

Aylesbeare Parish Council strongly believes that The Oaks has NOT been a commercial business for 10 years consecutively.

Throughout the evidence there are no accounts, payment demands, receipts, tax returns, have been produced by anybody to prove conclusively any business was being conducted.

There is no evidence of a continuous use for 10 consecutive years.

Comments made about payments and amounts would appear to cover running cost, does that constitute a business?

The drive down to the property does not look that heavily used as there is very little sign of wear & tear and just recently a mirror has appeared on the B1380 and you would think if being used as a business this would have been in place before now.

Going through the list point by point

SP1 (4.0) Why did EDDC decide to apply business rates in 2000 and why did EDDC not question any request referring the clause in 77/C0741.

From: "Business Rates" <businessrates@eastdevon.gov.uk>

Sent: Thursday, 3 December, 2020 16:04

To: "Aylesbeare Parish Council" <clerk@aylesbeareparishcouncil.co.uk>

Subject: Scotts Pollard

Afternoon Mr Roberts,

Thank you for your 26/11/20 email regarding Scotts Pollard Stables (BA ref 0502806002).

This hereditament was entered onto the Rating List effective 18/1/2000 and has been on the list ever since.

The Rating List is of non-domestic property and the rates payable are non-domestic rates.

The vast majority of property on the list are used by businesses so the nickname for non-domestic rates is business rates, but entry on the rating list does **not mean it is a business property.**

Rate relief and empty periods mean non-domestic rates have not always been payable.

Regards

EDDC Business Rates

4.2) Who applied to SW water for the property to be placed on the Central Market Operating System?

4.3) Electric meters. Makes sense to make a separate meter for the indoor school rather than running through the house as the cable size will be the limiting factor. Does not indicate a business.

SP7 4.4) Signage. This could have been placed by anyone as it makes common sense not to smoke and remind people using the facility, they do at their own risk

4.5) Viewing area, office & tannoy - no record of when this was installed and could still be used for private use rather than commercial.

SP 9 Statements

Margaret Vooght,
Only refers to the 1980 & 1990 no evidence of payments.

Francis Carter
Only refers to 1980s and makes no mention of payments and that a viewing gallery was present then.

SP10 Statements

Claire Hibbert.

Who is Portico Property Ltd.? Do they have accounts as Claire Hibbert made livery payments in May 2014. Is this a registered company if so, they will have accounts? No evidence present.

Andrea Darby
Statement refers 1983-1995. No mention of payments

Amanda Thomes,
Refers to 1980s and no payments.

Mrs Lisa Supple.
Cost of hiring school between 200-2005 £15 per hour does not seem to be a business rate for this activity
Witness by Adrian Supple, can a statement be witnessed by a relative?

Judith McLachlan
Refers to the 1970s, no payments mentioned.
Witnessed by Niel McLachlan, can a statement be witnessed by a relative?

Nick Hall
No reference to any payments

Mrs White
Refers to the 1970s & 80s. & private lessons at £5. This does not sound a commercial rate. No evidence of payments.

Mrs Karon Oakley
Refer to 1980/81. No proof of payment and no proof that Sid & Ottery Valley Riding club paid to hold the event and did the event take place?
Witness Neil Oakley, can a statement be witnessed by a relative?

Lorna Douglas
Refers only to 1992 and no payment details for hiring school
Statement not signed by a witness

Natalie Bucklar,
In the 1990 but no evidence of payments

Miss Catriona Murray,
Late 1970 & early 80s, not mention of payments
Statement not signed by a witness.

Susan Holrod,
Refers to the early 1970s but no mention of payments
Statement not signed by a witness

Julie Reed,
Refers to the 1980s but no reference to payments

Kathryn Little,
Refers to the 1970s but no payments

Kate Jenkins
Refers to the 1980s but no payments
Signed by J Jenkins, are relatives allowed to witness statements?

Carolyne Bailey
Refers to the 1970/80s but no payments

Elizabeth Dymond
Refers to 1970-80 & 95 but no payments

Loran Brooks
No reference to payments

Adrian Clare
Lived there between 27/3/2014-2/2/200 and worked for the company that owned the property from 2010. What was its name? No reference to payments.

Kayte Oram-Everrety
Hired school but has no evidence to show payments made etc.
Statement not signed by a witness

Typed Pony club minutes - which club is this and why cannot financial records be produced showing payments to Scotch Pollard?

In conclusion Aylesbeare Parish Council consider that Planning Application 20/2506/CPE has not demonstrated clearly that the property has been used as a business.

