

<b>Notice of:</b>	<b>EXECUTIVE</b>
<b>Decision Number:</b>	EX46/2017
<b>Relevant Officer:</b>	Alan Cavill, Director of Place
<b>Relevant Cabinet Member:</b>	Councillor Mark Smith, Cabinet Member for Regeneration, Enterprise and Economic Development
<b>Date of Meeting:</b>	11 December 2017

## PROPOSAL TO CONSULT ON A SUPPLEMENTARY PLANNING DOCUMENT FOR SIGNAGE

### 1.0 Purpose of the report:

- 1.1 To consider the release for consultation a draft Supplementary Planning Document (SPD) for signage across Blackpool.

### 2.0 Recommendation(s):

- 2.1 To approve the draft Supplementary Planning Document for signage, as attached at Appendix 6a to the Executive report, for consultation for a period of 6 weeks.
- 2.2 To delegate the authority to adopt the Supplementary Planning Document to the Director of place if no objections are received.

### 3.0 Reasons for recommendation(s):

- 3.1 The draft document is intended to provide better guidance to applicants on signage; to facilitate quality advertisement consent applications and to aid in enforcement against illegal signage across Blackpool. It is a statutory requirement to consult prior to the approval of Supplementary Planning Documents.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

Not approving the document for consultation is an option, but by not having a

Supplementary Planning Document it would potentially lead to an escalation of violations of planning law (advertisement consent is an express consent which makes erecting a sign without it a criminal offence) and a loss of control over signage (particularly digital) across Blackpool.

#### **4.0 Council Priority:**

##### **4.1 The relevant Council Priority is:**

“The economy: Maximising growth and opportunity across Blackpool”

#### **5.0 Background Information**

5.1 There has recently been a proliferation of unlawful signs erected across the Borough and efforts to refuse consent for certain types of sign are being hampered by the lack of clear policies and guidance. An example of this is the digital sign affixed to The Home nightclub on Talbot Square. The Council’s Head of Development Management under delegated powers refused consent, the applicant appealed and the appeal was allowed by the Planning Inspectorate in part because of an effective lack of clear guidance and policy.

5.2 There are also many breaches which are minor and not considered expedient to enforce against, but when a situation arises where the Council would consider enforcement action, there is a lack of local guidance and policy available to justify such enforcement.

5.3 This presents a particular problem in a town like Blackpool where the density of bars and clubs is high in certain areas and where the content of signage is increasingly difficult to control, particularly with digital screen technology.

5.4 In light of the problems identified in 5.1, 5.2 and 5.3, Council Planning Officers undertook a wide ranging research exercise to identify good practice in other local authorities including similar urban areas and seaside resorts. The research has led directly to the development of the draft Supplementary Planning Document. The key aim of the document being to supplement the Local Plan and provide clear and comprehensive guidance for applicants and other interested parties on the types of signage that the Council will or will not find acceptable in planning terms. It is proposed in order to gauge views of stakeholders and that a six week period of consultation will take place if approved. At the end of the consultation period the responses would be considered in a further report, in order to implement the guidance in a timely manner it is proposed that the authority to approve the Supplementary Planning Document if no representations are made be delegated to the Director of Place. If representations are received a further report will be submitted to the Executive in order that these representations can be fully considered.

5.5 Does the information submitted include any exempt information? No

5.6 **List of Appendices:**

Appendix 6a: Draft Supplementary Planning Document – Signage Drafted Nov 2017

6.0 **Legal considerations:**

6.1 There would be no impact on permitted development rights and all information contained within the guidance is in line with the relevant legislation referred to within the report. There is nothing within the document that might attract a legal challenge from any third party.

6.2 To comply with legislation, statutory bodies such as Historic England and Natural England will be formally consulted on a Strategic Environmental Assessment screening opinion, produced as part of the consultation in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and European Directive 2001/42/EC. Following which the Council will determine whether or not the Supplementary Planning Document is likely or not to have significant environmental effect.

7.0 **Human Resources considerations:**

7.1 Officer time is the key consideration here but it is anticipated that the consultation can be carried out as part of existing duties.

8.0 **Equalities considerations:**

8.1 The legal framework of planning and the preparation of guidance and policy are all subject to law on equalities. There are no conflicts with the legislation.

9.0 **Financial considerations:**

9.1 None, the proposed Supplementary Planning Document would not remove any permitted development rights and therefore there is unlikely to be anything but a positive impact on revenue (through fees for permissions) or operation as a result of this decision. More effective enforcement may even raise income from applications.

10.0 **Risk management considerations:**

10.1 This document effectively forms part of the Council's Planning department's attempts to limit risk relating to achieving high quality outcomes from applications and enforcement against third parties.

**11.0 Ethical considerations:**

11.1 There are no Ethical questions/considerations which apply to the report.

**12.0 Internal/ External Consultation undertaken:**

12.1 None.

**13.0 Background papers:**

13.1 None.

**14.0 Key decision information:**

14.1 Is this a key decision? No

14.2 If so, Forward Plan reference number:

14.3 If a key decision, is the decision required in less than five days? No

14.4 If **yes**, please describe the reason for urgency:

**15.0 Call-in information:**

15.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

15.2 If **yes**, please give reason:

**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**16.0 Scrutiny Committee Chairman (where appropriate):**

Date informed:

Date approved:

**17.0 Declarations of interest (if applicable):**

17.1 None.

**18.0 Executive decision:**

18.1 The Executive agreed the recommendations as outlined above namely:

1. To approve the draft Supplementary Planning Document for signage, as attached at Appendix 6a to the Executive report, for consultation for a period of 6 weeks.
2. To delegate the authority to adopt the Supplementary Planning Document to the Director of place if no objections are received.

**18.2 Date of Decision:**

11 December 2017

**19.0 Reason(s) for decision:**

The draft document is intended to provide better guidance to applicants on signage; to facilitate quality advertisement consent applications and to aid in enforcement against illegal signage across Blackpool. It is a statutory requirement to consult prior to the approval of Supplementary Planning Documents.

**19.1 Date Decision published:**

13 December 2017

**20.0 Executive Members in attendance:**

20.1 Councillor Blackburn, in the Chair

Councillors Benson, Cross, Jackson, Kirkland, Smith, I Taylor and Mrs Wright

**21.0 Call-in:**

21.1

**22.0 Notes:**

22.1