



To: Executive Councillor for Streets and Open Spaces:
Councillor Anna Smith

Report by: Wendy Young, Operations Manager (Community
Engagement and Enforcement)

Relevant scrutiny
committee: Community 19/01/2017
Services
Scrutiny
Committee

Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge
East Chesterton King's Hedges Market Newnham
Petersfield Queen Edith's Romsey Trumpington
West Chesterton

ADVERTISING 'A' BOARD AND SIGN POLICY

Not a Key Decision

1. Executive summary

- 1.1 In 2014, a review was commissioned to gain a fuller understanding of the issues affecting ease of access in and around the city centre for a range of users, but particularly pedestrians, disabled and wheelchair users. The review report was considered at the March, 2015, Community Services Scrutiny Committee, and in July, 2015, a plan of action was developed and approved at committee to take the next steps to bring about the identified changes needed. A progress update of the actions undertaken from the action plan was presented in July, 2016. In March, 2016, a survey of advertising signage use in the city centre was undertaken and the views of local business users sought on the voluntary removal of advertising signs, such as A-boards.
- 1.2 This report reviews the survey findings and sets out a proposed policy for advertising signage and the associated process and timetable for its consultation, review and implementation.

2. Recommendations

The Executive Councillor is recommended to:

1. Authorise officers to consult on the proposed advertising 'A' board and sign policy, as set out in Appendix A.
2. Authorise the expansion of the advertising 'A' board and sign policy to include the whole of Cambridge (rather than just the city centre), as defined by the City Council's administrative boundary

3. Background

- 3.1. The City Centre Accessibility Review was commissioned by the council to gain an objective understanding of accessibility issues in and around the city centre. The scope of the study was to undertake a baseline review of the accessibility of Cambridge city centre (looking at the Historic Core and Grafton areas as defined in the Local Plan, 2014).
- 3.2. The centre of Cambridge is already under pressure from the number of people using it and, with the planned growth in population, together with rising numbers of students and visitors, this will only increase. The ability of the city centre to cope with the increase in numbers of pedestrians is constrained by its historic and generally narrow street pattern. The current County Council Transport Plan and emerging City Council Local Plan both refer to meeting the needs of pedestrians and to proposals for improving the quality of the public realm. The Accessibility Review is continuing to feed into the implementation of these plans and influence other initiatives, such as City Deal, which will be important for users of Cambridge city centre in future.
- 3.3. The main conclusions from the Accessibility Review were that parts of the city centre were difficult to access, particularly for disabled and wheelchair users, for a variety of reasons.
- 3.4. The Accessibility Review made a number of recommendations for future action. These actions were varied in their ease of delivery, cost and complexity but focussed on advertising 'A' boards and other issues.
- 3.5. Following on from the City Centre Accessibility Review Action Plan that was approved in July 2015, work has been undertaken to plan and draft an A-board policy that is cost-effective, appropriate and enforceable, whilst not unduly penalising businesses.
- 3.6. In March, 2016, a survey was undertaken to review the use of advertising signage, such as A-boards, in the city centre and to seek the views of business users on their voluntary removal. Voluntary removal was only supported by 63% of business respondents, and it

was concluded that, adopting such an approach, would not resolve the issue to an acceptable level and that access obstructions would continue to remain as a result. That said, 72% of respondents were willing to look at alternative advertising options.

- 3.7. Between March and September, 2016, research was conducted with other councils and highways authorities, the RNIB (Royal National Institute for the Blind) and national local authority umbrella organisations, such as APSE (Association for Public Service Excellence). This research found that a an approach which balanced the need for free and unimpeded access, balanced with the needs of businesses i.e. 'a middle ground' approach, was considered to be the most appropriate and likely to be successful.
- 3.8. The council wants the city to be both attractive and easy to use for all, to support this aim, there is a need to set out what is considered reasonable and acceptable, in order that we can safeguard and, where feasible, improve access for all, including those with mobility or sight impairment. One key area of supporting action is to regulate against the over-proliferation of physical obstructions, such as A boards and other outdoor advertising signage; and their inappropriate positioning on public footways, highways and open spaces.
- 3.9. The proposed draft policy (Appendix A) seeks to create a street environment, which complements premises based trading but is not unduly cluttered, is sensitive to the needs of users, especially those with pushchairs and mobility or sight impairments, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments. To ensure safe and unimpeded public access, the policy restricts the use of advertising signs in locations where they cannot be sited in accordance with the guidelines; and/ or comply with legislation relevant to the siting of advertising signage on public land; and that the supporting legislation is applied fairly, reasonably and consistently across the city and in line with relevant council policies (e.g. Corporate Enforcement Policy).
- 3.10. The guidelines contained within the proposed advertising signage policy are applicable to the placing of advertising signs on the public highway and other such public lands and must be met in all cases. The conditions include stipulations that only advertising sign per licensed/ registered business premise will be permitted and must be positioned in a certain way and of a certain size/ type.
- 3.11. Businesses found to be using advertising signage, in breach of the guidelines, will be notified of the policy in writing and required them to remedy the breach within 48 hours. Any advertising sign found to be

in breach of the guidelines, beyond the 48 hours formal notice period will be removed by the Council and the business informed that they have 28 days to reclaim the sign and pay the associated charge of £70. Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business.

- 3.12. The policy will be applied in a manner which is consistent with the Council's equalities and enforcement policies
- 3.13. The county council has agreed to devolve legal enforcement powers relating to advertising signs on the public highway to the city council, which will give the council full control over the management and enforcement of the policy within the city boundary. This devolution of powers will be undertaken by a Memorandum of Understanding.
- 3.14. Officers have conducted research into other councils (district and county) and their policies relating to advertising signage, such as A-boards. This research has identified that consistency in approach, across the administrative areas of a council, for such policies is not only fair and proportionate, but sets out expectations for all businesses within the city. Anecdotally, advertising signage is known to be used in other retail areas of the city, such as Mill Road and Mitcham's Corner. Therefore, the geographical scope of this policy is recommended to be extended to include, not just the city centre, but the entire administrative area of Cambridge City Council.

4. Implications

(a) Financial Implications

As part of the implementation plan, there will be advertising sign amnesty and education period that will be undertaken in the run up to the policy being enforced. This and enforcement will be met within existing budgets.

(b) Staffing Implications

Capacity continues to be needed to secure the future implementation of identified actions. This capacity continues to be found from existing budgets.

(c) Equality and Poverty Implications

An Equality Impact Assessment for the recommended policy and its associated implementation is included in Appendix B.

(d) Environmental Implications

There were no adverse climate change implications from the Accessibility Review and none have been identified from the implementation of the recommended policy. Any measure, which improves ease of access for pedestrians and so, may result in increased walking and cycling levels, in the city would normally be expected to have a positive impact on climate change.

(e) Procurement

The procurement of the Accessibility Review followed the council's procurement regulations. Any further procurement involved in delivering the recommended policy will be undertaken in accordance with the procurement and financial regulations of the council.

(f) Consultation and communication

The Accessibility Review was circulated to stakeholders who have been asked to give feedback to help inform the development of the action plan. The City Council Access Officer and the Disability Consultative Panel received a presentation on the Review findings and meetings have been held with the Cambridge BID.

Formal consultation for the draft advertising 'A' board and sign policy will be undertaken with Cambridge BID, Trading Associations and residents groups.

Responses and feedback will be used to consider and formulate the final recommended policy.

The consultation will be advertised through press releases, signage on council notice boards; and sent directly to stakeholders and local groups. One to one meetings will be available on request during the consultation period.

The consultation will be made available on line via the City Council website; hard copies will be available upon request.

Comments and responses received will be redacted to remove personal information or information that could identify individuals or groups and published in a summarising report.

Observations or additional options that are proposed will be considered and may or may not be included in the policy

Timetable:

- Approval of draft policy and authorisation to consult at the 19th January 2017 Community Services Scrutiny Committee;
- Adaptations/ modifications made at Community Services Scrutiny Committee made to the draft policy and the launch of consultation in February 2017.
- Consultation closing April 2016;
- Community Services Scrutiny Committee decision on recommendations – June 2017.
- Implementation of policy (education and amnesty period) 1 July to 30 September 2016
- Implementation of enforcement of policy 1 October 2017.

(g) Community Safety

There are no adverse community safety implications. Improvements to personal accessibility and the wider public realm are likely to have a positive impact upon community access and safety.

5. Background papers

These background papers were used in the preparation of this report:

1. Report to Community Services Scrutiny Committee March, 2015
2. Cambridge City Centre Accessibility Review 2015
3. Report to Community Services Scrutiny Committee July, 2015
4. Report to Community Services Scrutiny Committee July, 2016

6. Appendices

Appendix A – Draft Advertising ‘A’ Board and Sign Policy

Appendix B – EQIA ‘A’ Board Policy

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author’s Name: Wendy Young
 Author’s Phone Number: 01223 - 458578
 Author’s Email: Wendy.young@cambridge.gov.uk

Appendix A:

Advertising 'A' Board and Sign Policy

Purpose

The inappropriate siting of 'A' boards¹ or other such advertising structures and signs on public footways, pavements and streets can cause obstructions for pedestrians who are mobility and sight impaired and those using wheelchairs, mobility scooters and push-chairs and for cyclists on cycleways and dual purpose footways. In some locations, where the pavements/ footways are narrow, A-boards can force pavement users to use the road in order to get past them, thereby increasing the risk of accidents with road traffic. Road safety can also be affected by inappropriate siting of A-Boards, such as on highway verges or junctions.

The council wants the city to be both attractive and easy to use for all, and there is a need to set out what is acceptable in order that we can safeguard people with disabilities, including those with visual impairments, and to do this we need to regulate against over-proliferation of obstructions and inappropriate positioning on the footway.

This policy seeks to create a street environment which complements premises based trading but is not unduly cluttered, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments. To ensure safe and unimpeded public access along pavements/footways; prevent the use of A-boards in locations where they cannot be appropriately sited; and ensure compliance with legislation relevant to the siting of A-boards on public land; and that legislation is applied fairly, reasonably and consistently across the city and in line with relevant council policies.

This policy does not absolve anyone from any statutory, or non-statutory, risk as regards personal injury or damage to property that may incur in depositing anything on the highway, nor to override the request of any Police Officer. Similarly this policy does not override the powers of Planning Authorities.

Scope

This policy applies to all types of free standing advertising structures, including A-boards, directional signs and information signs designed to be placed on the ground. This Policy only applies to advertising structures placed upon public roads, highways or public open spaces. These guidelines also apply to pedestrianised areas and precincts.

This policy does not apply to the use of advertising structures on private property, including privately owned shopping centres, or to advertising using unattended bicycles and display of other goods/trades stands.

The policy does not cover:

1. The placing of tables and chairs on the highway
2. Street trading and other licensed activities
3. Banners, hoardings, skip and scaffolds etc., which are licensed by application

¹ The use of the term A-board in this policy denotes all types of structures for the purpose of advertising

4. Motorcycles and bicycles parked on footways and, or chained to railings/ street furniture.
5. The placing of trade waste bins and waste containers on footways.

Definitions

1. "Road": A road as defined by the Road Traffic Regulation Act 1984 is any length of highway or of any other road to which the public has access.
2. "Highway": A highway includes but is not limited to roads, carriageways, verges, footways, and cycleway
3. "Businesses": In the context of this policy, the term business covers sole traders, private companies, charities, social enterprises, community groups and individuals
4. "'A' board or other advertising structure": To correspond with footnote definition on p1 of policy

General Guidelines

1. Only one 'A' board or other advertising structure will be permitted per business premises (to minimise the obstruction to pedestrians and other footway users). Where multiple occupancy premises share joint access, only one A-board / advertising structure will be allowed per shop / business frontage.
2. The A-Board / advertising structures must be placed against the building line or boundary of the property and should not obstruct access to statutory undertakers' plant and equipment.
3. The signs or displays must be robust and self – weighted. The use of sand bags to stabilise signs will not be permitted.
4. The board / advertising structure must be 2 sided, or otherwise free standing, causing an A shape or easel effect. Other designs which achieve the same purpose, such as a board suspended from a top rail within a frame, will also be acceptable. The structure must be of sufficient weight or design to prevent it being blown over in the wind. It should not be on trailer wheels or other trailer type device. Rotating cylinders and Boards leant against walls etc. will not be acceptable.
5. The A-Board / advertising structures must be removed from the street when the property is closed or street cleansing/street works are being undertaken.
6. An unobstructed footway width of 1.5 metres needs to be maintained and permanent structures (e.g. litter bins bollards, street furniture, pedestrian crossing etc.) as well as the geography of an area (e.g. slopes, steep gradients) should be taken into account. If the minimum width cannot be maintained then A-boards or other advertising structures should not be placed on the highway.
7. A-Board / advertising structures may not be chained, tied or fixed to lamp posts, bollards, trees, seats or other items of street furniture
8. A-Board / advertising structures must not be fixed into or on the highway. All A-Board / advertising structure must be temporary in nature so they can easily be removed. No excavation will be permitted to install or remove the item
9. A-Board / advertising structures must not obstruct sight lines of vehicle drivers or pedestrians.
10. A-Board / advertising structures should be standard A1 size (841 mm x 594 mm) and no higher than 1100mm above ground level (including any support).
11. A-Board / advertising structures must be in good condition and appear professionally made, e.g. proper sign writing, painting/printing. Offensive content will not be tolerated.

12. Advertising signs and displays may need to be removed during severe weather, events, to permit maintenance or street works or for other reasonable cause. Any additional requirement requested by the council, the police or emergency services, including immediate removal of any item, must also be complied with.
13. Where a business has its own private forecourt any A-Board / advertising structure shall be placed wholly within this forecourt.
14. A-Board / advertising structures on grass verges, roundabouts, road safety refuges and central reservations are not permitted.
15. A-Board / advertising structures and other advertising structures must be such that they can be easily detected and negotiated by the visually impaired and those with mobility difficulties.
16. If a premise has current licenced tables and chairs area, then any advertising should be contained within the agreed seating area and not outside the area.
17. Nothing in the guidelines absolves those concerned from legal responsibilities under the Highways Act 1980 and other legislation.
18. Where a specific sign is identified by the Council as creating a hazard for pedestrians and particularly the disabled or visually impaired, the owner must respond reasonably and promptly by relocating or removing the sign. This includes hazards created from a sign being blown over in exceptionally strong winds.
19. The Council reserves the right to amend or vary the guidelines and to consider each site on its merit.

Enforcement Approach

The Council will adopt the following approach, as resources allow, when taking enforcement action under this policy

1. Breaches of this policy will be investigated by Council officers
2. Businesses found to be using an A-Board / advertising structure in breach of the guidelines will be notified of this policy and asked to comply (service of formal letter);
3. A-Boards / advertising structures not complying with the general guidelines, within 48 hours of service of formal letter, will be removed by the Council and the business informed that they have 28 days to reclaim the board and pay the associated charge of £70. Any A-board not collected within the 28 day notice period will be disposed of.
4. Any business which commits a second A-Board / advertising structure policy breach, will receive a formal written notice warning that the Council will consider taking legal action against them.

Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business.

General

This policy will be the subject of periodic monitoring and review.

This policy will be applied in a manner which is consistent with the Council's equalities and enforcement policies.

The policy does not exempt any applicant/owner from obtaining any required consent. The applicant / owner of the article will be responsible for obtaining any required consents required by The Town and Country Planning Act.

A-boards and other advertising structures will be the owner's responsibility when placed on the highway. Any liability arising from an accident involving an A-Board / advertising structure remains firmly with the owner of the A-Board / advertising structure. It is essential that Public Liability Insurance cover of a minimum £5million pounds is held by any business which places an A Board on the highway. This is to cover any potential third party claims.

Cambridge City Council Equality Impact Assessment



Completing an Equality Impact Assessment will help you to think about what impact your strategy, policy, plan, project, contract or major change to your service may have on people that live in, work in or visit Cambridge, as well as on City Council staff.

The template is easy to use. You do not need to have specialist equalities knowledge to complete it. It asks you to make judgements based on evidence and experience. There are guidance notes on the intranet to help you. You can also get advice from Suzanne Goff, Strategy Officer on 01223 457174 or email suzanne.goff@cambridge.gov.uk or from any member of the Joint Equalities Group.

1. Title of strategy, policy, plan, project, contract or major change to your service:

Advertising 'A' boards policy

2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

The City Centre Accessibility review was commissioned by the council to gain an objective understanding of accessibility issues in and around the city centre. The scope of the study was to undertake a baseline review of the accessibility of Cambridge city centre (looking at the Historic Core and Grafton areas as defined in the Local Plan 2014).

The centre of Cambridge is already under pressure from the number of people using it and with the planned growth in population together with rising numbers of students and visitors this will only increase. The ability of the city centre to cope with the increase in numbers of pedestrians is constrained by its historic and generally narrow street pattern. The current County Council Transport Plan and emerging City Council Local Plan both refer to meeting the needs of pedestrians and to proposals for improving the quality of the public realm. The accessibility review is continuing to feed into the implementation of these plans and influence other initiatives such as City Deal which will be important for users of Cambridge city centre in future.

The main conclusions from the study were that parts of the city centre were difficult to access, particularly for disabled and wheelchair users for a variety of reasons.

The Accessibility report made a number of recommendations for future action. These actions were varied in their ease of delivery, cost and complexity but focussed on advertising 'A' boards and other issues.

Following on from the City Centre Accessibility Review Action Plan that was approved in July 2015, work has been undertaken to plan and draft an A-board policy that is cost-effective, appropriate and can be enforced across the city whilst not unduly penalising businesses.

In March 2016 an audit was undertaken by the enforcement team in the city centre to

2. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?

review the situation with the A-boards and to seek views on voluntary removal of A-boards. Voluntary removal was only supported by 63% of businesses, and it was concluded at this time that adopting this approach would not resolve the issue to an acceptable level and obstructions would still remain on the footpaths. However a number of businesses (72%) were willing to look at alternative advertising options

Between March and September 2016 research was conducted with other councils and highways authorities, the RNIB and local authority organisations (APSE). The research found that a 'middle ground' approach was the most appropriate and more likely to be successful.

The council wants the city to be both attractive and easy to use for all, and there is a need to set out what is acceptable in order that we can safeguard people with disabilities, including those with visual impairments, and to do this we need to regulate against over-proliferation of obstructions and inappropriate positioning on the footway.

The draft policy seeks to create a street environment which complements premises based trading but is not unduly cluttered, is sensitive to the needs of residents, provides diversity and consumer choice, and seeks to enhance the character, ambience and safety of local environments. To ensure safe and unimpeded public access along pavements/footways; prevent the use of A-boards in locations where they cannot be appropriately sited; and ensure compliance with legislation relevant to the siting of A-boards on public land; and that legislation is applied fairly, reasonably and consistently across the city and in line with relevant council policies

The draft policy sets out that the guidelines contained within are applicable to the placing of advertising signs on the highway and must be met in all cases. The conditions include stipulations that only one A-board per premises will be permitted, it must be positioned in a certain way and of a certain size / type.

Where there is failure to adhere to the guidelines by a business the council proposes to adopt a fair enforcement policy where businesses found to be using A-boards in breach of the guidelines will be notified of the policy and asked to comply by service of formal letter and A-boards still not complying with the general guidelines, within 48 hours of service of formal letter, will be removed by the Council and the business informed that they have 28 days to reclaim the board and pay the associated charge of £70. Where appropriate any costs incurred by the Council in pursuing the above approach will be recovered from the business.

The policy will be applied in a manner which is consistent with the Council's equalities and enforcement policies

3. Who will be affected by this strategy, policy, plan, project, contract or major change to your service? (Please tick those that apply)

- Residents
- Visitors
- Staff

A specific client group or groups (please state): Businesses

4. What type of strategy, policy, plan, project, contract or major change to your service is this? (Please tick)

- New
- Revised
- Existing

5. Responsible directorate and service

Directorate: Environment

Service: Streets and Open Spaces Operations

6. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service?

- No
- Yes (please give details):

The county council are the lead authority for dealing with adverts illegally placed on the highway and have agreed to devolve powers to the city council through a memorandum of understanding.

7. Potential impact

Please list and explain how this strategy, policy, plan, project, contract or major change to your service could **positively** or **negatively** affect individuals from the following equalities groups.

When answering this question, please think about:

- The results of relevant consultation that you or others have completed (for example with residents, people that work in or visit Cambridge, service users, staff or partner organisations).
- Complaints information.
- Performance information.
- Information about people using your service (for example whether people from certain equalities groups use the service more or less than others).
- Inspection results.
- Comparisons with other organisations.
- The implementation of your piece of work (don't just assess what you think the impact will be after you have completed your work, but also think about what steps you might have to take to make sure that the implementation of your work does not negatively impact on people from a particular equality group).
- The relevant premises involved.
- Your communications.
- National research (local information is not always available, particularly for some equalities groups, so use national research to provide evidence for your conclusions).

(a) Age (any group of people of a particular age, including younger and older people – in particular, please consider any safeguarding issues for children and vulnerable adults)

Data for this characteristic is not held.

(b) Disability (including people with a physical impairment, sensory impairment, learning disability, mental health problem or other condition which has an impact on their daily life)

The inappropriate siting of advertising 'A' boards and signs on public footways, pavements and streets can cause obstructions for pedestrians who are mobility and sight impaired and those using wheelchairs and mobility scooters, In some locations, where the pavements/ footways are narrow, A-boards can force pavement users to use the road in order to get past them, thereby increasing the risk of accidents with road traffic.

The council wants the city to be both attractive and easy to use for all, and there is a need to set out what is acceptable in order that we can safeguard people with disabilities, including those with visual impairments, and to do this we need to regulate against over-proliferation of obstructions and inappropriate positioning on the footway. This policy seeks to create a street environment which is not unduly cluttered, and allows for safe and unimpeded public access along pavements/footways; prevents the use of A-boards in locations where they cannot be appropriately sited.

(c) Gender

Data for this characteristic is not held.

(d) Pregnancy and maternity

Data for this characteristic is not held.

(e) Transgender (including gender re-assignment)

Data for this characteristic is not held.

(f) Marriage and Civil Partnership

Data for this characteristic is not held.

(g) Race or Ethnicity

Data for this characteristic is not held.

(h) Religion or Belief

Data for this characteristic is not held.

(i) Sexual Orientation

Data for this characteristic is not held.

(j) Other factors that may lead to inequality – in particular – please consider the impact of any changes on low income groups or those experiencing the impacts of poverty (please state):

Data for offences of A-boards does not hold records of any of the above characteristics, so it is not possible to quantify / consider how specific groups might or might not be affected in Cambridge.

All enforcement action is undertaken in accordance with the council's [Corporate Enforcement Policy](#).

8. If you have any additional comments please add them here

All communication by the Streets and Open Spaces Operations team is undertaken in accordance with the [Service Standards](#) which details what customers can expect of us.

Enforcement of the A-boards will be monitored and the EqIA kept under review as required.

9. Conclusions and Next Steps

- If you have not identified any negative impacts, please sign off this form.
- If you have identified potential negative actions, you must complete the action plan at the end of this document to set out how you propose to mitigate the impact. If you do not feel that the potential negative impact can be mitigated, you must complete question 8 to explain why that is the case.
- If there is insufficient evidence to say whether or not there is likely to be a negative impact, please complete the action plan setting out what additional information you need to gather to complete the assessment.

All completed Equality Impact Assessments must be emailed to Suzanne Goff, Strategy Officer, who will arrange for it to be published on the City Council's website.
Email suzanne.goff@cambridge.gov.uk

10. Sign off

Name and job title of assessment lead officer: Wendy Young, Operations Manager
(Community Engagement and Enforcement)

Names and job titles of other assessment team members and people consulted:

Date of completion: 2 December 2016

Date of next review of the assessment: