 0-0

Returned call & left
voicemail -

Paul O'Leary



BEDFORD
HOUSE

bedford-house.com

18/3/11

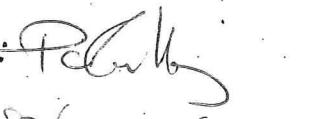
PD

placed. He explained

that he no longer has any interest in this site. He explained that a Person named PD had took over the site but to the best of his knowledge they do business with him either. He does not know who is the owner now.

PD

is at a standstill.

Signature: 
Date: 18/03/2011

File Ref: Z/2008/0368CA

Note of telephone call

Date of telephone call: 18/03/2011

Richard Steenson of Killultagh Properties Ltd phoned regarding our warning letter dated 10 March 2011. He pointed out that they are unable to secure the site as the organisers of the car boot sale are IP. The police are claiming that this is a civil matter. Mr. Steenson enquired if they could submit another planning application but this time to propose a smaller area. I explained that the Department are unlikely to accept another planning application for the same proposal as it has not been two years since their previous one was refused. He confirmed that he has sent a letter to the Divisional Planning Manager to request his advice. I explained that the DPM may just explain that as this is their site it is their responsibility to ensure it is secure. I enquired as to how much of the site the car boot sale currently takes up. He said that the entire site is used. I then enquired as to how they intend to scale this down if they are given an approval for part of the site to be used. I also enquired as to how they will prevent the organisers going ahead and using the entire site regardless if they are unable to prevent them entering their site IP. He said that they will have to work this out with the operator. Mr. Steenson is to put this in an email. He is also concerned as to what happens next if this is not resolved. I explained the process involving an Enforcement Notice and how they have a right of appeal.

Contact number: 07989 278899

02890 278899

Paul O'Reilly



Date: 18/03/2011



Our Ref:- KP/RS

Date;- 18 March, 2011

The Planning Service
Bedford House
16-22 Bedford Street
Belfast
BT2 7FD

Killultagh Properties Ltd.

The Linenhall

7th Floor, 32-38 Linenhall Street,
Belfast, BT2 8BG.
Tel: 028 9027 8899
Fax: 028 9027 8879
Email: mail@killultagh.com
www.killultagh.com

For the attention of Mr P O'Reilly

Dear Sirs ,

Your Ref.,

**Z/2008/0368CA Unauthorised markets
Hillview Retail Park, Crumlin Road, Belfast**

We acknowledge receipt of your correspondence dated 10 March, 2011 in respect of the above.

Your will be aware of our previous correspondence on this and other matters on this site. Despite using our reasonable endeavours we have been unable to stop the trading of the carboot sale -

IP

and our site security are unable to stop the trading due to the volume of users.

You will further be aware of the impending occupation of Asda on this site; however, recent press coverage would appear to suggest this is now unlikely to happen – we had expected the carboot would cease or be endorsed by way of a further application by them.

We note your advice in respect of the previous refusal on this site; it is proposed however, to submit an application on Monday, 21 March for the continuance of the carboot on a smaller area within the site; we should be grateful for your comments on this proposal.

We should be grateful if you would consider this note – perhaps we could meet please, at a time suitable to you – please advise.

Yours faithfully

R Steenson

The Planning Service
RECEIVED
18 MAR 2011
File No.....
Belfast Division 3