



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 29/06/2017  
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

## **POLICY FOR THE PLACING OF ADVERTISING BOARDS**

### **Not a Key Decision**

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#### **1. Executive summary**

- 1.1 In 2014, the City Centre Accessibility 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 people. 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. This plan included the development of an advertising board policy. A progress update of the actions undertaken from the action plan was presented to committee 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. In January, 2017, a draft city-wide policy for Advertising Boards was approved at committee for consultation with relevant stakeholders.
- 1.2 This report reviews the consultation findings and sets out a proposed final policy for Advertising Boards and timetable for implementation, including an initial four month education and formal enforcement and amnesty period. In response to the consultation findings, the following changes have been made to the final policy:

- Clarification that the first warning regarding non-compliance by businesses would be served by hand;
- Removal of the condition of size requirements for advertising boards, so as to avoid unnecessary costs for businesses and maximising potential to use existing suitable advertising boards; and
- Clarification on removal of an advertising board for second or repeat policy breaches by businesses or organisations.

## **2. Recommendations**

The Executive Councillor is recommended to:

1. Approve the Policy for placing of Advertising Boards, as set out in Appendix A.
2. Approve the implementation timetable for the policy, allowing for officers to undertake a three-month education programme and engage with key stakeholders including Cambridge BID and trader associations.

## **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 people, 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 boards.
- 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 an approach, which balanced the need for free and unimpeded access with the needs of businesses (i.e. 'a middle ground' approach), was considered to be the most appropriate and most 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 supportive action is to regulate against the over-proliferation of physical obstructions, such as 'A' boards and other advertising signage; and their inappropriate positioning on public footways, highways and open spaces.
- 3.9. The proposed final A-Board Policy (Appendix A) seeks to create a street environment, which complements premises based trading whilst being not unduly cluttered; 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 the local physical environment. To ensure safe and unimpeded public access, the proposed final policy restricts the use of advertising signs (including A-boards) 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 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, across the whole of the Cambridge City Council administrative boundary. The conditions include stipulations that only one advertising sign per business premise (excluding General and Sunday Market , which are managed under Charter Market Regulations; and street traders, which are managed under consent conditions) 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 to remedy the breach within 48 hours. The formal letter will be served in person by a Council officer. Any advertising sign found to be in breach of the guidelines, beyond the 48 hours' formal notice period, would be removed by the Council and the business informed in writing that it has 28 calendar 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. Repeat breaches by businesses, within six months of a previous breach, would result in the service of a formal warning letter advising that the council could undertake legal action against the business. Repeat offences by businesses, with more than six months since a previous breach, would, in essence, 'restart' the enforcement process.
- 3.13. The policy will be applied in a manner which is consistent with the Council's equalities and enforcement policies
- 3.14. Cambridgeshire County Council has agreed to devolve legal enforcement powers, relating to advertising signs on the public highway, to the City Council. This will give the City Council full control over the management and enforcement of the policy within the city boundary. The devolution of powers will be undertaken through a Memorandum of Understanding between the two authorities.

3.15.

## **Consultation**

- 3.16. Public consultation on the proposed consultation draft A-Board and Signs policy took place between 20<sup>th</sup> February to 30<sup>th</sup> April, 2017, in accordance with the methodology set out in Section 4 below.
- 3.17. The consultation received a good mix of responses, including from local businesses, residents and access or support groups. Of those responding, 10% had children in the household still requiring a pram, 10% had a disability and 15% were responsible for someone with a disability.
- 3.18. Businesses were asked if they used advertising signs at the time of the consultation. Of those responding 38% used 'A' boards and 19% used other advertising structures, including chalkboards and free standing flags. Businesses were asked the reason for using advertising signage, with the following results:
- 84% to predominantly attract customers/ business ;
  - 48% to advertise special events and offers; and
  - 38% for directional/ locational reasons.

When asked if businesses would consider using alternative advertising methods to A-boards/ signs, just over 55% said that they would not.

- 3.19. Part of the consultation sought to understand concerns and issues with the use of free standing pavement structures in the City. Of the responses received:
- 77% agreed that structures could cause hazards to the disabled;
  - 70% agreed that they could force pedestrians into the road; and
  - 59% agreed that they detract from the appearance of an area.

It was found that non-businesses (residents or access groups) were more likely to have concerns and issues with pavement structures than businesses.

- 3.20. Combined results, for both business and non-business respondents, showed that 66% either "slightly" (23%) or "strongly" (43%) agreed that the council should control the use advertising signs as per the proposed consultation draft policy. Though more non-businesses (78%) agreed with the policy than businesses (50%).
- 3.21. As part of the consultation, proposed conditions/ requirements for advertising sign use were presented to respondents to seek their views. The results of the questions regarding the proposed policy conditions/ requirements are as follows:

- Placing advertising signage against the building line or property boundary – 74% agreed with this requirement
- Making signage self-weighted and robust, not using sandbags – 89% agreed with this requirement
- Making signage temporary (no fixings) – 92% agreed with this requirement
- Advertising signage not to obstruct public access, sight lines or cleansing functions – 96% agreed with this requirement
- Making signage easily detectable and negotiate by those with disabilities – 95% agreed with this requirement
- Not permitting advertising structures on verges or central reservations – 81% agreed with this requirement

3.22. Respondents were asked if they agreed with the proposed enforcement process for advertising signs under the policy. 89% of respondents agreed that those businesses found to be in breach of the policy should be notified and asked to comply, 74% of respondents agreed that those not complying with the formal warning (48-hour notice) would have the offending advertising structure seized and required to pay a charge of £70 to reclaim it.

3.23. Around a fifth (19%) of respondents disagreed with the enforcement approach set out (request to comply within 48 hours' notice, followed by seizure of the advertising structure for non-compliance). When asked why they disagreed, responses included that they felt the time period to comply (48 hours) was not long enough, that the fine (of £70) was too much and others felt the process was a heavy-handed approach taken by the council.

3.24. 75% of respondents agreed that those businesses or organisations breaching the policy a second or repeat time would receive a formal written warning that the council would consider taking legal action. A number of respondents stated this stage of enforcement was extreme given the nature of the offence and that the council should simply remove and dispose of the boards, and pass any charges onto the business or organisation.

3.25. A common response from businesses was that an initial education period was necessary as part of the implementation plan for the new policy, with formal enforcement action not taking place until the end of the initial education period.

3.26. Other common issues highlighted by respondents, which the council is fully committed to addressing through the policy's implementation, are as follows:

- Ensuring positive enforcement of the policy and a positive relationship with businesses is maintained;
- Ensuring regular and robust enforcement of the policy once in force; and
- To work with businesses to provide innovative ways to advertise.

3.27. Some respondents stated that a complete ban on advertising signs would be fairer; or that funding for alternative advertising methods should be made available by the council.

### **Timetable for implementation**

3.28. The proposed plan for implementation of the policy is:

- Education and enforcement amnesty period for Policy for the placing of Advertising Boards from 17 July to 19 November 2017
- Policy for the placing of Advertising Boards to go live and enforcement action to begin from 20 November 2017.

## **4. Implications**

### **(a) Financial Implications**

As part of the proposed implementation plan, there will be a an initial four month education and enforcement amnesty period that will be undertaken in the run up to the policy being enforced. This and any future resulting enforcement action will be met within existing departmental budgets.

### **(b) Staffing Implications**

The implementation of the policy, including education and enforcement action, will be undertaken by existing staff.

### **(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 proposed Policy for the placing of Advertising Boards. 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 proposed final policy will be undertaken in accordance with the procurement and financial regulations of the council.

**(f) Consultation and communication**

The City Centre Accessibility Review was circulated to stakeholders who were 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 were held with the Cambridge BID.

Consultants, M·E·L Research, were commissioned to undertake stakeholder consultation, including with local residents, businesses and access groups, on the proposed consultation draft Advertising 'A' Board and Sign Policy.).

A stakeholder questionnaire survey was initially carried out through an online consultation, followed by a top up telephone survey. Overall, 417 responses were received.

The objective of the consultation was to understand:

- Current use of advertising 'A' boards and signs;
- Levels of agreement with the policy, including enforcement plan;
- Main reasons for using advertising 'A' Boards and signs; and
- Other issues that should be taken into account regarding the policy

The online consultation was undertaken using an Experian database of businesses in Cambridge, council resident and friends of groups, access groups and circulation of online consultation link in the council magazine 'Cambridge Matters'. Cambridge BID was also provided information on the consultation to promote to businesses located within the BID area. The consultation was also made available, on line, via the City Council website; and hard copies were available upon request.

Following the consultation, responses have been collated, analysed and used to inform the proposed final policy.

**(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
5. Report to Community Services Scrutiny Committee January, 2017

## **6. Appendices**

Appendix A – Policy for the placing of Advertising Boards

Appendix B – EQIA Policy for the placing of Advertising Boards

Appendix C - Advertising 'A' Board and Sign Draft Policy Consultation Final Report from M.E.L Research May 2017

## **7. Inspection of papers**

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

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