

Information Paper to the Joint Transportation Board – item agenda meeting - **Tuesday 21 March 2017** - presented by Susan Laporte, District Manager, Maidstone, KCC

‘A’ boards on the public highway – specifically in Week Street, Maidstone

This item was raised as an item by the One Maidstone Street Scene Group following obstruction complaints by members of the public.

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.

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.

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.

This will take place during early summer in advance of the increase in footfall as a result of tourism and good weather.

Businesses may be encouraged to consider other alternatives such as:

- externally mounted boards
- hanging signs
- externally mounted display boxes
- additional signage in the shop front

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.

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.