

Report to P&E Committee 12-Aug-14

Report No. 1

Pavement Obstructions

1. Purpose of Report

To invite the Planning and Environment Committee to decide on an approach to dealing with pavement obstructions in the centre of town.

2. Background

- 2.1 The Malmesbury and District Conservation Group wrote to the Committee Chair on 4-July-14 expressing its concern over the "proliferation of A-boards, flower pots and other items placed by business owners on pavements" (letter attached). The Group urges the Town Council to discourage these and to ask Wiltshire Council to remove the worst examples. There is particular reference to removing items adjacent to the Market Cross which the Town Council owns.
- 2.2 The Town Council has received written complaints from members of the public regarding pavement obstructions in the street beside the Whole Hog public house
- 2.3 In order to obtain background information, the Committee Chair exchanged emails with Mr Paul Harris of Wiltshire Council Highways Enforcement and provided some illustrative photographs of A-boards / boards and pavement obstructions in the Market Cross area.
- 2.4 A summary / extracts of Mr Harris's reply is as follows:
 - (a) Wiltshire Council operates in accordance with their "Guidelines for A-boards" policy (attached) as modified by Cllr Thomson's Press Release (attached).
 - (b) "We would start with visits to all businesses with displays or boards out to issue our leaflet and give advice on how they can comply. Where there is non - compliance we follow up with letter notices and forced removal (rarely required)."
 - (c) "The signs on the monument [Market Cross] would not comply with our "no Remote boards" condition."
 - (d) Wiltshire Council require a written request from the Town Council to mount a "light touch" campaign so that if this approach is resisted and in the odd case formal action is required, they know that the town council will support them.
 - (e) Other obstructions to pavements are dealt with in a similar manner to A-boards.

3. Proposal

- 3.1 The Committee is invited to decide on a course of action with respect to A-boards, other boards and pavement obstructions. Particularly:
 - (a) Does the Committee recommend that action is taken regarding A-boards, other boards and pavement obstructions?

- (b) Should the Town Council contact businesses with notice of its intentions together with the Wiltshire Council guidance before writing to Wiltshire Council to ask their officers to take "light touch" action?
- (c) Is a public meeting with businesses required or is a personal approach to each business the best way forward?
- (d) Should businesses at the Market Cross be invited propose a feasible alternative place to display signs?
- (e) Is the Committee concerned about flower pots and other items of pavement obstruction?

3.2 The Committee is particularly invited to recommend a course of action to the Policy and Resources Committee in respect of the Market Cross, which that Committee oversees.

4. Financial Implications

4.1 None foreseen

5. Recommendation

5.1 That the Committee considers items 3.1 and 3.2 and agrees a way forward.

Cllr John Gundry, Chair, P&E
5-Aug-14

Malmesbury and District Conservation Group

c/o Malmesbury Town Council,
Town Hall,
Cross Hayes,
Malmesbury,
SN169BZ

4 July 2014

Chair
Planning & Environment Committee
Malmesbury Town Council
Town Hall
Cross Hayes
Malmesbury SN16 9BZ

Dear Councillor Gundry,

Conservation Area issues

Our Group is becoming increasingly concerned about the proliferation of A boards, flower pots and other items placed by business owners on pavements. In certain areas, such as Oxford Street, this creates an obstruction which creates danger for pedestrians, others, like those at the south of Cross Hayes, are not 'pretty' and then there are some in inappropriate places such as those around the Market Cross.

Whilst we appreciate some businesses feel it necessary to try to direct customers to their premises different methods more in keeping with the ambiance created by the Conservation Area should be employed. We would urge the Town Council to discourage the use of such devices and ask Wiltshire Council to enforce the removal of the worst examples. In addition your Council should ensure the removal of such items adjacent to the Market Cross which is owned by the Council.

At the top of Shipton Hill, Foundry Road the boundary wall of the Old Granary collapsed many months ago. Although the owner removed the fallen stones from the road no attempt has been made to repair the wall which makes further deterioration likely and presents an eyesore. Please consider asking Wiltshire Council to issue a notice under the Town and Country Planning Act section 215 to remedy this.

We look forward to hearing from you.

Yours sincerely,



Charles Vernon
Chairman

Members: Malmesbury Town Council, St. Paul Malmesbury Without Parish Council. Malmesbury Area Board, Malmesbury Civic Trust, Malmesbury & St. Paul Without Residents' Association, Malmesbury River Valleys Trust, Malmesbury & District Chamber of Commerce, Friends of Athelstan Museum, Friends of Malmesbury Abbey, Malmesbury Area Path Watch and the Malmesbury Tree Warden.

How will the new guidance be monitored?

Officers will visit any business where it is thought that advice for display of an A-board is necessary.

Issuing continued warnings however would not be cost effective and unfair to those who comply with the guidance from the start. It may be necessary for the council to remove some boards or take further legal action, where businesses continue to place their displays in an unreasonable, dangerous or obstructive manner or not in line with the council guidelines for the use of A Boards.

Contacts

Enforcement

Email: environmentalenforcement1@wiltshire.gov.uk

Telephone: 0300 4560 100

Further advice and helpful points that the businesses should consider is available at: www.wiltshire.gov.uk

A-board placement Guidelines for A-boards



What is the new advice?

The council would expect free-standing signs to be:

- located to ensure there is an appropriate clear passage between the edge of the sign and the kerb, or any other obstruction such as a bollard or lamp column on the pavement or highway verge
- a moderate size that is appropriate to the location and does not obstruct road users visibility
- placed in a safe manner and maintained by the trader
- in position only during times when the business is open to the public
- a single sign for each business, located immediately adjacent to the relevant business premises.
- in a condition that is not detrimental to the local environment.

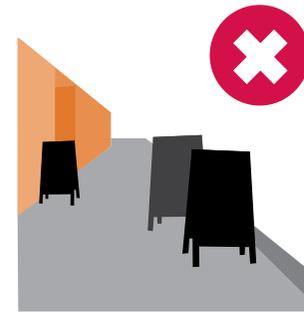
Businesses must be aware that they are solely responsible for any injury to a person or damage done to their property by an A-board.

There should always be reasonable space between the board and the kerb so that families can walk side by side and disabled persons can pass easily.

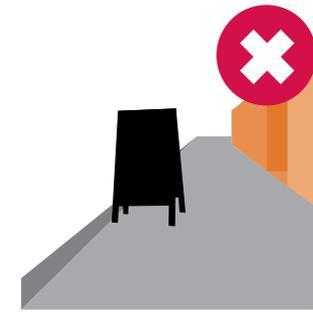


Examples of poor placement of A-boards

More than one



Not against shop front



Pavement too narrow

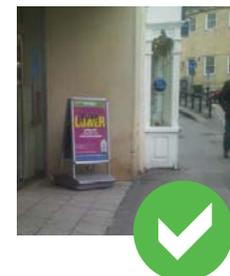


Suitable alternatives to A-boards

The council would always advise businesses to try alternative forms of advertisement instead of placing sign on the pavement. These might be by placing the signs on walls, in windows or hanging them over the shop front in the traditional manner.

A hanging sign achieves the aim of showing the customer where the business is better, without blocking the pavement.

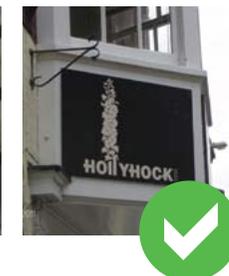
Off pavement



Hanging board



Wall mounted



Window display



CLLR JOHN THOMSON PRESS RELEASE

Highway furniture regulations reviewed to help traders

Monday 01 July 2013

Area: All areas

Local traders are being encouraged to promote their business responsibly following a review which has opted to relax regulations regarding street furniture.

Wiltshire councillors and officers decided to avoid regulations with the condition that anything businesses place on the highway is done in a sensible manner without creating a risk for other users of pavements and footpaths.

Local councils can regulate and charge for placing street furniture including A Boards and tables and chairs on pavements outside businesses.

Traders are being encouraged to speak to council highways officers who can give guidance, advice and practical help to businesses wishing to promote their business in this way.

John Thomson, cabinet member with responsibility for highways and transport, said:

“Over burdening local business with a bureaucratic unnecessary process is not the right thing to do, and we want to make it as easy as possible for local businesses to do well in Wiltshire.

“We do however expect businesses to act responsibly and ensure that everyone, including those with disabilities, is able to use the footpaths and pavements safely and without risk.”

For more information please contact the council’s highways enforcement team on 01225 713356.