

Cabinet Meeting Resolution

Executive
Forward Plan
Reference

E2257

Proposed Footways and Obstructions Policy - A Boards

Date of Meeting	9-Nov-11
The Issue	<i>The proposed policy and guidelines seek to introduce clear controls, by using the Council's powers under the Highways Act 1980, to balance the legitimate aspirations of local businesses to attract customers, whilst at the same time safeguarding the pavements for their primary purpose</i>
The decision	(1) To ADOPT the Footways Obstructions Policy – A Boards; (2) To ASK the Divisional Director (Environmental Services) to ensure that promotional work is carried out to ensure that businesses are aware of their responsibilities.
Rationale for decision	The Council has a duty (under the Traffic Management Act 2004) to keep the highway free of obstruction and protect the safety of highway users to ensure the expedient movement of pedestrians, controlling the placement of articles and removing articles that prevent safe and expedient pedestrian movement. The policy would support the Council in meeting its duties as a Highway Authority. Such a policy would enable the control and regulation of articles placed on footways which could detract from the area's heritage and its diverse and attractive street scene. The proposed policy would also help businesses promote their goods and services in a welcoming and regulated way that helps maintain economic viability.
Other options considered	Not to adopt a policy This would mean that the current uncertainty about what is and what is not acceptable would remain open to interpretation by businesses with detrimental impacts on the quality of the public realm and safety and placing Enforcement Officers in an untenable situation. To adopt a policy which requires businesses to apply for a permit This option, operated by a number of other authorities has been consulted upon and considered by the Licensing Committee. Business representatives expressed concern regarding the additional costs this would incur. The committee's resolution was reported to Cabinet. The authority could require that any business wishing to place an A Board or similar on the footway should have to apply for advertising consent It is thought that this and the issue of permits (licences) would create a lot of unnecessary work and may represent over-regulation which would make doing business in the area more difficult.
The Decision is subject to Call-In within 5 working days of publication of the decision	