



9 December 2008

REPORT OF THE HEAD OF LEGAL AND CONSTITUTIONAL SERVICES

Adverts at Kinky Boots Cabaret Bar – 3 Walsall Road, Darlaston

1. PURPOSE OF REPORT

To advise Members of the Development Control Committee of the requirement to rescind Minute 1589/07 and to authorise the institution of legal proceedings, as detailed in paragraph 2.

2. RECOMMENDATIONS

- i) That Minute Number 1589/07 be rescinded;
- ii) To authorise the Assistant Director – Legal and Constitutional Services to instigate legal proceedings to prosecute the owner(s) and/or occupier(s) and other relevant persons, Under Section 224 of the Town and Country Planning Act 1990, in respect of displaying advertisements without the consent required under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- iii) To authorise that the decision as to the institution of legal proceedings, in the event of the non-return of Requisitions for Information, be delegated to the Assistant Director – Legal and Constitutional Services, in consultation with the Head of Planning and Building Control.

3. FINANCIAL IMPLICATIONS

None arising from this report

4. POLICY IMPLICATIONS

The report recommends the institution of legal proceedings in order to seek compliance with planning policies.

5. **LEGAL IMPLICATIONS**

None arising from the report.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

None arising directly from the report.

7. **ENVIRONMENTAL IMPACT**

This report recommends the institution of legal proceedings in order to seek compliance with planning policies.

8. **WARD(S) AFFECTED**

Bentley and Darlaston North.

9. **CONSULTEES**

Licensing Officers, Public Protection.

10. **CONTACT OFFICER**

Neil Picken - Extension: 2018

11. **BACKGROUND PAPERS**

Report to Development Control Committee – 20th November, 2007.

Development Control Committee
28th October 2008

12 BACKGROUND AND REPORT DETAIL

- 12.1 Committee considered this matter on 20th November, 2007 and the original report is attached as **appendix A**.
- 12.2 It has recently been established that the Minutes of the meeting held on 20th November, 2007 do not accurately reflect the resolution of Committee. To ensure that the matter can be resolved expediently the Committee is respectfully asked to rescind Minute 1589/07 and to authorise the institution of legal proceedings, as per the original recommendation.