

PROPOSED ENFORCEMENT ACTION REGARDING THE UNAUTHORISED SMOKING SHELTER AT THE BRITISH LEGION, WITHENS LANE, LISCARD, WIRRAL

1. Executive Summary

- 1.1 The purpose of this report is to advise members of the Committee of the erection of an unauthorised smoking shelter at the British Legion, Withens Lane, Liscard, Wirral. It is recommended that enforcement action should be taken to remove the unauthorised smoking shelter from the premises.

2. Breach of Planning

- 2.1 The erection of a smoking shelter to the rear of the British Legion, Withens Lane, Liscard, Wirral.

3 Evidence

- 3.1 On the 16th July 2007 a letter was sent out requesting the owners contact the Council within 21 days of the date of the letter regarding the smoking shelter or to submit a planning application for the retention of the shelter. On the 24th July 2007 the manager of the club contacted to request a meeting on site to discuss the smoking shelter.
- 3.2 The meeting took place on the 22nd August 2007 and the British Legion manager was advised that the smoking shelter requires planning permission. On the 24th August 2007 Planning Application forms were sent out requiring a planning application to be submitted for the smoking shelter. Alternatively, the structure should be taken down within 21 days. A planning application was not submitted and in accordance with our Planning Enforcement Policy, the matter is being placed before the Planning Committee.

4 Expediency for Enforcement Action

- 4.1 It is expedient to take enforcement action in this matter as the Local Authority considers that the proposal is an unneighbourly form of development. The smoking shelter has a detrimental impact on the neighbouring properties and the surrounding area by reason of its size, location and materials used. Therefore, the development does not comply with the Local Authority Policy Guidance HS11 and SPG11.

5. Financial and Staffing Implications

- 5.1 There are no direct financial implications.

6. Equal Opportunities Implications

6.1 I am not aware of any Equal Opportunities Implications.

7. Local Agenda 21 Implications

7.1 I am not aware of any Human Rights Implications.

8. Local Member Support Implications

8.1 This report will be of interest to Liscard Ward Members.

9. Background Papers

9.1 None

10. Planning Implications

10.1 None

11. Recommendation(s)

11.1 The Council recommends that Enforcement action should be taken requiring the smoking shelter be permanently removed.

Time for compliance: 1 month.

D Green

DIRECTOR OF TECHNICAL SERVICES

This report was prepared by Jonathan Ellis of the Enforcement Section who can be contacted on (0151) 606 2149.