

Burnley 3 Tier Forum

17th November, 2014

A board removal and notices

The County Council has a duty to maintain a free flow of traffic (including pedestrians) on the highway (both carriageway and footway) network. The presence of objects on the highway may be an obstruction to the free flow of traffic and where a complaint is received it will be dealt with on its merits.

The enforcement procedure is set out in Sect 10 of the County Council's Code of Practice on the Control of the Placing of Items within the Highway, which makes provision for the County Council to determine priorities for enforcement based on availability of resources and the degree of obstruction/level of risk posed by the presence of A-boards.

Currently, action is taken where a complaint is received about an A-board that is obstructing a highway or where an A-board is observed by an officer to be obstructing the highway.

Where a complaint relates to the visual appearance or impact on the amenity of an area, the District Council can bring a prosecution in the Magistrates Court under Sect 224 of the Town & Country Planning Act 1990.

Where a complaint is received about the presence of an A-board, officers will visit the location. Generally, an A-board will be considered to be causing an obstruction where a pedestrian is unable to pass freely whilst carrying a shopping bag in each hand, or pushing a wheelchair or pram, or where accompanied by a guide dog. In this case action will be taken.

If it is considered to be causing an obstruction, the owner will be contacted informally and asked to remove the A-board. If the owner is unwilling to remove it then a letter will be sent advising that the A-board is causing an obstruction and should be removed.

If it is still not removed, a second letter will be sent advising that the A-board will be removed by the County Council and be held for collection and for which a storage charge would be made. If it is not collected by the owner within a reasonable period of time, (2 to 4 weeks), it will be disposed of.