

By: Bryan Sweetland, Cabinet Member, Environment Highways and Waste

To: Environment, Highways & Waste Policy Overview & Scrutiny Committee – 8th April 2011

Subject: Management of Obstructions on the Highway

Classification: Unrestricted

Summary:

This report seeks comments from members of the Policy Overview and Scrutiny Committee on proposals to streamline the administration for advertising boards. KCC's requirements must be adhered to as set out in the guidance by anyone placing an A-board on the highway.

Proposal

Advertising boards, commonly referred to as A-boards, must be placed in accordance with KCC's requirements as set out in the guidance so the public can move freely and safely along the highway (see appendix a).

A survey of 581 premises has reported that across Kent the majority of businesses (74%) are complying with existing guidance (appendix b). It is therefore considered that a formal application process, charging and licensing arrangement is unnecessary and should be removed from the policy.

KCC has recently consulted with Town Centre Management Groups, Districts, City, Borough and Parishes Councils to seek assistance and support that will encourage even higher levels of compliance and promote alternative methods of advertising (see appendix c).

KCC will adopt a number of approaches to providing clear guidance on A Boards. Front line personnel and partner organisations who engage with local businesses will

- undertake a direct awareness campaign with businesses to highlight the need to consider all highway users, their customers and the requirements for placing A-boards
- deliver an awareness campaign for businesses to consider and adopt other methods of advertising off the highway to reduce the number of boards placed
- work with partner organisations to improve compliance using KCC Highway Stewards to increase awareness. KHS will have the ultimate sanction to take enforcement action in accordance with legislation set out in the Highways Act 1980 and with KCC'S new guidelines
- provide direct advice, and follow through on businesses that do not comply with face to face contact and communication
- measure compliance after 6 months to review the effectiveness of this approach

Discussion and demonstration of the practical difficulties experienced by visually impaired users has helped KHS staff to identify best practice regarding A Board placement and type.

Consultation results*

The following bodies were asked to comment on the proposals:

District, Town and Borough Councils
Kent Association of Local Councils
Centres of Commerce
Town Centre Management Groups

Generally, this group perceive that the guidance protects vulnerable road users and are reasonable for local business. Without the ability to apply penalties there is some concern surrounding compliance. This group would support promotion and awareness. Ultimately they see enforcement as a County Council function.

The Kent Reference Panel and other organisations representing the visually impaired report as follows;

This group are representative of those within the disability screening characteristic; they do not believe that the guidance alone protects vulnerable users without licensing and applying penalties for non compliance.

*The summary details can be found within the Equalities Impact Assessment (appendix D)

Conclusion

These proposals simplify the process for the management of A-boards by delicately balancing control and safety, without the need to formally regulate local businesses.

It is recognised that time will be saved by not having to process licences, but self enforcement will be needed from businesses with the support of Town Centre Management groups and local Councils.

Highways Officers will begin to issue advice in accordance with the new guidelines and raise awareness of the dangers that inappropriate use of A boards can cause. Work will also be undertaken with local planning authorities to encourage more considered advertising methods. Officers will have the ultimate sanction to take enforcement action in accordance with legislation set out in the Highways Act 1980 and with KCC's new guidelines. Kent Highway Services will not hesitate to use enforcement powers if businesses wilfully ignore advice given. Compliance will be measured after 6 months to monitor the effectiveness of this proposal.

Recommendations

Members of the Policy Overview and Scrutiny Committee are asked to comment on this proposed approach and note that the Cabinet Member wishes to implement a streamlined arrangement for the administration of advertising boards by removing the formal application process, charging and licensing arrangement. Guidance must be adhered to by anyone placing an A-board on the highway, supported by a publicity and awareness campaign.

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