

# **GWYNEDD COUNCIL CABINET**



## **Report to a meeting of Gwynedd Council Cabinet**

**Date of meeting:** 16 October 2018  
**Cabinet Member:** Councillor Dafydd Meurig  
**Contact Officer:** Gareth Jones, Senior Manager, Planning and Public Protection Service  
**Contact Telephone Number:** 34092  
**Title of Item:** Voluntary Code for the control of to let signs in Bangor

### **1. THE DECISION SOUGHT**

- 1.1 The Council's approval to adopt the Voluntary Code for the control of to let signs in Bangor and for the Cabinet to delegate powers to the Senior Planning and Public Protection Service Manager to put arrangements in place to implement the Voluntary Code.
- 1.2 That the success of the Voluntary Code will be monitored and assessed before the end of March 2020 and the conclusions will be reported back to the Cabinet before September 2020.

### **2. THE REASON FOR THE NEED FOR A DECISION**

- 2.1 Concerns have been expressed by the Assembly Member, Gwynedd Council Local Members, Bangor City Council, The University (including the Student Union, Student Pad and BUSG) and the Police, regarding the number of 'To Let' signs on HMOs that are mainly, but not necessarily, houses that provide student accommodation. The concerns relate to the serious negative visual impact on specific areas and also to the negative impact this has on the image of the City and the University as a place to live, work and study.
- 2.2 In an attempt to respond to these concerns, the Council has contacted the various letting agencies that operate in Bangor in order to explain the above concerns and consequently, discussions have been held to seek a resolution. In general, the agents agreed that something needed to be done to better control the situation, and support was expressed to the establishment of a Voluntary Code for the control of to let signs in specific areas of Bangor. By now, a Draft Voluntary Code has been prepared and has been out for consultation with the relevant stakeholders.

### **3. INTRODUCTION**

- 3.1 Class 3 of the Town and Country Planning (Control of Advertisements) Regulations 1992 permit the erection of 'To Let' signs, subject to specific restrictions. One of these restrictions state that the sign needs to be removed within 14 days of the completion of the tenancy agreement.
- 3.2 Currently, the situation is very problematic to control as it is an ongoing and laborious task for officers to monitor and take action, particularly when some agents leave a sign up permanently as one room remains empty within a property that is let per room. At present, the situation in respect of the removal of signs is very dependent on the agents acting in accordance with the requirements of the Regulations. The Regulations have not been updated since 1992 and so they have not responded to the changes that have occurred in the type of accommodation being let or to the advertisement process.
- 3.3 In similar situations in other University towns and cities across the country, the relevant Councils have taken formal steps to control such signs. This can be done by proving the case and going through the formal process of obtaining a Regulation 7 Direction that requires Welsh Government support for it to be implemented. The Council intends to adopt a Voluntary Code initially, and if this proves unsuccessful, it will then proceed to submit a case for a Regulation 7 Direction in order to formalise the Voluntary Code. Work on the Voluntary Code could serve as useful evidence should a case for a Regulation 7 Direction be required in the future.

### **4 THE REASON FOR THE NEED FOR A DECISION**

#### **Background**

- 4.1 After receiving a number of concerns regarding the bulk of 'To Let' signs and the associated negative impact, the decision was made that a resolution to the situation should be sought. We attempted to establish the actual situation by carrying out a visual inspection of Bangor streets where it was found that approximately 340 such signs were erected. Based on the results of the inspection, an invitation was sent by letter in October 2017 (Appendix 1), to all agents who let houses in Bangor (including those who do not have a local office and only operate on-line), to attend a joint-meeting to discuss the situation and consider the way forward.
- 4.2 A meeting was held in January 2018 and seven different organisations attended. It became apparent that there was a general consensus amongst everyone that there was a need to do something and that something should be done to address the situation. The proposal to establish a 'Voluntary Code', tailored especially for Bangor, was supported in principle. A letter was sent to summarise the discussion held at the meeting and outlining the way forward (Appendix 2). In addition, some agents who were unable to attend the meeting confirmed that they considered that something needed to be done about the situation and that they wished to be informed of the outcome of the meeting.

### **Voluntary Code for the management of to let signs in Bangor**

- 4.3 Based on the meeting with the agents, officers proceeded to draw-up a Draft Voluntary Code (Appendix 3) which reflects similar steps taken by Cardiff, Leeds and Nottingham Councils and which have been formalised by means of a Regulation Direction.
- 4.4 From our discussions with Cardiff Council, we have learnt that the Direction has been very successful in managing the negative impacts of such signs.
- 4.5 Briefly, the Draft Voluntary Code:
- Explains why control is required
  - Notes criteria for acceptable signs
  - Provides illustrative examples of the above
  - Notes the linguistic requirements of signs

### **Consulting on the Voluntary Code**

- 4.6 In June 2018, a consultation was held with all bodies and agents who had been involved in the process (Appendix 4), in order to seek their views on the contents and practicalities of the Draft Voluntary Code. Also, press statements were published to raise awareness of the work.
- 4.7 Of the responses received, everyone supported the introduction of the Voluntary Code, in order to control the situation relating to 'To Let' signs and the associated negative impacts. The majority of responders (71.5%) agreed with the method suggested in the 'Voluntary Code' for the display of 'To Let' signs and 62.5% considered that no more than one sign for each company needed to be displayed on particularly long streets. Although 37.5% noted that other advertising methods needed to be considered on particularly long streets, no alternative ideas on how to achieve this were forthcoming.
- 4.8 62.5% of the responders considered that implementing the Voluntary Code from September 2018 was reasonable, however, 37.5% disagreed and noted that this was too soon and that it did not give smaller companies sufficient time to put arrangements in place without being burdensome and costly for them to purchase new signs.
- 4.9 Various observations were received, including a request for confirmation as to whether the 'Voluntary Code' would only apply to students; whether or not a review would be held; that clear maps were required regarding the relevant areas/whether or not this applied to Bangor as a whole; that September 2018 was too soon; whether or not the company's logo/colour could be included; compliance needed to be ensured.

### **The current situation and the next steps**

- 4.10 Therefore, it can be seen that there is support to adopting the Voluntary Code, subject to clarification and further amendments in response to the matters outlined above. . It is not considered that this would affect the basic objectives of the Code and it is considered fair for companies to have a gradual/longer period of time to comply with the Code's requirements. Therefore, it is intended to request for it to be adopted with the requirement for companies to comply in full by March 2019.

- 4.11 Following the initial meetings and the consultation on the Draft Voluntary Code, a further visual inspection has been carried out. In relation to the main streets where numerous signs were previously concentrated, namely College Road, Caernarfon Road and Deiniol Road, it was seen that no sign was erected. In Orme Road, where 29 signs were erected in February 2018, it was seen that only one sign was erected there by three individual companies, and that this was in line with the requirements of the Code. The only area where signs continue to be erected is on Farrar Road, and it appears that those are all displayed by the same company. We trust that implementing the Code enables officers to focus their efforts on the few that do not comply with the requirements.
- 4.12 Therefore, it is obvious that the discussion about the problem triggered some agents to respond positively to the situation, even before the Voluntary Code was adopted. Nevertheless, it is essential to adopt the Voluntary Code in order to ensure compliance in the future, as well as to ensure consistency and fairness to every agent as well as a framework for agents to implement as required.
- 4.13 It should be noted that this Scheme does not identify or ask any department for additional resources beyond the existing resources.

## **5 NEXT STEPS AND TIMETABLE**

- 5.1 Following the adoption of the Voluntary Code, this should be confirmed with the relevant stakeholders, with the expectation of full compliance by the end of March 2019.
- 5.2 To continue to monitor the situation and review the success of the Voluntary Code before the end of March 2020 and to report on the conclusions to the Cabinet by the end of September 2020.

## **6 ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION**

- 6.1 Consultations with all relevant agents and other relevant stakeholders in October 2017; January 2018 and June 2018.
- 6.2 Consultations with the Local Councillors in Bangor as well as Bangor City Council during October 2017 and June 2018.

## **OPINION OF THE STATUTORY OFFICERS**

### **Chief Finance Officer:**

I note that the author, in section 4.13 of the report, indicated that the Voluntary Code and the management of signs could be implemented within the current resources of the Planning and Public Protection Service.

### **Monitoring Officer:**

The Voluntary Code is an attempt to deal with a significant problem which has been prominent in parts of Bangor over the past few years. It is noted that this is a voluntary exercise, with the hope that there will be no need to take a formal approach under a Regulation 7 Direction. It is noted that there is an intention to monitor and report back to Cabinet in September 2020, and the information gathered under voluntary period will be an evidential basis to consider the matter further at that time. There has been extensive consultation with relevant stakeholders, and the responses have been considered within the report.

## **APPENDICES**

**Appendix 1 - Record of visual inspection of number of signs**

**Appendix 2 - letter to agents inviting them to a meeting to discuss concerns**

**Appendix 3 - letter to agents summarising the discussion at the meeting held**

**Appendix 4 Draft Voluntary Code**

**Appendix 5 - consultation letter on the Draft Voluntary Code**