

 Overview and Scrutiny Committee- 9th February 2016		Agenda Item No. 7
Title	The Impact of Letting boards in Leamington Spa	
For further information about this report please contact	Rajinder Lalli	
Wards of the District directly affected	All Leamington Spa Wards	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Overview and Scrutiny Committee: 2 nd September 2015	
Background Papers	Agenda and minutes of meeting as above	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	N/A

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	28/1/16	Chris Elliott/Bill Hunt
Head of Service	28/1/16	Tracy Darke
CMT	28/1/16	Bill Hunt
Section 151 Officer	28/1/16	Mike Snow
Monitoring Officer	28/1/16	Andrew Jones
Finance	28/1/16	Mike Snow
Portfolio Holder(s)	28/1/16	Cllr Stephen Cross
Consultation & Community Engagement		
Consultation and engagement with Members, the public and the Leamington Society		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 This report provides an analysis of information collated to establish whether there is a need to for a Regulation 7 Direction to control the display of Letting Boards within parts of Royal Leamington Spa under the Terms of the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended).

2. **Recommendation**

- 2.1 That Overview & Scrutiny Committee agree that there is no current justification for a Regulation 7 Direction to control the display of Letting Boards.
- 2.2 That Overview & Scrutiny Committee note that the Planning Enforcement Team will continue to address issues relating to any unauthorised boards as is currently the case, without the need for the imposition of any further measures.

3. **Reasons for the Recommendation**

- 3.1 The monitoring exercise which was undertaken throughout November and December 2015 does not identify a need for a Regulation 7 Direction, the effect of which would be to remove the ability for advertisers to display such boards without applying for the appropriate advertisement consent from the District Council.
- 3.2 This is because a comparison of the number of properties in a street to the number of letting boards being displayed during the monitoring period identified that the number, frequency and location of those boards was not considered to be of a scale or extent which impacted on the character of that area to a significant degree.

4. **Policy Framework**

4.1 **Fit for the Future**

The appropriate and measured control of advertisements contributes to the vision of making Warwick District a great place to live, work and visit by protecting the visual amenities and character of the District and is therefore consistent with the Fit for the Future programme.

5. **Budgetary Framework**

- 5.1 There are no budgetary implications associated with this recommendation.

6. **Risks**

- 6.1 The main risk of not introducing and applying a Regulation 7 Direction is the possibility of an increase in the proliferation of boards in future years and the subsequent impact on the visual amenities of the area.
- 6.2 However, should circumstances change in future years, the need for further such action could be reviewed.

7. **Alternative Option(s) considered**

7.1 As identified above, the need to introduce a Regulation 7 Direction has been discounted as there is insufficient evidence to warrant that approach at this time.

8. **Background**

8.1 In April 2014, the Leamington Society contacted Development Services regarding the number of student "to let" boards being displayed within Royal Leamington Spa, particularly within areas where there is a frequent turnover of tenants, for example areas where there is a concentration of students.

8.2 By way of response to this, a letter was sent out to all letting agents within the District reminding them of the regulations. The key points being:-

- Boards should be displayed on the land or property being sold
- Once sale or let has been agreed the board should be removed after 14 days

8.2 At that time The Leamington Society and local residents reported a large increase of letting boards being displayed. It was reported that the boards began to appear at the end of October 2014 and that by December 2014 there was a proliferation of boards.

8.3 Site inspections undertaken by your Enforcement Team identified that there were rows of boards on display within particular streets in largely within Brunswick Ward, most specifically associated with properties let to students by a particular letting agent. However, subsequently it was noted that by January 2015 most of the boards had been removed.

8.4 Investigations revealed that this was likely to be because local letting agents advertise student lettings from October –December each year for the following academic year starting in September.

8.5 The matter was raised by Councillors at Full Council in March 2015 when it was resolved that a Task and Finish Group be set up to review this issue. However, to date that Group has not been set up.

8.6 The matter was further considered by Overview and Scrutiny Committee on 2nd September 2015 When the Committee resolved that no further action was required at that stage.

8.7 The Chair of the Overview and Scrutiny Committee was subsequently approached by Leamington Town Councillors and residents to request that further monitoring during November and December 2015 was undertaken. The Chair agreed this with the Enforcement Team and that the findings be reported back to Overview and Scrutiny Committee as set out in this report.

8.8 Your Planning Enforcement Team undertook further monitoring over that period with the assistance of Local Councillors and the public who were asked to provide information about the location of boards that they were aware of.

8.9 During that period, information was received from one Councillor, one local resident and the Leamington Society. The Enforcement Team recorded the

information received which was also supplemented by further site inspections to verify that information.

- 8.10 Letters were sent again to all letting agents within the District reminding them of the regulations and that the Council would be monitoring the number of letting boards with a view to a need for the use of a Regulation 7 Direction. .
- 8.11 A total of 79 boards were recorded particularly in and around Tachbrook Road and New Street areas. During the month of November, some 57 boards were being displayed but by the end of December this figure had reduced to 22 boards.
- 8.12 Of the 22 boards remaining in December, 6 appear to have been continually displayed since they were first noted in November.
- 8.13 The Advertisement Regulations 2007 require the removal of boards within 14 days of a property being let. However, it has been noted that letting agents often fail to remove/change boards within this period.
- 8.14 Nevertheless, the majority of the boards on display in December 2015 were new letting boards suggesting that the majority of boards are now being displayed and removed in accordance with the regulations.
- 8.15 The majority of boards being displayed within that area in late 2014 were displayed by one particular letting agent who is known to have a significant number of student homes within their portfolio and who advised that they held a stock of some 250 boards. However, in 2015 this particular agent is known to have displayed no Student Home boards as they have invested in new software (as shown at Appendix 1) which displays a sticker in the window of a property for let which can be scanned with a smart phone to provide the property details and availability. This approach is very much to be welcomed and is likely to be a response to the concerns previously raised.
- 8.17 It is considered that the absence of information received from Councillors and the public during the monitoring period strongly indicates that there is less public concern about the display of letting boards than might previously have been the case.
- 8.18 The Committee are asked to note that the removal of deemed consent by way of a Regulation 7 Direction would be likely to result in a significant increase in the number of applications for advertisement consent to display boards in this part of the District. Whilst there is no fee associated with such applications, the costs of administering the new control and the assessment of the determination of those applications will fall to the Council.
- 8.19 Whilst this may nevertheless comprise an entirely reasonable approach were it considered to be necessary, the information set out in this report strongly points to the significant reduction in the proliferation of letting boards and also of public concern about this issue in 2015 to the extent that there is considered to be no justification for taking such an approach at the current time.