

APPENDIX B

Scrutiny Report: Summary of Task and Finish Group

In October 2013, NHDC held a task and finish to look at highways issues including A Boards. The Task and Finish Group heard that there were long standing problems in parts of North Herts with advertising signs obstructing the highway, particularly in Hitchin.

The highways authority has a duty to keep the highway free from obstructions so that it could be used by pedestrians and vehicles and potential obstructions are normally licensed by the highways authority. In correspondence, HCC admitted that it did not have a licensing regime for A boards, and took enforcement action only on safety issues. At the time HCC was trialling a voluntary code of practice as an alternative to licensing.

The Task and Finish Group heard that NHDC was not trying to discourage business but wished to manage the issue in a sensible way. To do so required the cooperation of the highways authority and licensing of signs under section 115 of the Housing Act which was a HCC function. NHDC needed to be clear what was highways land and what wasn't if it was considering undertaking a prosecution. NHDC had asked HCC for definitive highways maps on many occasions but these had not been provided. Discussions about this issue between NHDC and HCC had been taking place (at the time of the report) three or four times a year for more than seven years.

Members thought it was essential that the highways authority clarified their policy on highways structures, consents and enforcement as soon as possible and the Task and Finish group made the following recommendation to HCC:

That Hertfordshire Highways be asked to clarify their policy position with regard to 'structures on the highway' (specifically around applications for consent and enforcement) within two months of receipt of this report. Should there be no current policy for specific/all structures in specific/all towns and villages then they are requested to clarify the date when such a policy may come into force.

In response, Cllr Terry Douris, Executive Member for Highways and Waste Management at HCC said he had noted the Task and Finish Group's request and undertook to expedite it but was unable to provide a timetable for doing so.

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