
REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	29 th July 2003	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Unauthorised siting of menu board at Scarecrows Restaurant, 12-14 Derby Road, Melbourne	REF: RMS/E2001/172
WARD AFFECTED:	Melbourne	TERMS OF REFERENCE: DC01

1.0 Reason for Exempt (if appropriate)

1.1 Not applicable

2.0 Recommendations

2.1 That the Development Control Committee authorises the Legal and Democratic Services Manager to institute an appropriate prosecution to secure the removal of the menu board and wooden backing and replace it with a half sash window to match the upper portion of the window remaining.

3.0 Purpose of Report

3.1 To obtain the Committee's instructions.

4.0 Executive Summary

4.1 Not applicable

5.0 Detail

5.1 The unauthorised siting of a menu board occupying the boarded in lower half of a ground floor window at the above location, was initially reported in mid 2001 by Melbourne Civic Society.

5.2 The matter was pursued with the occupier of the property and an application for express consent to retain the menu board was submitted in late June 2002.

5.3 Permission to retain the board was refused on 13th August 2003 and no appeal was submitted within the statutory six-month period.

5.4 The occupier of the property has been regularly contacted during the ensuing period but has taken no action to remove the unauthorised board.

5.5 A plan of the site and copy of the decision notice is attached at Annexe A.

6.0 Financial Implications

6.1 Should legal proceedings prove necessary, the Council may be liable to certain costs

7.0 Corporate Implications

7.1 None

8.0 Community Implications

8.1 None

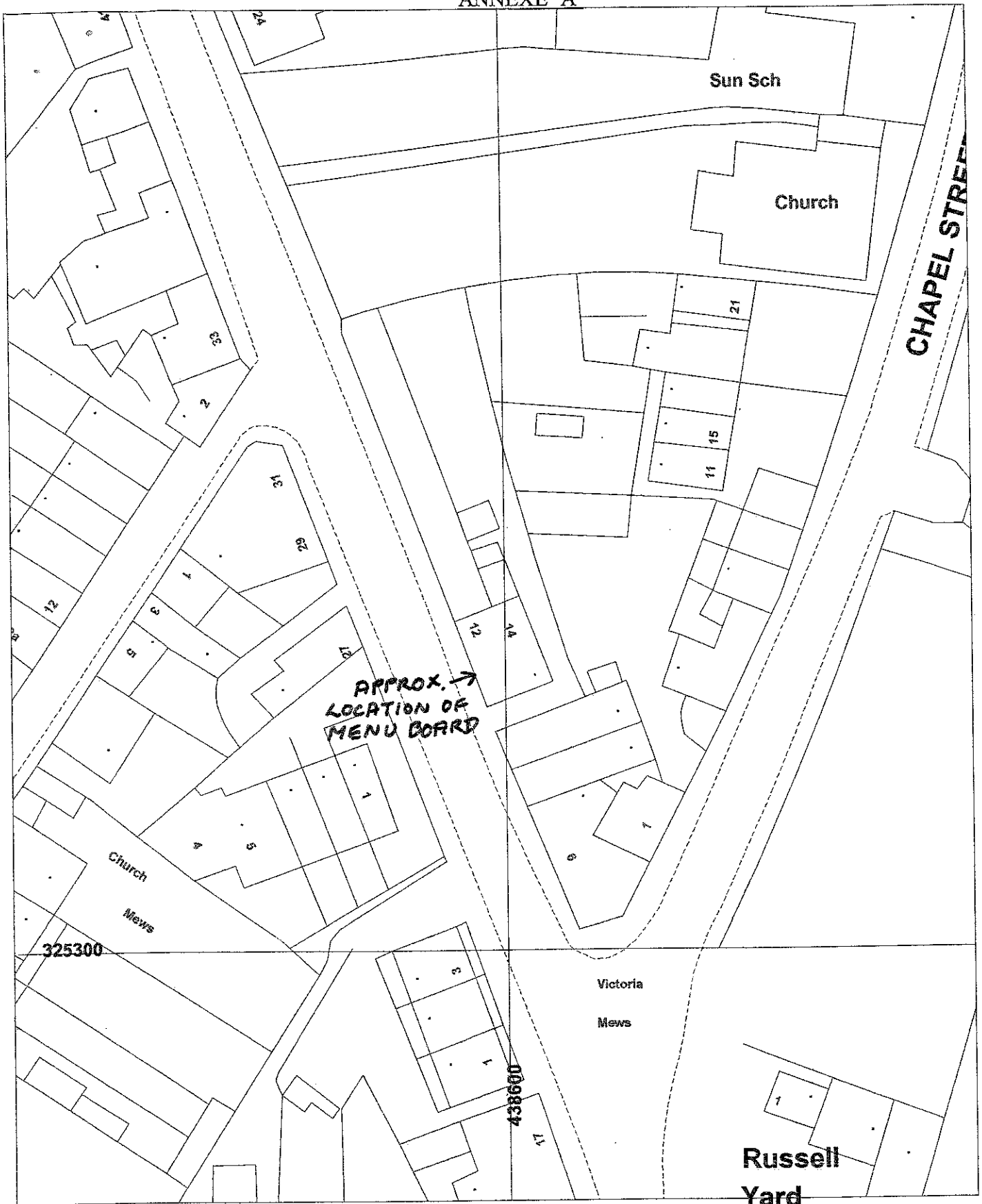
9.0 Conclusions

9.1 In the light of the continuing breach of control, it is open to the Committee to authorise the Legal and Democratic Services Manager to institute appropriate legal proceedings to secure the removal of the menu board and its replacement by a half sash window of a similar design to the top portion of the existing window.


10.0 Background Papers

10.1 Enforcement File E2001/172

ANNEXE 'A'



APPROX. →
LOCATION OF
MENU BOARD

 South Derbyshire District Council Civic Offices Civic Way Swadlincote DE11 0AH	Scarecrows Restaurant 12-14 Derby Road Melbourne	Date Plotted 16/7/2003 Plot centred at 438598 325333	NORTH ↑ Scale 1:500
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