

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY, 15 OCTOBER 2013**

REPORT BY: **DIRECTOR OF ENVIRONMENT**

SUBJECT: **POLICY FOR THE PLACEMENT OF HIGHWAY
STREET FURNITURE AND OTHER TEMPORARY
OBSTRUCTIONS ON THE ADOPTED HIGHWAY**

1.00 PURPOSE OF REPORT

1.01 To seek Cabinet approval to adopt a Policy defining the type of street furniture which can be approved for use on the Adopted Highway to ensure a co-ordinated and consistent approach throughout the County

2.00 BACKGROUND

Street Furniture

2.01 Street furniture can be any item placed on the Adopted Highway for the benefit of the highway user and can include litter bins, seats, flower containers, advertisements, etc.

2.02 Whilst the majority of street furniture is owned and the responsibility of Flintshire County Council, other organisations may request items to be placed on the highway. In such cases the promoter must seek the Council's prior approval for the placement and unless a prior agreement for maintenance is made, the promoter will become responsible for the future maintenance of the item. This applies to Community Councils who may wish to place flower containers, seats or litter bins etc. within their community for the benefit of the residents there.

2.03 It is important that street furniture does not impact on the safety of the highway user and consideration for disabled and visually impaired highway users should be taken into account before approval is granted. There are however occasions when street furniture, such as safety guardrails, have to be erected to ensure the safety of all highway users, e.g. at school entrances or on extremely busy roads.

Obstructions on the Public Highway

2.04 Each year the Council receives numerous applications to place temporary obstructions on the public highway. This includes

requests to place skips, scaffolding, hoardings and building equipment/material on either the footway or carriageway.

- 2.05 In addition, many businesses place advertising signs on street furniture or directly onto the footpath in the form of 'A' boards. Without a formal approval process, these signs can often become a danger to the highway user by either creating a trip hazard, by restricting visibility or diverting the attention of drivers at busy junctions etc.
- 2.06 Each year the Council is required to remove unapproved obstructions from the public highway, e.g. advertisement boards. Without clear guidance and policy, this often creates uncertainty and confusion for staff and the owners of the obstructions.
- 2.07 The adoption of a clear policy for the placement of street furniture and temporary obstructions will ensure that Flintshire County Council complies with the statutory requirements of both the Highways Act 1980 and the Town and Country Planning (Control of Advertisement) Regulations 1994. This will maximise the operational efficiency and safety of the Highway Network and ensure a fair and consistent approach across the County for the provision of street furniture and for controlling and approving advertisements and all other materials placed on the Adopted Highway.

3.00 CONSIDERATIONS

- 3.01 The report was presented to the Environment Overview and Scrutiny Committee meeting on Wednesday 9th October 2013. Members were supportive of the Policy and resolved to recommend it to Cabinet for approval, subject to the following two comments which have been addressed in the report:

1. Changes to the notification prior to the removal of 'A' boards
2. Delegated powers for the Director of Environment to set criteria for the placement of temporary obstructions

Street Furniture

- 3.02 The Highway Network in Flintshire consists of 1,161 km of carriageway and approximately 938 km of footways. There are approx 6,000 signs and an unrecorded number of other items of street furniture i.e. seats and benches on the network.
- 3.03 As the network grows and maintenance budgets come under pressure, it is important that signage and street furniture are of a consistently high standard, requiring minimal maintenance. All signs must be bi-lingual and approved in accordance with the Council's Corporate Welsh Language Policy.

- 3.04 The maintenance of all Council owned street furniture is the responsibility of Streetscene within the Environment Directorate. The cost of replacing some items of bespoke street furniture installed and originally funded by external sources can be significant.
- 3.05 **Appendix 1** defines the approval process which should be followed before any item of street furniture can be installed on the Adopted Highway. It also defines the designated service area that will approve the addition to the Network
- 3.06 The Policy for the removal of any unauthorised Street Furniture is detailed in the Council's Environment Enforcement Policy (see separate agenda item)

Obstructions on the Public Highway

- 3.07 There are on average each year:-

Applications to place skips on the network.	250
Applications to place scaffolding on the network	60
Applications to place building material on the network	Not currently required to apply
Applications to place hoardings on the network.	2

- 3.08 The policy and approval/charging arrangement for all applications to place obstructions or advertisements on the Adopted Highway Network are shown in **Appendix 2**.
- 3.09 Authority to remove objects deemed to be causing an obstruction on the Highway is provided by the Highways Act 1980 and the Council's approach to removing the items is detailed in the Council's Environment Enforcement Policy and **Appendix 3**

4.00 RECOMMENDATIONS

- 4.01 That Cabinet approve the Policy for the Placement of street furniture on the Adopted Highway Network, as set out in the report.
- 4.02 To delegate authority to the Director of Environment to determine all requests and actions under the attached policies.
- 4.03 To delegate authority to the Director of Environment to produce defined criteria for the placement of temporary obstructions on the highway.

5.00 FINANCIAL IMPLICATIONS

- 5.01 There are no financial implications from this report. The income from the existing licences is incorporated into the budget allocation within the Environment Directorate
- 5.02 Appendix 2 compares the Council's charges against neighbouring authorities, where available.

6.00 ANTI POVERTY IMPACT

- 6.01 Not Applicable

7.00 ENVIRONMENTAL IMPACT

- 7.01 The policy will reduce the quantity of unauthorised signs and ensure a consistent standard for street furniture on the Public Highway.

8.00 EQUALITIES IMPACT

- 8.01 A desk top equalities impact assessment has been completed and confirmed that the policy in general is designed to meet the needs of all groups. Further consultation is required for individual applications in respect of the specification for seats and benches and the location of 'A' frame advertisement boards.

9.00 PERSONNEL IMPLICATIONS

- 9.01 Approval for the placement of street furniture and other obstructions on the Network will be undertaken by existing staff from the Streetscene service or the Assets Team within the Environment Directorate - as detailed in the Appendices

10.00 CONSULTATION REQUIRED

- 10.01 None

11.00 CONSULTATION UNDERTAKEN

- 11.01 With Cabinet Member

12.00 APPENDICES

- 12.01 Appendix 1 - Policy for approving the placement of permanent street furniture on the Adopted Highway Network.
- 12.02 Appendix 2 - Policy for approving temporary obstruction of the Adopted Highway Network

- 12.03 Appendix 3 - Policy for removing unauthorised temporary obstruction of the Adopted Highway Network

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

None.

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