

# Transport and Environment Committee

10.00 am, Thursday, 17 May 2018

## 'A' Boards and other Temporary on-street Advertising Structures

Item number	7.9
Report number	
Executive/routine	
Wards	
Council Commitments	<a href="#">C15</a> , <a href="#">C27</a>

### Executive Summary

---

On [21 March 2017](#), the Transport and Environment Committee approved a report instructing the Executive Director of Place to prepare a strategy for controlling advertising boards ('A' boards). The Committee concluded that a more strategic approach was needed over and above the current restrictions to prioritise safe movement and improve the quality of Edinburgh's streets.

Engagement has taken place with a range of organisations about the scope and deliverability of such a strategy, alongside wider public consultation. Links with other projects with a focus on reducing street clutter have also been established to ensure a holistic approach.

This report seeks approval for the proposed strategy which is for a citywide ban on all forms of temporary on-street advertising structures, not just 'A' Boards.

## 'A' Boards and other Temporary on-street Advertising Structures

### 1. Recommendations

---

- 1.1 It is recommended that the Transport and Environment Committee:
  - 1.1.1 notes the findings from the consultation and engagement exercise; and
  - 1.1.2 approves the proposed strategy and the measures required to be put in place to enable delivery of a citywide ban on all forms of temporary on-street advertising structures, not just 'A' Boards.

### 2. Background

---

- 2.1 The Council (as Roads Authority) is responsible for overseeing the safe operation of public roads and footways and has a duty to protect the rights of the public to use and enjoy them. The ability of pedestrians to move safely and confidently through the public realm is extremely important to people living, working and visiting the city.
- 2.2 Obstructions on or over public footways can interfere with their legitimate use for pedestrian movement, and create potential safety hazards irrespective of their width. Obstructions not covered by the permission of a specific permit or license (or by agreement with the Roads Authority) constitute an offence under Section 59 of the Roads (Scotland) Act 1984, and the Council has the power to remove them under this legislation.
- 2.3 The Planning Authority also has powers under The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) to seek consent for 'A' Boards and other advertising structures which are used for commercial purposes. However, because these items are generally removed at night, enforcement under the planning system is not practical. In addition, if a planning enforcement notice was deemed to be the appropriate course of action, the Council would have to serve a notice on itself as owner of the pavement. Consequently, the enforcement of 'A' Boards continues to be undertaken primarily by the Roads Authority.
- 2.4 In response to concerns raised regarding temporary on-street advertising structures, the Transport and Environment Committee approved a report instructing the Executive Director of Place to prepare, engage and consult on a strategy for controlling 'A' boards on 21<sup>st</sup> March 2017. It was agreed that a more strategic approach was needed, supported by a robust enforcement system, and that the

strategy needs to be consistent and fair. It was also agreed that the strategy should include clear guidance to support traders in exploring alternative ways to advertise and promote their businesses.

- 2.5 Whilst the March 2017 committee report specifically related to 'A' Boards, further assessment and engagement undertaken has confirmed that the scope of this strategy should include all forms of temporary on-street advertising structures. This includes items such as 'feather flags', adverts for businesses affixed to stationary bicycles and box signs. The proposed strategy set out in this report therefore covers all forms of temporary on-street advertising structures.

### 3. Main report

---

- 3.1 The Council is committed to protecting and enhancing the city's environment and economy. A number of the Council's Commitments recognise the positive impact that good quality public spaces have in contributing to the city's success as a place in which people want to live, work and visit. The minimisation of street clutter contributes to the creation of good quality public spaces.
- 3.2 Council Commitment [No. 27](#) specifically seeks the reduction of street clutter to improve accessibility. Stronger and more consistent control of obstructions such as temporary on-street advertising structures will make a significant contribution to meeting this Commitment.

#### **Policies, Strategies and Guidance**

- 3.3 The Council has approved policies, strategies and guidance which support the protection and enhancement of the public realm. Key citywide documents include Edinburgh's [Public Realm Strategy](#) (2009), the [Economic Strategy](#) (2018), the Edinburgh [Local Development Plan](#) (2016), the Edinburgh [Street Design Guidance](#) (2015), the [Local Transport Strategy](#) (2014), the Edinburgh [Design Guidance](#) (2017), and Planning [Guidance on Advertising, City Dressing and Sponsorship](#) (2013). Minimising street clutter is a key component in meeting the aims and objectives of these policies, strategies and guidance.
- 3.4 The current Guidance on Advertising, City Dressing and Sponsorship states that where permitted, 'A' Boards must be carefully located to avoid causing a hazard or obstruction to pedestrians. This guidance is currently under review. Proposed revisions will seek to align with the strategy on temporary on-street advertising structures once agreed.
- 3.5 The recently approved [Public Spaces Protocol](#) and other regulatory policies relating to the operation of public spaces focus on ensuring that the public realm is well managed and supports inclusive accessibility. The reduction of street clutter is a key part of this.
- 3.6 The recently approved [Locality Improvements Plans](#) (2017) set out priorities for the city in response to specific local circumstances, reflecting the views of communities

and partner organisations. Actions include the development of a programme of street de-cluttering to improve access for pedestrians.

- 3.7 Partner organisations such as Edinburgh World Heritage and Historic Environment Scotland also place the reduction of street clutter high on their agenda. One of the priorities set by the Edinburgh World Heritage Management Plan is to de-clutter the streets to ensure ease of pedestrian movement, aid visual order, maintenance and servicing.

### **Current Policy on 'A' Boards**

- 3.8 The Council's current policy relates to 'A' Boards only, and imposes a ban on the Royal Mile, Princes Street, Rose Street and Rose Street Lanes, with controls over siting and size elsewhere.
- 3.9 The ban on the Royal Mile, Princes Street, Rose Street and Rose Street Lanes streets was imposed in 2010 following concerns from residents living in the City Centre Neighbourhood Partnership area. In 2014 it was agreed to continue with the ban on these streets given its initial success.
- 3.10 Despite the policy having been in place for a number of years there has been an increasing lack of adherence to it. This has led to confusion about the nature of the restrictions, where they apply and, as a result, explanation and enforcement of the policy by the Council has been challenging. Many businesses and business representatives feel that a clearer more consistent approach is needed so that there is a 'level playing field' for all businesses.
- 3.11 Appendix 1 contains the Council's current 'A' Boards policy.

### **Need for Stronger Controls on Temporary On-Street Advertising Structures**

- 3.12 Over the years, concerns have been raised by the public and organisations including community councils, Living Streets, The Royal National Institute of Blind People (RNIB) and the Edinburgh Access Panel about the adverse impact that temporary on-street advertising structures have on pedestrian safety and access.
- 3.13 These concerns have come through a number of channels, including:
- 3.13.1 Input gathered from communities through engagement exercises such as the development of Locality Improvement Plans;
  - 3.13.2 Issues raised at community council meetings;
  - 3.13.3 Findings supporting studies undertaken to inform guidance such as the Town Centre Supplementary Guidance 'Public Life Street Assessments';
  - 3.13.4 Various correspondence including complaints to the Council via emails, letters and phone calls;
  - 3.13.5 'Street Audit' findings undertaken by Living Streets; and
  - 3.13.6 Testimonials from members of organisations including the RNIB and the Edinburgh Access Panel.

- 3.14 Whilst all pedestrians are impacted by the placement of temporary on-street advertising structures on pavements, particular concerns have been raised by people with disabilities especially those with sight impairments and mobility difficulties such as wheelchair users. The elderly and people with pushchairs can also find navigating streets particularly challenging. These concerns increase further on, but are not limited to, narrower and busier streets, where many describe moving along pavements with advertising structures on them to be similar to traversing an obstacle course. Concerns have also been raised that some structures restrict visibility for pedestrians and drivers causing further safety concerns.
- 3.15 One of the key concerns for visually impaired people about temporary on-street advertising structures which are not comparable to fixed items such as bollards, road signs and bus shelters, is that their positions can change from day to day, thereby creating an unpredictable situation. The risks of tripping and falling over these items are therefore greater, and this risk is greatest for visually impaired people some of whom rely on memory to navigate the public realm. The lightweight portable nature of the majority of these structures also raises serious safety issues in windy weather. In some instances, the level of obstruction caused by the placement of these structures force pedestrians to step into the road, which creates additional safety implications.
- 3.16 Safety concerns have also been raised by the Council's Public Safety section and Police Scotland Operation Planning and Counter Terrorism. These concerns primarily relate to pedestrian safety at mass gatherings, where advertising structures contribute to restricting crowd movement potentially causing injury through collision or trips. Significant concerns also relate to the risk that structures could be used to conceal terrorism-related devices, particularly the enclosed tour board box-style signs which tend to be focused along the Royal Mile.
- 3.17 In addition, concerns have been raised by the public and organisations including Edinburgh World Heritage and Historic Environment Scotland about the detrimental visual impact that these structures have on the city's streets. These concerns particularly relate to, but are not limited to, sensitive historic areas including the Edinburgh World Heritage Site. Cumulatively, these structures can significantly detract from the appearance of the city's streets, where the emphasis should be about the quality of the public realm along with the character of the buildings and the uses within them.
- 3.18 The nature and quantity of concerns raised confirm that the scale of the problem is significant and requires action.
- 3.19 Ultimately, the Council is responsible for the city's streets and has a duty to ensure that everyone regardless of their circumstance, is able to use and enjoy them with confidence. Whilst the Council recognises that businesses have concerns about stricter controls on temporary on-street advertising, the pavements are a public resource and their effective use by the public is therefore the Council's highest priority.

## Consultation and Engagement

- 3.20 In order to explore the issues surrounding temporary on-street advertising structures in more detail, a workshop was held with key stakeholders in November 2017. Attendees included representatives from Living Streets, Traders Associations, the Royal National Institute of Blind People (RNIB), the Edinburgh Access Panel, Business Improvement Districts (BIDs), and various community councils.
- 3.21 Workshop attendees all agreed that the city's pavements should be as safe and accessible as possible, and many felt strongly that minimising temporary on-street advertising would make a significant contribution to achieving this. Attendees also agreed that if the Council is to implement stricter controls, the message needs to be clear, evidence-based and supported by a robust enforcement system. Some attendees also agreed that removing temporary on-street advertising structures would have a positive impact on businesses because pedestrian flow and footfall would be less restricted.
- 3.22 Attendees were keen to understand what the Council is doing to reduce other forms of street clutter, and emphasised that a holistic approach is required to tackle forms of street clutter. A number of attendees were concerned about the impact that stricter controls would have on attracting trade.
- 3.23 In February 2018, a meeting was held with business representatives from the Federation of Small Businesses, the BIDs and the Council's Business Gateway service to further explore the potential impacts for businesses if stricter controls are implemented. The group discussed ways in which the Council could improve their engagement with businesses and that guidance on appropriate forms of advertising would be beneficial.
- 3.24 The business representatives confirmed that they were supportive of the creation of safer and more accessible streets. However, they were concerned about the potential loss of trade for businesses if a ban were to be introduced and enforced. They also emphasised that a holistic approach to decluttering the city's streets is needed rather than focusing solely on temporary on-street advertising structures, as this would be a much fairer and effective approach.
- 3.25 The Federation of Small Businesses has engaged with their members since the meeting in February to gain views on the prospect of stricter controls. It has also discussed the matter with RNIB to better understand their perspective. A Briefing Paper was prepared following this engagement which acknowledged that many local businesses are sympathetic to the goal of decluttering Edinburgh's streets. However, views were reiterated that whilst on-street advertising contributed to street clutter it was not the sole culprit, and any serious attempt to reduce it must be done holistically.
- 3.26 The Briefing Paper stated that responsible use of advertising structures provides a vital service to businesses, and stricter controls will place additional burdens on them particularly in areas where business face disruption such as those along the proposed tram extension route. The Briefing Paper concluded that continued

engagement with businesses is crucial and any associated guidance needs to be as supportive as possible. The Briefing Paper also recommended that an audit of advertising structures in the city should be undertaken, and that enforcement of the chosen strategy must be fair and consistent.

- 3.27 In March 2018, focused public consultation was undertaken around the prospect of stricter controls on temporary on-street advertising structures. Letters were sent to all businesses across the city which contained a link to an online questionnaire, and various social media platforms were also used to gather views.
- 3.28 498 people completed the questionnaire and 52 people commented on the Council's Twitter and LinkedIn pages and by email. 226 respondents confirmed support for a citywide ban, and 188 respondents confirmed that they did not support a citywide ban. Various suggestions were also made alternative methods of control, such as partial bans only on narrow streets or within historic areas, and some felt that the current policy should be retained. A summary of the comments made on the prospect of stricter controls are set out in Appendix 2.
- 3.29 The questionnaire also asked what the Council could do to help support and promote businesses should stricter controls be implemented. Suggestions included the provision of clear guidance on permitted forms of advertising and suggestions for alternative proposals for signage for hard to reach businesses.

### **Options for Controlling Temporary On-Street Advertising Structures**

- 3.30 Various options have been explored since the March 2017 Committee to determine the most effective strategy for controlling temporary on-street advertisements. The options were as follows:
- 3.30.1 Option 1: Retain the existing policy and amend it to cover all forms of temporary on-street advertising structures;
- 3.30.2 Option 2: Extend the partial ban to key areas, with restrictions elsewhere; or
- 3.30.3 Option 3: A complete citywide ban.
- 3.31 The options were assessed against key criteria to establish whether they would:
- 3.31.1 Significantly contribute to improving pedestrian safety and accessibility;
- 3.31.2 Significantly contribute to improving the appearance of the city's streets;
- 3.31.3 Significantly contribute to delivering the relevant Council Commitments, policies, strategies, and guidance;
- 3.31.4 Be clearly understood;
- 3.31.5 Be fair to all businesses; and
- 3.31.6 Be sustainably enforceable, taking account of available resources.

#### **Option 1: Retain the existing policy and amend it to cover all forms of temporary on-street advertising structures**

- 3.32 This option would not make any significant contribution to ensuring that pavements were less cluttered, and as a result, it would not make any significant improvements

to pedestrian safety and accessibility, or visual amenity. This option would not make any significant progress towards delivering the requirements of the relevant Council Commitments, policies, strategies and guidance.

- 3.33 In addition, this option would not resolve the challenges outlined with the current policy such as confusion about what controls are expected where, and that controls unfairly prejudice certain streets and do not create a 'level playing field' for all businesses. All these factors have led to a lack of compliance by some businesses and a challenging task in terms of enforcement.
- 3.34 Whilst it is acknowledged that a programme of awareness building could be initiated to remind businesses about the requirements of the current policy to tackle any current confusion, this would still not resolve the overall need to implement a strategy which can make significant improvements to pedestrian safety and accessibility, and to visual amenity.

#### Option 2: Extend the partial ban to key areas with restrictions elsewhere

- 3.35 Various areas where the ban might be extended were explored. These areas included the World Heritage Site, designated city and town centres, and designated city, town and local centres (centres as defined by the Local Development Plan).
- 3.36 Whilst it seems logical to concentrate on areas of visual/historic sensitivity and/or areas of higher footfall such as designated shopping areas, this would not resolve confusion about where certain restrictions start and end, and would still remove the possibility to create a 'level playing field', as with Option 1.

#### Option 3: Complete citywide ban

- 3.37 A citywide ban would make a significant contribution to improving the pedestrian safety and accessibility and visual amenity of a large proportion of the city's streets across the whole Council area. A citywide ban would therefore make a significant contribution to resolving the concerns raised and delivering relevant Council Commitments, policies, strategies and guidance relating to minimising street clutter.
- 3.38 This approach represents the clearest way to control temporary on-street advertising and would resolve ongoing confusion over what is allowed where. It would also be fair, resulting in a 'level playing field' for all businesses, ensuring that the same rules apply for all.
- 3.39 The enforcement of a citywide ban would be less complicated, more sustainable and would remove any potential dubiety about whether an advertisement meets siting or size restrictions.
- 3.40 The proposed strategy is therefore for a citywide ban on all temporary on-street advertising structures.

#### **Implementation of the Strategy**

- 3.41 The implementation of a citywide ban on all temporary on-street advertising structures will require a careful and phased approach. Sufficient time will be required to allow businesses to explore alternative ways to advertise their

businesses before the ban comes into place. The Council is committed to supporting businesses through this process.

#### Timing and Communication

- 3.42 Communication to inform businesses of the decision will be undertaken as soon as possible after the committee meeting.
- 3.43 Communication will involve letters to businesses, social media updates and a drop-in event which will allow people to discuss any concerns and alternative advertising strategies. The event has the potential to provide information on related business topics such as training on the use of social media and to involve external organisations such as the Federation of Small Businesses.
- 3.44 In addition to the initial communication and drop-in event following Committee's decision, a one-stop-shop webpage will be created to provide information and links to relevant guidance to respond to questions about the various types of advertising that business can undertake. This tool will be particularly useful for premises which are listed or within conservation areas where tighter restrictions exist. However, this will not remove the need to assess proposals individually as part of the Planning process, where consent is required.
- 3.45 It is proposed that the ban should not come into place until late autumn 2018 - after this year's summer Festival where there will be many diverse temporary structures in the city's streets. The Festival is an exceptional period in the city's events calendar, and many relaxations to restrictions operate during this time.
- 3.46 The implementation of the ban in late autumn 2018 would give businesses a reasonable timeframe to develop alternative strategies if required. The ban would also therefore be in place for the busy Christmas period.

### Enforcement

- 3.47 Enforcement of the ban will require a dedicated team for the first 12-18 months to ensure awareness and compliance, and the team would cover the city on a phased area-by-area basis. This approach is comparable with the enforcement model agreed for the Trade Waste project which was considered to be extremely effective.
- 3.48 Where a breach has been identified, the team would engage with the business in the first instance to seek compliance before taking enforcement action. Enforcement action would then consist of removing the offending item(s) and storing them in a secure location, then issuing an invoice to the business to recover costs with the allowance of 21 days for the item(s) to be recovered. If the item(s) is not recovered within 21 days it would be discarded.
- 3.49 A more efficient system is currently being explored by the Council's Legal service, where the team could issue on-the-spot Fixed Penalty Notices (FPN) which would eliminate the need to remove, store and dispose of items. However, legislation does not currently enable the use of FPNs for this purpose, and a byelaw or a change to primary legislation would be required. This process will take time and it is unlikely to be in place before late autumn, however it is worthwhile pursuing for the longer term due to the efficiencies it would create.
- 3.50 The enforcement of the ban after the initial 12-18 month period will be reviewed and tailored to suit requirements within existing resources.

### Challenges and Opportunities

- 3.51 The Council is committed to working with businesses who have concerns about the impact that a ban on temporary on-street advertising will have on their viability, and will explore alternative advertisement methods with them. The Council's Business Gateway service also provides advice and training for businesses, including matters related to business growth and promotion.
- 3.52 The Council is extremely sympathetic to businesses which are hard to reach, such as those located down closes and within basements. Walking tour businesses also face challenges in that they generally do not have premises close to their meeting points. Bespoke advertising solutions will therefore be explored with these kind of businesses. Options in historic areas or on listed buildings will need to respect the sensitivities of these locations.
- 3.53 Businesses fronting streets which are undergoing regeneration or periods of change such as those impacted by tram works also face challenges in drawing customers into their premises. Opportunities to enhance the advertising for these premises, such as placing them on construction hoardings, will be explored as required.

### **Requirement for a Holistic Approach to Minimising Street Clutter**

- 3.54 Whilst this report focuses on temporary on-street advertising structures, it is acknowledged that there are many other items in the street such as signage, bollards, bins and bus stops which constitute clutter.

- 3.55 Minimising street clutter requires a holistic approach across all Council services and progress continues to be made in delivering improvements across the city. However, a balanced approach is also needed where infrastructure is required to ensure safety, provide a service or information, or direct movement.
- 3.56 The approval of new technical factsheets in December 2017 associated with the Edinburgh Street Design Guidance represents a positive step forward in the Council's commitment to minimising street clutter. The aim of these factsheets is to guide services involved in street management and design in delivering consistent and joined-up solutions across the city. The 'Minimising Street Clutter' factsheet is particularly relevant and tackles signage, road markings, surface materials and street furniture including bollards, planters, cycle racks, lighting and bins, setting out ways in which items can be consolidated, reduced or removed. However it should be noted that the majority of action in connection with these new factsheets will be incremental as funding becomes available.
- 3.57 Recent de-cluttering projects include the implementation of the Council's new trade waste strategy, large scale public realm improvement projects such as the regeneration of Grassmarket, and the targeted removal of pedestrian guardrails within the city centre. In addition, the primary focus of the Central Edinburgh Transformation project is to make enhancements to streets and public spaces, and decluttering will be a critical element of this as the project progresses.
- 3.58 In terms of on-street advertising, the Council is in the process of installing a series of advertising drums across the city which will consolidate information about cultural and community events. One of the key reasons for the drums is to reduce the potential for illegal fly posting which was having a detrimental impact on the appearance of the city's streets. The suitability of each structure with regard to impacts on pedestrian movement, road safety and visual amenity is in the process of being fully assessed through the Planning process.
- 3.59 The Council uses lamppost wraps to share service information or for directional purposes for short periods of time. Whilst these wraps can create temporary visual clutter, they are an extremely effective way of sharing important messages about the Council's services. As such, their use is proposed to continue for the foreseeable future. Their impact on pedestrian movement is minimal given that they are wrapped around existing lighting columns. Specific locations and a design template for the wraps is in the process of being formalised to ensure a consistent approach across the city.
- 3.60 During the Edinburgh Fringe Festival in August, the city centre is temporarily transformed with signage and structures to support various events and shows. The Festival represents an extraordinary period in the city's events calendar, and as an internationally recognised event, it brings with it thousands of visitors which provide a significant boost to Edinburgh's economy. Having regard to this, there has been a long-standing acceptance that many of the restrictions that are in place throughout the rest of the year are relaxed. Notwithstanding this, the Council continues to work closely with signage and event organisers and reviews infrastructure each year to

ensure it meets with public safety requirements and respects particularly sensitive sites.

- 3.61 The Council is embarking on a new strategy for wayfinding across the city centre to provide welcome and orientation, promote walking and encourage wider exploration of the city. This project will result in the replacement, and, where possible, the consolidation of existing infrastructure. The use of existing street furniture is also being explored. Any new structures will be designed and sited to minimise impacts on pedestrian movement and visual amenity.
- 3.62 Continuing to link into projects managed by partner organisations, such as the Edinburgh World Heritage 'Twelve Closes' project, is also critical to ensuring that interventions deliver enhanced pedestrian environments. In addition, continuing to work closely with representative groups such as BIDs to create attractive pedestrian environments within which businesses can thrive and feel part of a recognised destination is also key.

#### **4. Measures of success**

---

- 4.1 Success will be measured by:
- 4.1.1 The removal of all individual business-related temporary on-street advertising structures placed on pavements and other public land;
  - 4.1.2 An improvement in the safety, accessibility and appearance of the city's streets; and
  - 4.1.3 A reduction in the concerns and complaints received about temporary on-street advertising structures.

#### **5. Financial impact**

---

- 5.1 Enforcement of the ban will require a dedicated team for the first 12-18 months to ensure awareness and compliance. Funding for at least two additional staff, equivalent to approximately £100,000 per year, has been approved to support this. This budget would also support the communication campaign costs and costs associated with vehicles / storage.

#### **6. Risk, policy, compliance and governance impact**

---

- 6.1 There is no adverse risk, policy, compliance or governance impact from this report.

#### **7. Equalities impact**

---

- 7.1 Improvements in the operation and management of streets will have a positive impact on all street users by enhancing the usability of streets. Streets are a public resource and this proposal actively seeks to protect their primary role for public use.

- 7.2 An Integrated Impact Assessment has been completed for this project. The proposal will have a positive impact on all population groups, with the greatest impact being on people with disabilities and mobility challenges including the elderly, partially sighted or blind people, and people with pushchairs.

## **8. Sustainability impact**

---

- 8.1 This project will have a positive impact on the City's resilience to climate change and carbon emissions as it will result in the enhancement of the pedestrian environment and will contribute to encouraging walking.

## **9. Consultation and engagement**

---

- 9.1 Engagement and consultation with various stakeholders and the wider public has been undertaken. Key elements included a stakeholder workshop, a meeting with business representatives and an online questionnaire. Internal engagement has also been held with various Council services. A summary of the outcomes of the engagement and consultation process is set out in section 3 of this report.

## **10. Background reading/external references**

---

- 10.1 [Transport and Environment Committee Report on 'A' Boards](#) (21st March 2017, Item 7.6).

**Paul Lawrence**

Executive Director of Place

Contact: David Leslie, Service Manager and Chief Planning Officer

E-mail: [david.leslie@edinburgh.gov.uk](mailto:david.leslie@edinburgh.gov.uk) | Tel: 0131 529 3948

## **11. Appendices**

---

**Appendix 1** Current 'A' Boards Policy

**Appendix 2** Results of Public Consultation



The Roads (Scotland) Act 1984 gives the City of Edinburgh Council as Roads Authority the legal power to control obstructions placed on public roads and footways. Such space is clearly limited and your co-operation in the following matters is accordingly appreciated. Further information on all these issues can be obtained by contacting the Roads Team within your Locality Office – call 0131 200 2000 and ask the operator to connect you to the office responsible for your area.

### **A-boards on Public Footways**

These guidelines apply to A-boards and similar objects which may be placed on a public highway for the purpose of advertising a business. Goods for sale on the public footway are not permitted. Other decorative objects can only be placed on the footway with the written consent of the Council.

- A-boards are not permitted on :-
  - Princes Street
  - The Royal Mile (or at the top of adjoining Closes)\*
  - Rose Street and Rose Street Lanes \*
- The Council, in its attempts to minimise street clutter and to provide safe and clear access for pedestrians, may continue to prohibit A-boards from other streets in the city as part of a local or city-wide approach. A consultation process will usually be carried out prior to any such changes.
- Only one A-board is permitted per premises.
- A-board sizes should not exceed 1.0 metres in height (From the top of the footway to the top of the board) and 0.75 metres in width.
- The A-board must be placed directly outside the frontage of the business, either against the building or adjacent to the kerb.
- At least 1.5 metres of footway width must remain clear for pedestrians at all times.
- If the premises hold a Tables and Chairs Permit, the A-board must be displayed within the area allocated for tables and chairs. A-boards are not permitted in tables and chairs areas on any of the streets listed above.
- A-boards must be kept clear of service ducts and access chambers. They should be free standing and not attached to items of street furniture or fixed to the footway.
- A-boards must be visible to the partially sighted and should not be placed on the footway during darkness or in the event of inclement weather, especially during windy conditions.
- In placing an A-board on the footway, Proprietors / Managers indemnify the Council against any claims which may arise in relation to this obstruction.

Please note that in all cases priority is given to pedestrians and the Council will use its authority to control obstructions and ensure that pedestrian access is maintained. If premises fail to respond to a request to reposition or remove an A-board, the A-board will be uplifted by the Council and the cost of doing so will be recovered from the business.

\*Royal Mile, Rose Street and Rose St Lane businesses allowed 1 x single sided board (per property) propped against building wall. The board size should not exceed 1.0m in height and 0.75m in width.

PTO



## **Display of Goods for Sale on Public Footways**

- It is an offence to display goods for sale on a public footway outside a shop; this includes the display of fruit and vegetables and clothing. The only exception is the display of newspapers, however written consent from the Council will be required for any display stand.
- You can be fined up to £1000 for this offence.
- If you are instructed to remove your goods from the public footway by a Council official or by a Police constable in uniform, you must do so immediately. Failure to comply will result in the goods being removed and the trader will be charged for all associated costs.

## **Trade Waste Bins on the Public Road**

- Trade Waste bins should not be placed on the public footway or carriageway without the consent of the Council. It is the responsibility of owners of premises to ensure that they have provision for off road storage of trade waste and consent will not normally be given.
- It is only acceptable to put bins out on the day of collection / emptying.
- If a business does not have sufficient space for storage within their premises, they should seek an alternative, smaller bin from their supplier. In some premises, hygiene regulations prohibit the use of certain types of bin from being stored internally. In these cases, the Food Hygiene service will be happy to advise on alternative forms of storage which will be acceptable.

## **Tables and Chairs on the Public Footway**

Tables and chairs should not be placed on the public footway without the consent of the Council. Applications for consent can be obtained from Road Services on 0131 529 3705 or at [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) .

- Tables and chairs are not permitted on Princes Street.
- The approved area to be used for tables and chairs will be defined on a drawing with clear dimensions. The business will be responsible for ensuring that customers do not sit outwith that area and that tables and chairs are not placed on the footway outwith the approved hours.
- Any A-board or other approved advertising material must be kept within the defined area.
- A-boards are not permitted in tables and chairs areas on any of the streets listed overleaf.
- Tables and chairs will not be permitted beyond the frontage of the premises, nor at locations remote from the frontage.
- Tables and Chairs must not be stored on the public footway out with the authorised times.
- If maintenance works are required in the area occupied by tables and chairs (eg. footway repairs, utility works, building development operations) then the tables and chairs must be removed for the duration of the works. No refund of the permit fee will be made.
- If there is any breach of the conditions attached to the approval, then the permit may be withdrawn and the tables and chairs may subsequently be removed by the Council

For and on behalf of the City of Edinburgh Council



Steven Cuthill  
Transport & Environment Manager – South East Locality



## Appendix 2

### Results of Public Consultation - Online Questionnaire, Emails and Social Media Comments

