

Maidstone Joint Transportation Board

**12 July
2017**



'A' Boards Report

Decision Making Authority	KCC/MBC
Lead Director	Roger Wilkin
Lead Head of Service	Andrew Loosemore
Lead Officer and Report Author	Susan Laporte, District Manager, Maidstone
Wards and County Divisions affected	<i>Maidstone Town Centre</i>
Which Member(s) requested this report?	Councillor English

This report makes the following recommendations:

Information report to update the Board on actions outlined in the April Joint Transportation Board.

Timetable	
Meeting	Date
Maidstone Joint Transportation Board	12 July 2017

'A' Boards Report

1. ORIGIN OF REPORT

- 1.1 This item was raised by Councillor English at April JTB. It was also previously raised as an item by the One Maidstone Street Scene Group following obstruction complaints by members of the public.

2. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 2.1 To review and enforce the 'A' board advertising in the Town Centre, primarily in the high amenity areas and to include High Street, Week Street, Gabriels Hill, Union Street, Earl Street and Bank Street.
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3. INTRODUCTION AND BACKGROUND

- 3.1 The current arrangement is that businesses do not need a licence, but do need to agree to the requirements set out by KCC. The requirements exist to protect all highway users, including those with mobility and visual impairments. Kent County Council as the Highway Authority promotes the free and safe passage of all users of the highway. The requirements follow the "Inclusive Mobility" guidance from the Department for Transport, which requires a minimum unobstructed footway width of 2.0m wherever possible, or 1.5m where fewer pedestrians are expected. Only one 'A' is permissible for each business.
- 3.2 A joint initiative has been set up collaboratively working with Maidstone Borough Council (MBC) and Kent County Council (KCC) to ensure that businesses follow the requirements set out by KCC as the highway authority.
- 3.3 The collaborative proposal is for KCC and MBC to jointly visit Week Street to tackle the obstructions issues using uniformed Enforcement Officers and Highway Stewards. The officers will visit premises displaying 'A' Boards and deploy a 'soft' approach to encourage businesses to display their boards in accordance with the KCC guidance policy.
- 3.4 A joint enforcement day took place on Thursday 8 June in advance of the increase in footfall as a result of tourism and good weather.
- 3.5 Businesses were encouraged to consider other alternatives such as:
- externally mounted boards
 - hanging signs
 - externally mounted display boxes
 - additional signage in the shop front
- 3.6 Local Authorities can act on behalf of KCC in relation to powers available to Local Authorities under the Highways Act 1980 (the 'Act'). Maidstone Borough Council is permitted to consider prosecution under Section 137 & 137A of the Highways Act 1980. This section of legislation would also confer the powers to take action under Section 132 of the 'Act' – relating to

illegal advertising on the highway. A delegated authority would not be required.

- 3.7 Of the 115 enforcement notices served, we have had a 23% return on signed agreements. The businesses were given 28 days to respond. We will be chasing the remainder to ensure compliance.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATION

- 4.1 The enforcement will be followed up by Maidstone Borough Council officers under powers devolved under the Highways Act 1980 – see point 3.6 above.

Should Kent County Council wish to tackle the more prolific offenders around the County, under Section 101(1), (b) of the Local Government Act 1972, KCC could request permission to prosecute under the Town & Country Planning Act.

5. REPORT APPENDICES

- 5.1 None

6. BACKGROUND PAPERS

- 6.1 None