

**Agenda Item No: 7**

**Report to: Cabinet**

**Date of Meeting: 3 November 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 advise Cabinet of the making of a new Direction relating to estate agents boards and to recommend that the Council re-affirms its policy for the area.

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### **Recommendation(s)**

**That Cabinet welcomes the making of the new Direction and re-affirms its 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.**

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### **Reasons for Recommendations**

**The Secretary of State for Communities and Local Government has made a new Direction restricting the display of estate agents boards along the majority of the seafront and it is now necessary for Cabinet to once again consider its policy for the area.**

## Introduction

1. At its March 2014 Meeting Cabinet resolved to apply to the Secretary of State for Communities and Local Government for the renewal of the Direction made by him 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 Direction came into effect on the 1<sup>st</sup> January 2010 for a period of 5years, expiring on the 31<sup>st</sup> December 2014.
2. 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, which includes the following addresses in 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).
3. Application for the renewal of the Direction was made in April 2014. The Secretary of State has now made a new Direction on the same terms and covering an unchanged area. The Inspector who visited the site did look at several streets around the Direction area but concluded that the level of estate agents boards in these areas could not be considered as unreasonable and did not contribute to a cluttered appearance. The Inspector's main conclusion was that the area of the Direction has a special visual quality which would only be preserved by the removal of deemed consent for the display of estate agents boards. He considered that the improvement of the property market and an increased number of flat conversions in the area, would lead to a proliferation of boards if the Direction were not renewed, with a harmful effect on the visual improvements that have been achieved.
4. The main difference is that the Secretary of State has acceded to the Borough Council's request and made the Direction effective in perpetuity, which means that it will no longer be necessary to apply for a renewal every five years.

## The Next Steps

5. It is a requirement that the Direction is advertised in a local paper and the London Gazette, to come into effect on the 1<sup>st</sup> January 2015 when the present Direction expires. Although it is not a statutory requirement, letters will be sent to local estate agents and properties within the designated area to advise them of the new Direction and its implications.
6. It is also necessary for Cabinet to re-consider its policy for determining applications for express consent to display estate agents boards submitted under the new Direction. The present policy of not granting consent 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,

has worked well. Local estate agents have co-operated fully with it and 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. It is therefore considered that there is no need for Cabinet to alter its policy.

## Recommendations

7. Cabinet is recommended to welcome the making of the new Direction, particularly as it is now on a permanent basis, and to re-affirm its policy of not granting consent for any estate agents boards except in the most exceptional circumstances

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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 2014 Direction and accompanying letter.

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### Officer to Contact

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