

10 November 2016

Decision Session – Executive Member for Transport and Planning

Report of the Corporate Director of Economy and Place

Response to Petition: Advertising Boards ('A' Boards) and other Equipment on the Public Highway

Summary

1. The purpose of this report is to advise the Executive Member for Transport and Planning of the receipt of a petition (**Annex C**), which seeks an amendment to the resolution of the Executive (made on 25 August 2016) and makes recommendations in response to the petition.
2. The Executive approved the policy at **Annex A**; the full resolution is at **Annex B**.
3. The petition seeks an amendment to the policy such that *“it only prevents the placement of hazardous boards or boards in cluttered or unsatisfactory locations”....highlighting that...“ for many businesses set back from main thoroughfares ‘A’ Boards are essential signposting....”*

Recommendations

4. It is recommended that the Executive Member for Transport and Planning affirms the resolution of the Executive in full.

Reason:

- To provide adequate control of the many and varied obstructions (particularly for those with impaired mobility for example, blind and/or partially sighted) temporarily located on the public highway. This taking into account of the Council’s responsibilities under the Highways Act 1980, the Equality Act 2010 and Town & Country Planning Act 1990.
- To mitigate the impact on the visual amenity of the conservation area and setting of the many listed buildings in the city centre.

- To contribute further to the removal of street clutter, improve the street scene and public realm.

Background

5. The petition was received on 25th August 2016 when it was handed in at the meeting of the Executive. The lead petitioner spoke at the meeting. It contains 111 signatures and 250 typed comments, assumed to be from an online webpage.
6. It is advised that the policy report considered by the Executive, provided an objective analysis of current circumstances with 'A' Board usage in the city centre and highlighted the duties and responsibilities sitting with the Council, chiefly the Highways Act 1980 and Equalities Act 2010.
7. An audit was undertaken of a considerable number of shopping streets within the centre, looking crucially at the issue of pedestrian space and safe movement.
8. It was demonstrated that with 'A' Boards or other advertising materials in place, the available space and width for pedestrian movement, would not be in accordance with nationally recognised standards/best practise, in the vast majority of streets, The assessment also considered the impact upon visual amenity of 'A' board placement on these same streets.
9. The conclusion and basis for the recommended policy was that a prohibition of 'A' Boards was required in order to achieve an appropriate level of control and management of the situation.
10. The primary purpose of the public highway (to pass and repass without let of hindrance) needs to be upheld and the analysis and report demonstrated that the proposal was necessary and reasonable, giving due weight to the Council's Equality responsibilities.
11. The petition seeks the prevention of" *only hazardous boards in cluttered or unsafe locations....*"
12. It is advised that the previous report gave careful consideration to the implications presented by advertising boards within the described streets and zone overall. It was demonstrated that the highway widths simply cannot (in the significant majority of streets), be expected to accommodate such material, without having a detrimental impact on highway users, with a particular emphasis on vulnerable communities of interest.

13. The conclusion being that within the zone, the placement of boards presents a level of obstruction which is unreasonable and gives rise to genuine adverse impact upon the use of the highway.
14. The additional negative impact upon the visual amenity of the city's much valued street scene, historic townscape and setting of many listed buildings is also an important factor in the policy.
15. The policy allows for further work with regards to the use of Boards for business which are not immediately obvious. The wording/criteria within the policy being: "*where the sole route to the business is achieved via a narrow lane/passageway/snickleway or similar, i.e. it does not have an obvious frontage to a main thoroughfare*".
16. It is therefore considered that the policy has taken into account the circumstances which the petition has sought to highlight and provided robust recommendations.
17. The recommendations were supported by an Equality Impact Assessment. The policy will have a positive impact on the quality of life indicators for several communities of identity. Including the elderly, carers of older or disabled people, disabled people and those with young children. This is because the policy will significantly reduce the presence of 'A' Boards within the zone, meaning the negative impacts they create in obstructing, hindering, and creating general difficulty for access and mobility, will be mitigated.

Policy Implementation

18. The prohibition will commence on 1 February 2017. Raising awareness will be undertaken over forthcoming weeks and months; initially via a covering letter (with A5 copy of the Policy), which has now been distributed to all businesses within the zone. This highlights key information and advises of further communications over the autumn and later part of the year. A drop in/surgery type event is to be held at the Guildhall on 8th November 2016, for businesses to attend, with officers available to discuss the policy and answer questions. A web page is now in place and an email address specific to the policy (www.york.gov.uk/aboards; email: aboards@york.gov.uk). Dialogue will be available for businesses with regards to the option of (city/remote/shared) boards, in line with the policy criteria. Businesses on Micklegate will be able to apply for permission through a licence. Some initial emails have been received from businesses and replies issued, with further information provided as appropriate.

Council Plan

19. The policy contributes to the following priorities and objectives;
- Everyone who lives in the city can enjoy its unique heritage and range of activities.
 - Visitors, businesses and residents are impressed with the quality of our city.
 - Residents are protected from harm and vulnerable people feel safe.
 - That we always consider the implications of our decisions, including in relation to health, communities and equalities.
 - Use of evidenced based decision making.
 - Engage with communities, listening to their views and taking them into account.

Implications

20.

Legal	The recommended draft policy addresses the council's duties with respect to its Highway, Planning responsibilities.
Financial	Covered within Executive Report.
Human Resources	As above.
Crime and Disorder	There are no crime and disorder implications
Sustainability	There are no sustainability implications
Equalities	As contained within Executive Report.
Property	There are no property implications

Risk Management

21. In compliance with the Council's risk management strategy there are no risks associated with the recommendations in this report.

Contact details:

Author

Richard Bogg
Traffic and Highway Development
Manager
Tel No. (01904) 551426

Chief Officer responsible for the report:

Neil Ferris
Corporate Director of Economy and
Place

Report
Approved



Date 1/11/2016

Wards Affected:

All



For further information please contact the author of the report

Annex A 'A Boards' Policy
Annex B Executive Meeting 25/08/16 Resolution
Annex C Petition Front Page