

**Agenda Item No: 8**

**Report to: Cabinet**

**Date of Meeting: 31 March 2014**

**Report Title: Regulation 7 Direction - Seafront Estate Agents Boards**

**Report By: Monica Adams-Acton**  
Head of Regeneration and Planning Policy

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### **Purpose of Report**

To bring to the Council's attention that the Direction relating to estate agents' boards on the seafront expires in November 2014, and to recommend that an application is made to the Secretary of State for its renewal.

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### **Recommendation**

That application be made to the Secretary of State for Communities and Local Government for the renewal of his Direction under Regulation 7 in respect of advertisements within Class 3A of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in respect of the Hastings and St Leonards Seafront on a permanent basis.

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### **Reasons for Recommendation**

The existing Direction expires in November 2014.

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## Introduction

1. In 2009, at the request of the Borough Council, the Secretary of State for Communities and Local Government made a Direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 taking away deemed consent rights for the display of advertisements relating to the sale and letting of properties along the majority of the Hastings and St Leonards seafront between Grosvenor Gardens and Pelham Place. The Secretary of State excluded a small area around Robertson Street on the basis that he did not consider that this area, containing a number of modern commercial buildings, was of sufficient overall quality to justify a Direction.
2. The Direction includes the following addresses in East Sussex: St Leonards - 26-30 Caves Road, Eversfield Place (all properties), Grand Parade (all properties), 1-24 Grosvenor Crescent, Grosvenor Gardens (all properties), 1, 3 and 5 London Road, Marina (all properties), 1-11 Terrace Road, 9-14 Undercliff, Verulam Place (all properties) and Warrior Square (all properties). In Hastings - 1-3 Claremont, Pelham Arcade (all properties), Pelham Crescent (all properties), 7-9 Pelham Place and White Rock (all properties). A map showing the areas included is attached at Appendix 1.
3. The effect of the Direction was to make express consent under the Advertisement Regulations required for the display of advertisement boards relating to the sale or letting of properties within the designated area.

## The Reason for the Direction

4. The Direction was sought in response to concerns expressed by the local community about the proliferation of estate agents' boards in the seafront area (there were sometimes over a hundred on display) and the effect that this was having on the image of the town. In making the Direction the Secretary of State agreed that such boards were having a detrimental impact on the quality of the buildings in a visually important part of the town and that there was the potential for numbers to increase again when the recession ended. The Council therefore adopted a policy within the area of the Direction of not granting consent under the Advertisement Regulations for any estate agents boards except in the most exceptional circumstances, for example, where a building is in a very poor state of repair and all other methods of advertising it for sale have failed.
5. The Direction has worked well and local estate agents have co-operated fully with it. Over the last five years only six cases have occurred of unauthorised boards being erected, and all of these have resolved by agreement without the need for formal action, resulting in a marked improvement in the appearance of the seafront area. The Secretary of State's Direction was however made for an initial 5 year period and will expire in November 2014. It is therefore necessary to seek the Secretary of State's agreement to extend the Direction if the Council wishes to maintain its present controls on estate agents' boards within the prescribed area.

## Public Consultation

6. Although not required by statute, with the agreement of the lead member for Planning, letters have been sent to all estate agents in the town and to community groups with an interest in the seafront area, seeking views on whether the Council should apply to extend the Direction. A more general public consultation has taken place on the Council's web-site, which ended on the 26th February 2013. Two e-mails of support for the renewal of the Direction have been received. One of these suggested the inclusion of Warrior Gardens. This street has been inspected but it is not considered that there are sufficient boards displayed to merit inclusion, which could have the effect of delaying renewal of the Direction. The situation will however be monitored.

## Conclusions

7. It is considered that the Direction has worked well and has led to a marked improvement in the appearance of the seafront area. It is therefore recommended that the Council should apply to the Secretary of State for the renewal of the Direction. The Department has confirmed that procedurally the Council is required to advertise its intention in the London Gazette and a local newspaper before submission. It is also recommended that the Council apply for the renewal of the Direction on a permanent basis. It should be borne in mind however that the Secretary of State may impose a further time limit of 10 to 15 years, as he has done with other authorities.

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### Wards Affected

Castle, Central St Leonards, West St Leonards

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### Area(s) Affected

Central Hastings, South St Leonards

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### Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	NO
Crime and Fear of Crime (Section 17)	NO
Risk Management	NO
Environmental Issues	YES
Economic/Financial Implications	NO
Human Rights Act	NO
Organisational Consequences	NO
Local People's Views	NO

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## Background Information

Secretary Of State's 2009 Direction and accompanying letter.

Appendix 1 – Areas included within the Direction.

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## Officer to Contact

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