



Reference: FOI-323

Request:

I would like to know the process by which the decision was reached to grant planning permission for the Allard's licensed premises on Seatonville Road. In particular to have exterior LED lit signage that is intended to be switched on during daylight hours. I request the following:

1. Copies of North Tyneside council policy documents consulted in the decision-making process.
2. Copies of communications between the North Tyneside council planning department and Equalities officer (or equivalent in the legal department) consulted in the decision-making process.
3. Copies of all communications between the council and Allard's in relation to my objection to this LED display and their responses.
4. Details of the training that officers of North Tyneside council planning department considering this case have undertaken in Equalities and the Public Sector Equality duty. Who provided this training and when was it provided?
5. Why did North Tyneside council not consider the individual's disability/protected characteristic and the impact the decision made will have upon that person?
6. Please provide details of the methodology North Tyneside council employed to compare the utility of licensed premises to have an LED illuminated sign operational during daylight hours against the loss of amenity of preventing a disabled person from leaving her home during daylight hours, effectively rendering her housebound. Please provide the rationale for this decision and how the relative merits were weighed against each other.

The 22/01125/ADV Planning Department recommendation report of 6th September 2022 states 'it would be a disproportionate response to the matter where this issue relates solely to one member of the public with a specific protected characteristic rather than a high proportion of objections from larger group of residents with the specified protected characteristic'.

7. Is it the usual practice for North Tyneside council not to consider an individual's disability/protected characteristic and the impact the decision made will have upon that person?
8. Does North Tyneside council consider that it must only carry out its Equality duty if many residents are afflicted with the same protected characteristic and likely to be affected by the decision being made because of the position of the building? On

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what basis was it decided that it would be a disproportionate response to limit the display of LED-lit signage to evening hours, which would enable me, Joan Munby, to leave my home during the day rather than not at all?

In the above planning matter decision making process:

9. What consideration was given to the position of the new business being located in a highly residential area? Please provide documents and evidence.
10. On what basis was approval given for the business's proposals to make the business accessible to those with disabilities? Please provide relevant documents and evidence.
11. Which disabilities were considered appropriate by North Tyneside council for consideration under the Equality duty? Please provide relevant documents and evidence.
12. Were hidden disabilities considered or only those related to mobility? Please provide relevant documents and evidence.

Response:

1. There are two applications relating to the proposed use of 19 Seatonville Road by Allards. Application 22/01125/ADV sought advertisement consent for illuminated signage including LED downlighting and application 22/01124/FUL seeks planning permission for alterations to the property. The latter application is yet to be determined. Planning applications are available for public inspection at our offices by appointment. In addition the submitted plans and documents submitted are available to view online at: [Simple Search \(northynteside.gov.uk\)](https://www.northynteside.gov.uk/simple-search) using the application reference number or address to search.

Local planning policies taken into account in the determination of the advertisement consent application are set out in the adopted North Tyneside Local Plan (2017) and this is also available to view online: [North Tyneside Local Plan 2017](https://www.northynteside.gov.uk/northynteside-local-plan-2017)

Relevant policies taken into account are set out in the case officer's report relating to this application: DM6.3; S1.4

There are also published Supplementary Planning Documents and the Design Quality SPD is relevant and can also be found online: [Design Quality SPD Final.pdf \(northynteside.gov.uk\)](https://www.northynteside.gov.uk/design-quality-spd-final)

2. There was no consultation with an Equalities Officer or equivalent. Therefore there are no documents to provide.

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3. There was no communication with the applicant regarding the objection to the LED lighting proposed. Therefore there are no documents to provide.
4. Planning services were outsourced to Capita under a long-term contract that commenced on 1st November 2012. The arrangement will last until 2027. As such this service is provided for the Authority by Capita, which is a private company and as such is exempt from the provisions of the Freedom of Information Act.

The Council employs three staff in the planning team. The posts and the dates equality training was most recently undertaken are set out below. Training is required to be completed every 3 years.

Planning Manager: 24/1/2022
DC Area Manager: 18/11/2020
Principal Planning Officer: 09/11/2020

The training is provided by North Tyneside Council and comprises an online course.

5. The impact of the lighted on an individual's disability / protected characteristic was set out in the case officer's recommendation report which is available to view online with the application documents: [Simple Search \(northtyneside.gov.uk\)](http://northtyneside.gov.uk)
6. No specific methodology is used. The weight attached to the planning merits of the case are set out in the case officer's recommendation report.
7. North Tyneside Council considers protected characteristics in accordance with the Public Sector Equality Duty [and the attached policies/documents] and takes account of the potential impact decisions may have on persons with protected characteristics, amongst other relevant factors. The matter was considered and is set out in the case officer's recommendation report.
8. North Tyneside Council applies the Public Sector Equality Duty in all of its decision-making processes and the matter is addressed in the case officer's recommendation report. A condition was imposed requiring lighting to be switched off when the premises are closed.

Questions 9 – 12 are refused in answer to this request under section 21, information accessible to the applicant by other means. The reason for this is that planning application files are available for public inspection. The officer recommendation report, which assesses the proposal against national and local planning policy and all other material considerations is available to view on line via [Simple Search \(northtyneside.gov.uk\)](http://northtyneside.gov.uk) and searching for planning application 22/01124/FUL

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