

READING BOROUGH COUNCIL

POLICY COMMITTEE

10 JULY 2023

Petition from Hilary Kemp:

Article 4 Direction for St Bartholomew's Road

We the undersigned formally request that an existing Article 4 Direction be extended to cover the whole of St Bartholomew's Road or a new Article 4 Direction be created for St Bartholomew's Road in its own right.

RESPONSE by Councillor Leng (Lead Councillor for Planning and Assets):

Thank you for this petition. We acknowledge the strength of feeling in the road demonstrated by the petition and the supporting information, and understand the issues that have been raised.

The Council recognises that some areas of Reading represent particular hotspots of houses in multiple occupation (HMOs), and that this can cause issues in the local area. In particular, the Council is concerned about the loss of existing mixed and balanced residential communities in parts of Reading.

In terms of Planning control, HMOs fall into two types. Large HMOs with seven or more unrelated occupants fall within their own use class (sui generis) and always require planning permission. Small HMOs of between three and six unrelated occupants fall within a C4 use class, and the Government has put permitted development rights in place to allow dwellinghouses to be converted into a small HMO without the need for planning permission. A local planning authority can remove these rights by making a legal direction under Article 4 of the General Permitted Development Order, known as an Article 4 Direction, meaning that a conversion to a small HMO within an area subject to such a direction will require planning permission. That does not mean that an application would be refused, but it allows for the impacts of a proposal to be considered and assessed against planning policies.

Due to the Council's concerns about the impact of the proliferation of HMOs, an Article 4 direction came into force in much of Park, Redlands and Katesgrove wards in May 2013, which has meant a need to apply for planning permission to convert a dwellinghouse to a small HMO in that area. The northern boundary of this direction area, at least in Park ward, is London Road, Wokingham Road and Palmer Park Avenue. St Bartholomew's Road lies just outside the direction area.

Information assembled in producing the Council's recently adopted Residential Conversions Supplementary Planning Document (SPD) indicates that St Bartholomew's Road does have a relatively high concentration of HMOs. The Census area within which St Bartholomew's Road sits contained around 19% HMOs in 2021 according to this information. Whilst this is lower than some of the greatest concentrations, which exceed 30%, it is nevertheless comparable to, or higher than, many areas which are within the Article 4 direction area. It is therefore accepted that there is a good case for considering extension of the direction area to include St Bartholomew's Road as well as neighbouring areas in a similar position, most notably the northern side of London Road opposite Palmer Park, subject to further evidence gathering.

However, undertaking an extension to an Article 4 direction is not a straightforward process. National policy states that a direction should be necessary to protect local amenity or the well-being of an area, be based on robust evidence, and apply to the smallest

geographical area possible. Gathering this evidence can take a considerable time and once a direction is made there is a 12 month period before it comes into force to avoid paying possible compensation to landowners. At this stage, the Council's planning team is preparing a Partial Update of our Local Plan as agreed by Strategic Environment, Planning and Transport Committee on 23rd March 2023. It is a statutory duty of the Council to ensure that a full set of up-to-date planning policies are in place to guide development and ensure that the latest position on important matters such as climate change, housing need and affordable housing provision, and this will also include the policy covering conversions of houses to HMOs across the whole Borough. It is not therefore envisaged that work could begin on progressing a new or amended Article 4 direction until late in 2024. However, at that stage the Council will investigate the case for extending the direction in this area in full.

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PUBLIC QUESTION NO. 1

James Rutland to ask the Lead Councillor for Education and Public Health:

Underage Vaping

What current and future strategies are the Council implementing to counter the underage vaping epidemic Reading is facing, and what can we as young people do to try and help our peers?

REPLY by Councillor McEwan (Lead Councillor for Education and Public Health):

In partnership with the Berkshire West Tobacco Control Alliance (“the Alliance”) and the South East Tobacco Control Network, the Council’s Public Health & Wellbeing team have been providing resources, advice and guidance to colleagues around vaping and young people. We have worked in collaboration with the Director of Education for Brighter Futures for Children to ensure that headteachers have the latest [evidence and guidance for schools](#) produced by Action on Smoking and Health (ASH), as well as the [recently published advice and guidance](#) on managing vapes in schools, produced by the South East Directors of Public Health in consultation with headteachers, PSHE leads and others.

The Berkshire West Tobacco Control Alliance delivers health promotion sessions and podcasts around smoking and alcohol to year 9s in secondary schools. These sessions include advice and information about vaping; which builds on the simple, core message:

“Vaping is not for children. While it can help people quit smoking, if you don’t smoke don’t vape.” (ASH, 2022)

The Council’s Public Health & Wellbeing team agree with the [Chief Medical Officer’s](#) view that the marketing of vapes to children is totally unacceptable. The Alliance works in partnership with Reading Trading Standards, sharing local intelligence to inform Trading Standards’ enforcement work with vape shops in Reading, with a particular focus on non-compliant e-cigarettes and helping to identify where under-age sales might be taking place. Working in partnership with the Police, Trading Standards’ activities have resulted in the recent closure of three vape shops in Reading. Trading Standards colleagues are awaiting further details of the [proposed government initiative](#) to strengthen local enforcement work to tackle illicit vapes and under-age sales. Reading Trading Standards is continuing to conduct test purchasing exercises and in recent weeks has seized over 1000 non-compliant disposable vape products from several shops in the Borough.

We will also be disseminating the new resource pack for schools on vaping, produced by the Office for Health Improvement and Disparities (OHID). The pack will be aimed at years 7 and 8 and will be published on the [Better Health School Zone](#), in time for the 2023/24 academic year. The resources have been informed by research with teachers and young people and will include:

- Vaping: What and Why? – explore what students already know about vaping – and then present the facts, get them thinking about why young people vape, and helping with strategies for saying “no” if pressured by others to start. There will also be

signposts to sources of support if young people are worried (e.g. school nurse, Talk to Frank, Childline)

- Vaping: the impacts – in which we explore things like potential health impacts, environmental impacts, financial impacts, etc
- Vaping: nicotine – more of a deep dive on the effects of nicotine including signs of addiction

We should explore restrictions to stop young people taking up vaping without impacting on the move from smoking to vaping. This could include reducing the “youth appeal” of vaping, for example the banning of cartoon characters or light up vapes, restrictions on the colours of packaging as well as the promotion of vapes on social media platforms such as TikTok. Also, to look at where the products are positioned in stores – often in smaller shops near the confectionery.

The Berkshire West Tobacco Control Plan is being updated over the next few months. This provides a good opportunity to collaborate with multiple stakeholders in the development of strategy and evidence-based actions around vaping and young people in Reading.