

## Response to the Deputation from Adblock Leeds

Date: 9<sup>th</sup> October 2024

Report of: Head of City Centre Management

Report to: Director of City Development

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

The purpose of this report is to provide a response to the deputation submitted to Full Council on 21<sup>st</sup> May 2024, by Adblock Leeds.

The deputation was titled “Reducing outdoors advertising in Leeds for a healthier, happier and more equal city” which in brief outlined their concerns about the impacts of outdoor advertising and called for more restrictive policies towards outdoor advertising.

The deputation calls for a more restrictive approach to the approval of new advertising displays as well as more restrictions on advertising content. These are two different topics which would require different approaches.

This report proposes that relevant Officers meet with Adblock Leeds to explore the issues in more detail.

### Recommendations

a) Note the primary ‘Ask’ of the Deputation:

*“to suggest that more restrictive policies towards outdoors advertising are put in place in Leeds”*

b) Note that the deputation focusses on two separate issues: the approval regime for new advertisement displays (which is a Planning issue) and the content which is shown on advertisements (which is an advertising content restrictions issue).

c) Note that the response to the consultation as outlined in the report.

d) That key Officers meet with Adblock Leeds to understand and explore the issues in more detail.

## What is this report about?

### Background

- 1 Adverts like billboards, digital screens and roundabout signs are collectively termed 'Out of Home Media'. The Out of Home media industry accounts for about 3.8% of UK advertising spend (compared to about 75% for online advertising).
- 2 Leeds City Council holds at least five different and live contracts with Out of Home Media suppliers, ranging from large roadside billboards through to banners on lamp columns. In addition, the Council delivers some advertising on roundabouts and roadside grass verges. Collectively these contracts provide much needed revenue that is reinvested into providing public services.
- 3 Aside from these primary advertising contracts, the Council engages in advertising in many different ways – including advertising its events, services and facilities.
- 4 The Council also provides the role of Local Planning Authority and as such is responsible for setting policy on these matters as well as processing planning applications and applications for advertising consents under the regulations.
- 5 In addition, the Council, as Highway Authority, is in some cases responsible for providing a licence for advertising structures to exist on the public highway.

### The Deputation

- 6 The deputation was titled "Reducing outdoors advertising in Leeds for a healthier, happier and more equal city" and in brief outlined concerns about the impacts of outdoor advertising and called for more restrictive policies towards outdoor advertising.
- 7 The deputation focusses on two separate issues: the approval regime for new advertisement displays (which is a Planning issue) and the content which is shown on advertisements (which is an advertising content restrictions issue).
- 8 It highlighted that other Councils had taken a more stringent approach to asserting advertising content control.
- 9 It provided options that Adblock Leeds considered the Council could progress, specifically (and quoted verbatim):
  - a) "adopt a specific planning policy on digital outdoor advertising to acknowledge the harm it causes and indicate that current planning legislation and process is not fit for purpose",
  - b) "make applications for new digital screens visible to local residents, for example by announcements on social media, and/or by a requirement to advertisers that they must notify in writing all nearest neighbours to inform them of the proposed development",
  - c) "adopt a moratorium on all new advertising screens. This would be a temporary prohibition on granting new applications until outdated national planning policy is reformed in respect of the specific impacts of digital billboards on local communities".

### Current Position and Response

#### **Planning Policy Position**

10 The Council is at the early stages of developing a new Local Plan, known as Leeds Local Plan 2040. Planning policies related to advertising are within the scope of that plan and work will be undertaken to assess whether new or revised policies will be beneficial in this area. Potential policy options for this Plan will be consulted on at the next round of consultation, which is expected to take place in the Spring of 2025. This will provide the opportunity for interested parties to make formal representations on the emerging policies.

### **Planning Development Control Position**

11 From a Planning Development Control point of view, digital advertisement screens (both new and converted from existing billboards) require consent under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. This requires an application for Advertisement Consent to be submitted to the Local Planning Authority - which is similar to an application for planning permission (but does not require a public consultation to take place).

An application for Advertisement Consent can only be assessed against 'public safety' and 'amenity'. However, the impact from the digital advertisement on the residential amenity of local residents as part of the 'amenity' impact, would be considered in that process.

It is important that the Council adheres to the 2007 Regulations and determines applications based upon only the permitted criteria set out above. This limits the risk of losing any decisions taken at appeal, where costs could also be awarded against the Council.

12 Leeds City Council has an Advertising Content Guidance document and work is being undertaken to ascertain whether this document needs to be updated. It provides certain restrictions on advertising over and above those which are prescribed by prevailing regulations, such as the Advertising Standards Authority. The Advertising Standards Authority (ASA) is the UK's independent advertising regulator. The ASA makes sure advertisements across UK media stick to the advertising rules. It is commonplace for Local Authorities to have their own Advertising Content Restrictions policies. However it should be noted that it is difficult to introduce content restrictions policies mid contract because that would fundamentally change the basis on which the original contract was won.

### **What impact will this proposal have?**

13 The proposal will result in key Officers meeting with Adblock Leeds. The outcome of those meeting has not been determined.

### **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing

Inclusive Growth

Zero Carbon

14 Advertising would potentially impact on all three pillars, given that the nature of content being advertised is so broad. Similarly, if the Council's income through advertising is reduced, it could impact on investment in priorities that align with each of the three pillars. A balance needs to be found.

### **What consultation and engagement has taken place?**

Wards affected: All.

Have ward members been consulted?

Yes

No

18. The Executive Member for Economy, Transport and Sustainable Development is supportive of the recommendations in this report.

### **What are the resource implications?**

19. There are no Resource implications at the current time, because the primary recommendation is to meet with Adblock Leeds.
20. It should be noted that any restrictions placed on advertising will in turn have the potential to restrict the income provided to the council as a consequence of either exiting existing contracts or by placing limitations on any future advertising contracts.

### **What are the key risks and how are they being managed?**

21. There are no significant risks arising from the key recommendation of meeting with Adblock Leeds.

### **What are the legal implications?**

21. This report is not eligible for Call-In as no formal decision is being taken.
22. There are no legal implications arising from the key recommendation of meeting with Adblock Leeds.

### **Options, timescales and measuring success.**

#### **What other options were considered?**

23. This report does not fully assess the options at hand. It provides an overview of the position, suggests that a meeting is required and outlines that further work is being undertaken in some areas.

#### **How will success be measured?**

24. Not applicable.

#### **What is the timetable and who will be responsible for implementation?**

25. The primary recommendation is that a meeting with Adblock Leeds takes place. The Head of City Centre Management will arrange that meeting.

### **Appendices**

- **Appendix A** – Text of Deputation given to Full Council on 21<sup>st</sup> May 2024.

### **Background papers**

- None.