

## Minutes of a meeting of the Health and Social Care Overview and Scrutiny Committee held on Thursday, 8 December 2016 at Committee Room 1 - City Hall, Bradford

Commenced      4.30 pm  
Concluded        6.35 pm

**Present – Councillors**

<b>CONSERVATIVE</b>	<b>LABOUR</b>	<b>LIBERAL DEMOCRAT</b>
<b>Gibbons</b> <b>Barker</b>	<b>Greenwood</b> <b>Bacon</b> <b>A Ahmed</b> <b>Nazir</b> <b>Sharp</b>	<b>Griffiths</b>

NON VOTING CO-OPTED MEMBERS

Susan Crowe  
Trevor Ramsay  
Jenny Scott

Strategic Disability Partnership  
Strategic Disability Partnership  
Older People's Partnership

Observers: Councillor Val Slater (Health and Wellbeing Portfolio Holder) and  
Councillor Dale Smith

Apologies: Councillor Lisa Carmody and Councillor Nicola Pollard

**Councillor Greenwood in the Chair**

**50.      DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.



**51. MINUTES**

**Resolved –**

**That the minutes of the meeting held on 6 October 2016 be signed as a correct record.**

**52. INSPECTION OF REPORTS AND BACKGROUND PAPERS**

There were no appeals submitted by the public to review decisions to restrict documents.

**53. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE**

No referrals had been submitted to the Committee.

**54. REVIEW OF THE 12 MONTH TRIAL BAN OF PAVEMENT OBSTRUCTIONS**

The Highways Services Manager presented **Document “U”** which provided an update on the effectiveness and practicality issues of the 12 month trial ban on pavement obstructions in Bradford City Centre, Saltaire, Ilkley and on A647 Leeds Road between Thornbury Gyratory and Bradford City Centre. The report also considered three petitions, two against and one in support of the ban, which had been received. Members were informed that following the implementation of the ban in January 2016, Council wardens had attended training sessions to increase their awareness of the difficulties faced by visually impaired people and find out how the ban would operate. The trial ban had commenced in the City Centre on 4 January 2016 and had then been rolled out to Ilkley, Saltaire and the Leeds Road corridor. The Highways Services Manager reported that enforcement visits had been undertaken during the past eleven months and any ‘A’ boards that had been present after being given a warning notice had been removed to Council depots for temporary storage. He explained that the Council wardens had undertaken an audit prior to the implementation of the ban and 120 ‘A’ boards had been found in the City Centre, 132 in Ilkley, 47 in Saltaire and 17 along the Leeds Road corridor. The first phase of the enforcement had resulted in a total of 42 ‘A’ boards being removed, 21% of those had been issued a notice in the City Centre and 70% on the Leeds Road corridor. The second phase had commenced in May 2016 where 69 notices had been issued and the subsequent enforcement had resulted in only 17 ‘A’ boards being removed from all locations. A total of 11 boards had been removed during the third and final phase demonstrating a high level of compliance in all areas, although it had been noted that as the trial was nearing the end of the 12 month period the number of boards which had been found had started to increase slightly.

The Highways Services Manager stated that one of the difficulties found with the trial had been the availability and accuracy of adopted highway records. He explained that the graphical information system (GIS) had not been available to wardens on patrol and the Council’s records had not been as accurate in Ilkley.



With regard to alternative advertising options, the Highways Services Manager reported that publications such as the Council's Shop Front Design Guide provided information on possible alternative approaches and details of how to access this guidance, amongst other sources, had been included in the letter circulated to businesses. He informed Members of an alternative scheme that was operated in Kirklees by a company called Instaplanta that provided advertising space via a fixed wooden planter. There was a small annual fee for businesses wishing to advertise on the facility but this covered the planting and maintenance for the year, so there was no cost to the Council.

Members were informed that the enforcement of the ban had not been equitably applied in the Saltaire World Heritage Site and that obstructions on the pavement were largely caused by chairs and tables. The Committee were also advised of the concerns raised by the World Heritage Site officer in that the trial ban area did not reflect the World Heritage Site boundary and there were other restrictions surrounding the World Heritage status.

In conclusion the Highways Services Manager confirmed that a great deal of positive feedback had been received from the trial and that the majority of the complaints received had been from businesses. He stated that it was an on going issue for all Councils and Bradford was endeavouring to find a solution.

Members then made the following comments:

- How many of the advertising boards that had been removed had been collected?
- Had mobile retailers been contacted and complied with the trial?
- 2.5 Full Time Equivalent members of staff would be required, but there was only 1 at present. Was this a financial decision?
- Had disabled people felt confident to move around freely?
- What was the difference between Leeds Road and Victoria Road, Saltaire?
- Only one business provided financial information. What efforts had been made to chase up traders or send reminders?
- The main issue was the 'A' boards and traders needed a solution or alternative advertising. Could some relaxation on the law be offered as a solution to persuade business to go down the alternative advertising route?
- Would there be an opportunity for alternative advertising on buildings?
- Were 'A' boards still permissible in Saltaire?
- 'A' boards sometimes advertised shops that were not located on main roads.
- Instaplantas were allowed to obstruct the highway in approved places. What was the difference between them and licensed 'A' boards?
- Other countries had upright direction poles.
- The number of contraventions had increased in the Bradford District and the Strategic Disability Partnership had been looking at the issue for the last two years. What assurances could be given to the Committee regarding repeat offenders?
- Where was the increase?
- The equitable nature of the ban raised concerns and there could be issues



in relation to the fairness of the boundaries.

- 'A' boards could be placed outside other business premises that they did not relate to.
- 'A' boards should not be able to be placed on a main road if the business premise was not located on it.

In response the Highways Services Manager confirmed that:

- None of the advertising boards that had been removed had been collected.
- The vast majority of traders had complied with the ban, however, it had not been possible to contact all the mobile traders.
- The benefits of the scheme had to be balanced against the costs.
- The trial areas had been defined and decisions would have to be made in relation to boundaries, which would have to cover problem areas. There would probably be a move away from main thoroughfare bans and these could be developed on a case by case basis.
- Council wardens were an available resource within the City Centre but not in the 'corridors'.
- The Council would ensure that businesses could not be identified via the accounts information and letters would be circulated to traders prior to the report being considered by the Executive.
- It was Government guidance and there were complexities in relation to World Heritage Sites.
- Advertising on buildings was an option but it could be subject to planning permission.
- It was not permissible to have anything attached to buildings in a World Heritage Site or on any listed building without the appropriate planning permission first being obtained.
- The width of the pavement governed whether 'A' boards were allowed in Saltaire.
- Instaplantas could be remote from the business and a licensed advertisement would have to be adjacent to it.
- There was a direction pole in Saltaire.
- The trial focussed on 'A' boards, however, some businesses displayed goods across the pavement and there were 'hot spots' in the District where this was happening. There had been a massive decrease in the number of 'A' boards and compliant businesses had submitted complaints against those that were not complying.
- Some businesses had not been aware of the ban and had been issued warnings.

A representative of Airedale and Bradford Out on a Limb was present at the meeting and stated that the priority set by the Highways Department did not help disabled people and there should be a total ban to ensure people could navigate Bradford safely.



A representative of Holmewood VIP Group addressed the Committee and stated that:

- Why was there not an 'A' board ban in Saltaire, as it was a World Heritage Site?
- One of the recommendations referred to the "formalisation of the ban within urban centres". Leeds Road was an 'urban' area and there should be areas where 'A' boards were banned.
- The Committee had the opportunity to ban 'A' boards.
- If businesses required free advertising then they shouldn't be in business.
- The original 'A' board rules stopped boards being placed on a different street to the business premises.
- The process would quickly become cost effective and improve Bradford.

A representative of Bradford Association of Visually Impaired People, Bradford and District Disabled People's Forum and Headway Bradford was present and informed the Committee that:

- It was difficult getting around Bradford.
- The idea of using planters was welcomed.
- Bus stops could be used for advertising.
- The street cleaners' hours were due to be cut, so the streets would be dirtier.
- Businesses that were helpful were frequented by visually impaired people and recommended to others, which was good advertising.

A representative of Bradford and District Disabled People's Forum addressed Members stating that it was accepted that equity and fairness was required for businesses and disabled people, however, the pavements were part of the public highway and 'A' boards hindered travel along them.

A representative of the Ilkley Business Forum was at the meeting and commented that:

- It was welcomed that businesses would be contacted.
- There were two sides to every story and businesses had sympathy with disabled people.
- It was difficult to run a small business.
- 'A' boards were an inexpensive form of advertising.
- Other methods of advertising were required to attract customers if a business was located down a side street.
- Businesses had seen a drop in trade since the start of the ban.
- It seemed ironic to replace 'A' boards with Instaplantas.

The Chair then questioned what communication had taken place with businesses in relation to the submission of financial information as evidence and the Highways Services Manager confirmed that a letter had been circulated.



A representative of the Saltaire Shopkeepers was also present at the meeting and reported that:

- The main plight of businesses in Saltaire was that they were not attracting passing traffic as there were no signs.
- Saltaire was a World Heritage Site, so signs could not be just erected.
- It was agreed that some boards were not placed in suitable locations.
- Trade had dropped due to the loss of the 'A' boards.
- Visible signs for passing trade were required.
- Signs were required to let people know that shops were there.

In light of some of the comments made, a Member stated that the loss of trade from new people would be an issue and that advertising was required in a central area that stated where the businesses were located. Another Member explained that she had been concerned in relation to the anonymity of a business if they had submitted financial information, however, businesses had not engaged with the Council and she believed that this had weakened their case. The loss of free advertising was acknowledged but social media could be utilised instead.

The Portfolio Holder for Health and Wellbeing reported that the Council had been looking at the issue for a number of years and there was an existing policy that stated 'A' boards could only be placed on a business' premises and not anywhere else. All relevant areas in the Council needed to work together in relation to the matter and ensure that there was a consistent approach to the issue. The Portfolio Holder stated that the option had to be extended to all other urban areas, such as Shipley, Bingley and Keighley, however, the definition of an 'urban area' would be required. In relation to pavement displays, it could be recommended that they be added to the policy and Members were informed that the recommendations would need to be specific.

During the discussion a Member indicated that a compromise was required that suited everyone and suggested that signposts were utilised. Members then queried whether the terminology 'urban area' or 'urban centre' should be used and it was proposed that consultation be undertaken by officers to provide a clear definition prior to the submission of the report to the Council's Executive. With regard to the Instaplanta scheme, Members requested that investigations into additional opportunities for advertising were undertaken.

#### **Resolved –**

##### **(1) That the Committee recommend to Executive that:**

- a) Following completion of the trial ban of advertising boards Executive approve the formalisation of the ban across all clearly defined urban centres of the district.**
- b) That opportunities for additional signposting in the District, including, for example the Instaplanta scheme, and possible measures to deal with other pavement obstructions be**



investigated by officers in conjunction with local businesses including those affected by the loss of advertising boards.

- c) A further approach is made to all businesses within the trial zones to seek information in relation to the impact of the ban on trading levels prior to Executive's consideration of the ultimate approach.

(2) That the Strategic Director, Regeneration contact the lead petitioners for the three petitions related to the trial ban to advise them of this Committee's recommendation to Executive.

***ACTION: Strategic Director, Regeneration***

**55. HEALTH AND SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17**

The Overview and Scrutiny Lead provided an update on the Committee's work programme 2016/17.

**Resolved –**

**That the Work Programme 2016/17 be noted.**

***ACTION: Overview and Scrutiny Lead***

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Health and Social Care Overview and Scrutiny Committee.**

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

