

EXECUTIVE DECISION RECORD

REF No 403.22

A1 Service Area	Regulatory Services
A2 Title	A-Board Code of Practice
A3 Decision Taken By	Deputy Leader
A4 Chief Officer	Please print name: Mark Rizk Please sign name: Approval by email 160322
A5 Leader / Deputy Leader	Please print name: Cllr B Peters Please sign name: Approval by email 160322
A6 Date of Decision	16 th March 2022

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to? *(Please tick as appropriate)* ✓

Scrutiny (Audit & Value for Money Council Services) Committee

Scrutiny (Community Regeneration, Environment and Health and Well Being)

Committee ✓

B1 What is the Decision?

To adopt the A-Board Code of Practice

B2 What are the reasons for the Decision?

Advertising Boards ('A' Boards) displayed on the public highway can create problems for users of the highway, including those with mobility difficulties, those who are visually impaired, wheelchair and mobility scooter users as well as those with pushchairs and prams. They can also have an adverse effect on the areas streets and shops, appear unsightly and contribute towards a cluttered street scene.

East Staffordshire Borough Council supports local businesses and recognises the benefits that advertisements brings to the business.

Therefore we are introducing an 'A' Board Code of Practice to ensure that whilst businesses still benefit from advertising, permitted 'A' Boards are standardised and part of a safer street scene managed through the introduction of a Code of Practice.

Following a discussion with Staffordshire County Council, it was agreed that East Staffordshire Borough Council would seek to introduce a Code of Practice to regulate and standardise the use of 'A' Boards in Burton and Uttoxeter town centres. This is based on Staffordshire County Councils Commercial Obstructions Policy.

An assessment was carried out by Enforcement Officers who visited both the town centres of Burton and Uttoxeter. Numerous 'A' Boards were seen to be displayed throughout both towns.

We propose that initially the A-Board Code of Practice should be adopted in High Street, Station Street, Union Street and New Street in Burton upon Trent and the Market Place, Queen Street and High Street in Uttoxeter as these were the main areas identified where the largest concentration of A-Boards were displayed.

We propose that any one business is permitted to display one A-Board with the exception of where a business has two entrances on two streets given that the A-Board complies with the standards set.

East Staffordshire Borough Council, along with colleagues from Staffordshire County Council will be responsible for investigating complaints in respect of A-Boards.

Businesses would be expected to be compliant with the dimensions, design and construction aspect of the A-Board Code of Practice by 31st January 2023.

A notification and comment period ran from 26th January 2022 to 7th February 2022. Businesses

	in the affected areas, shopping centres and the RNIB were contacted with the proposals.
B3 What are the contributions to Corporate Priorities?	Environment, Health and Well being
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	There are no financial issues arising from this decision.
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Revenue	2021/22	2022/23	2023/24
N/A			

Capital	2021/22	2022/23	2023/24
N/A			

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: Anya Murray Please sign name: Approval by email 150322
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	NA
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	No
B7.2 Has it got the appropriate approvals under those provisions?	NA

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): NA
B8.2 Negative (Threats): NA
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.
B8.4 [The equality impact assessment identified the following actions to be carried out:] NA

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): <ul style="list-style-type: none">• Enhancement of the street scene environment• Removal of highway obstruction• Strikes a balance between public access and the needs of businesses.
B9.2 Negative (Threats): <ul style="list-style-type: none">• Conditions such as the allowance of a single A-board and standardisations of the permitted size and style could result in an additional expenditure to businesses having to purchase new boards where the originals do not fit within the requirements but where they wish to benefit from advertising in this manner.• The current proposal does not cover the whole Borough.
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:
B10.1 There are no significant legal issues arising from this decision: <ul style="list-style-type: none">• The proposed A Board Code of Practice mirrors the County Council's Policy and is intended to provide consistency throughout the County.• The proposed Policy is considered to be fair and reasonable and seeks to strike a fair balance between the interests of all users of the highway.• The draft Policy concerns the interplay of various pieces of legislation and regulation, as set-out in the County Council's Policy.• Management of the Policy will rest with the Council, but the County Council will be responsible for any enforcement action.
This section has been approved by the following member of the Legal Team
Please print name: Glen McKusker
Please sign name: Approval by email 150322

Sustainability Implications

B11 What are the Sustainability implications:
B11.1 The proposal [would/would not] result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes). NA
B11.2 Positive (Opportunities/Benefits): NA
B11.3 Negative (Threats): NA

Health & Safety Implications

B12 What are the Health & Safety implications:
B12.1 [A Risk Assessment has been carried out and entered into Safety Media for all significant hazards and risks.] [A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.]
B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.]

B12 What are the Health & Safety implications:

B12.3 [Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. The positive/negative impacts are set out below]

B12.3.1 Positive (Benefits)
NA

B12.3.2 Negative (Threats)
NA

Key Decision

B13 Is this a Key Decision? No (*please delete as appropriate*)

Note: A Key Executive Decision is one where:

- 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000**
- 2. CAPITAL – Any capital project with a value in excess of £150,000**
- 3. A decision which significantly affects communities living or working in an area comprising two or more wards.**

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?

NA

B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?

NA

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk