



**Committee and Date**

**Place Overview Committee**

**14<sup>th</sup> December 2018**

**Item**

**Public**

**A-board Policy Review in Shropshire**

**Responsible Officer**

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**1.0 Summary**

1.1 The current policy, as stated on the Shropshire Council website, has been under review since 2016. The Street Works team has been restructured and responsible posts stated in the policy are now redundant. There is some regular correspondence requesting an update and we now feel it is time to complete an update to the current policy.

**2.0 Recommendations**

2.1 To gain committee agreement to develop an application process which clearly demonstrates appropriate terms and conditions for the use of an A-board in Shropshire to advertise products/services outside the frontage of the business property, specifying board dimensions and permitted hours of display.

Liverpool City Council currently follow these practices and advise licence applicants of all criteria and conditions during the application process. A granted licence is valid for 12 months and will require a renewal application after this period (<https://liverpool.gov.uk/business/licences-and-permits/roads-and-highway-licences/advertising-board-licence/>).

2.2 Committee's agreement to initiate a consultation period for interested internal and external parties to develop and comment on the criteria and conditions of an A-board licence and possible enforcement practices.

2.3 To gain committee's agreement to consider with consultation of interested parties the use of 'hanging boards' which would advertise numerous businesses in one area on one board.

2.4 For committee to consider the transfer of the A-board process from Shropshire Street works.

**3.0 Opportunities and risks**

3.1 To satisfy the commitment made in 2016 to review the current A-board policy and to ensure that it considers all possible affected parties.

3.2 The opportunity to consider recommendations received on individual cases via

the method of a 28 day notice period as stated in the Highways Act 1980 section 115.

- 3.3 The introduction of the application process could initially cause confusion and concern by traders, allowances in enforcement would need to be made during a transition period to allow interested businesses to submit applications and receive approvals without initial penalisation.
- 3.4 An initial response may be one of concern and possible discontent by traders who consider the use of A-boards essential to the operation and success of their business.
- 3.5 A licence process will ensure a register is kept of A-board locations, which can be used to enforce the strict adherence to the agreements and conditions set out in the licence minimising potential hazards and disputes.

#### **4.0 Financial assessment**

- 4.1 The current process and policy for the use of A-boards has no attached administration or enforcement fees, local area Highway Technicians are responsible to ensure the policy is adhered to by means of informal verbal and written communications with traders as part of their current duties

There is the opportunity to recover administration fees in line with other councils who exercise an A-board licence policy.

#### **5.0 Report**

##### *5.1 Introduction*

The current policy for the use of A-boards in Shropshire is under review on the Shropshire council website and has been since 2016. There have been recent requests from the public on the progress of the review and we feel now is the time to complete an update of the current policy with the collaboration of internal and external stakeholders to produce a policy that will take into consideration all of those effected.

##### *5.2 Current Policy (stated as under review - <http://shropshire.gov.uk/street-care-and-cleaning/a-boards/> )*

This policy allows businesses the use of up to two A-boards (including any advanced boards with permission from town or parish councils) in which to advertise their particular trade or business.

The A-board is to be placed directly outside of the premises against the frontage of the property. It must be fit for purpose and cause no potential hazard, nuisance or obstruction and the business needs to demonstrate that sufficient public liability insurance (£5m) is in place to protect the council. Any special or additional conditions will be at the discretion of the Streetworks Manager (a position no longer held in the Authority).

Shropshire council retain the right to move, remove and enforce the policy criteria to ensure safe passage on the county's highways which fall within the remits of

the Highways Act 1980 and the Town & Country Planning Act 1992 undertaken by Environmental maintenance teams as part of their current duties.

### 5.3 *Public feedback*

There has been contact made and concerns raised by a member of the public regarding the timescale of the review process which needs to account for the previous excessive use of A-boards in town centres balanced along retail outlets wishing to promote their business.

A member of the public has been requesting a review of A-board practices since 2015 and has been awaiting a finalised policy document, they would also like to know the level of involvement in the development of the policy by organisations who deal with those with visibility and mobility difficulties and quotes the Equality Act 2010 in requesting the complete ban of A-boards across the county as practiced by other councils such as York City, Edinburgh and Bradford.

### 5.4 *Potential Policy and Enforcement amendments/considerations*

Suggestions have been made to consider the restriction of A-boards to one per premises and to encourage the use of hanging boards. There could be an initiative (encouraged by traders groups) whereby businesses in alleys or shuts could be signposted by one board signposting all.

The process of an application for a licence would ensure each A-board is registered with a 28 day notice period for which objections can be raised by the public before the issue of the licence.

The strict regulation of A-board dimensions to be set within the policy to elude interpretations of general size tolerances and times specified for hours permitted of A-board display on the highway (e.g. business opening hours but not between 9pm and 6am). Liverpool City Council currently follow these practices and advise licence applicants of all criteria and conditions during the application process. A granted licence is valid for 12 months and will require a renewal application after this period (<https://liverpool.gov.uk/business/licences-and-permits/roads-and-highway/licences/advertising-board-licence/> ).

## 6.0 **Conclusion**

- 6.1 The current A-board policy has been under review for over 2 years and there has been a consistent enquiry as to the progress of this. We would like to provide an answer to questions raised by providing an adequate and completed policy which takes into account all affected parties, based on the input from said parties. We would like to develop and implement a process to licence the use of A-boards within Shropshire to ensure their safe use whilst encouraging business custom.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

There are no background papers to this report

**Cabinet Member (Portfolio Holder)**

Councillor Steve Davenport

**Local Member**

All local members will be affected.

**Appendices**

Briefing note.

Current A-board policy as displayed on Shropshire Council website.

Liverpool City Council A-board application example.

Shropshire Council Pavement Permit guidance.