

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PLANNING COMMITTEE	23 MAY 2018	5
<b>UNAUTHORISED ADVERTISING ACTION PLAN</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

At its February meeting, the committee received a report that set out the results of a consultation exercise about unauthorised outdoor advertising, and agreed to adopt an initial action plan which would focus advertising enforcement activity on A-boards within the main urban areas and main roads of the borough.

This report sets presents a draft initial action plan for approval and adoption by the committee on behalf of the council.

#### RECOMMENDATIONS

1. The committee approves and adopts the attached draft action plan to guide the council's enforcement activities concerned with unlawful advertising.

#### SUMMARY OF PREVIOUS DECISIONS

[Planning Committee, 24 May 2017:](#)

1. Consult local people and businesses about what the council should do about unauthorised advertising, including the matters summarised in paragraph 17 of the report.
2. Report the results of the consultation to a future meeting of the committee.
3. Where appropriate, use direct action powers under the Town and Country Planning Act 1990 or community protection notices under the Anti-Social Behaviour Crime and Policing Act 2014 to deal with unauthorised advertising where informal engagement has proved impractical or ineffective.

[Planning Committee, February 2018:](#)

1. Note the results of the consultation exercise on unauthorised outdoor advertising with a view to preparing a draft action plan focusing initially on the problematical areas of A-boards within the main urban areas and main roads within the borough for consideration at a future meeting of the committee.

#### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	✓
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	
Working with all partners ( <b>Vibrant Economy</b> )	
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	✓
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	✓

## REPORT

### BACKGROUND TO THE CONSULTATION

1. On 24 May last year, the committee considered a report about the enforcement of legislation for the control of outdoor advertising. This followed concerns expressed by a number of local councillors about the effectiveness of enforcement. The report referred to the relevant regulations and stated that they are traditionally enforced only when there is a complaint. This meant that there was little objective overview of advertising enforcement. The report also addressed the use of more effective enforcement methods. The report proposed a consultation exercise leading to the development of an action plan to target enforcement to the areas or types of advert that are regarded as being most problematical
2. On 7 February this year, the committee considered a report setting out the results of the consultation that was carried out in late 2017. The consultation responses suggested that most respondents felt that unauthorised outdoor advertising was a problem that the council should address; that A-boards were the form of advertising that caused the most concern; and that St Annes Town Centre was the area in respect of which concern was the strongest.
3. Members authorised the preparation of a draft action plan focusing initially on the problematical areas of A-boards within the main urban areas and main roads within the borough. The draft plan is presented as an appendix to this report for members to consider and, if satisfied with it, approve.
4. As set out in the action plan itself, the intention of the plan is to focus enforcement activity on particularly problematical areas and kinds of adverts. The object is to solve, or significantly mitigate the problems caused in that area and by those kinds of adverts. Once that has been achieved, the action plan would have served its purpose, and the committee would be invited to consider adopting a new action plan to focus on new priority areas.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	The council has a power, but not a duty, to take action to deal with unauthorised advertising.
Community Safety	None arising from this report
Human Rights and Equalities	Taking enforcement action against adverts may engage article 10 of the European Convention on Human Right (freedom of expression). The right protected by article 10 is a qualified right and public authorities can interfere with it if they can show that their action is lawful, necessary and proportionate in order (among other things) to protect public safety, prevent disorder or crime or protect health.
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Appendix: Draft action plan