

Record of Delegated Non Executive Decisions by Officers

1. Authority for the removal and destruction of unauthorised adverts and structures securing the adverts across the Borough

Delegation Reference: EHL 228 (H)

The Council's Delegation Scheme (EHL 228 (h)) grants the power to the Head of Environment, Housing & Leisure to "remove unauthorised signs on the highway".

This decision has been delegated to one or more officer(s) under:

- (a) A specific express authorisation (provide the date, report and decision of Council, Committee or Sub-Committee etc which delegated this to the specific officer(s))
- (b) a general authorisation to take such decisions **and**, the effect of the decision is to:
- (i) grant a permission or licence;
 - (ii) affect the rights of an individual; or
 - (iii) award a contract or incur expenditure which, in either case, materially affects the Authority's financial position.

Insert a cross in the appropriate box(es)

2. Name and Title of Decision Maker

Phil Scott, Head of Environment, Housing and Leisure

3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

4. Executive Summary

This is one of two decisions relating to actions required to progress the removal of unauthorised signage located on the highway at Whitley Road, North Tyne Industrial Estate. The removal of the signs is a two stage process. The related decision relates to the first stage which is to serve notice (under sections 225 & 225A of the Town and Country Planning Act 1990) on the owner of the signs to advise of the Authority's intention to remove them, and recover removal costs, if not removed within a specified period (not less than 22 days). Authorisation for the service of the notice falls within the remit of the Head of Law and Governance and is subject of a separate report and decision record.

This decision relates to the second stage of the process and seeks the approval of the Head of Environment Housing and Leisure to allow the removal of unauthorised signs once notice has been served. Approval of stage 2 is sought concurrently with approval for the service of notices so that steps can be taken quickly to remove the signs as soon as the specified time period has expired.

5. Alternative options considered

Prosecution can be considered for placement of the advert however this does not remove the advert. The proposed method will ensure removal.

6. Decision(s)

Authorise the removal of unauthorised signs on the highway at Whitley Road, North Tyne Industrial Estate, as shown on the site plan attached to the report, once notice has been served by the Head of Law & Governance pursuant to sections 225 & 225A of the Town & Country Planning Act 1990.

7. Reasons for the Decision(s)

The display structures, by reason of their size, number, and positioning are visually inappropriate and incongruous resulting in unacceptable harm to the amenity of the surrounding area. The prominent positioning of the unauthorised display structures constitute an unduly dominant feature resulting in loss of visual amenity for the surrounding area, creating unnecessary clutter and constituting a potential danger to the safe operation of the road network. The unauthorised display structures are therefore contrary to policies. The owner has not removed them voluntarily and removal with cost recovery is considered to offer the best outcome in terms of removing the adverts from the highway.

8. Date Decision Made

29 March 2018

9. Date Of Publication

5 April 2018