

**JOINT MEETING - CABINET MEMBERS FOR REGENERATION AND
DEVELOPMENT SERVICES AND STREETPRIDE**

Venue: 3rd Floor Training Room, **Date:** Monday, 5 January 2009
Bailey House, Rawmarsh
Road, Rotherham. S60
1TD

Time: 10.00 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972 (as amended March 2006).
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Minutes of previous joint meetings held as follows:-
 - 29th September, 2008.
 - 13th October, 2008.
 - 27th October, 2008.

for signature by the Cabinet Member
(See Orange Book – Schedule of Delegated Powers – 19th September to 7th November, 2008)

4. Revenue Budget Monitoring - April to October, 2008 (Pages 1 - 10)
Andy Kidder, Service Accountant, to report.
 - to report on performance against the revenue budget for the Environment and Development Services Directorate as at the end of October 2008, and to provide a forecast outturn for the whole of the 2008/09 financial year.
5. Bakers' Oven - Application to Place Tables & Chairs on the Highway (Pages 11 - 13)
Maria Underwood, Licensing Officer, Streetpride, to report.
 - to consider a request for permission to place tables & chairs on the highway on Effingham Street in Rotherham under Section 115E of the Highways Act 1980 and report receipt of an objection during the consultation undertaken.
6. Advertising Boards on Highways (Pages 14 - 17)

Bob Stock, Streetpride Principal Network Engineer, to report.
 - to summarise issues relating to the controls on the placing of advertising boards on the public highway.

The Chairman authorised consideration of the following extra, urgent item:-

7. Doncaster Road, East Dene, Gateway Improvement Works. (report attached)
(Pages 18 - 21)
Andy Newton, Project Officer, to report.
 - to consider proposed environmental improvements.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Regeneration and Development Services and Streetpride Delegated Powers meetings
2.	Date:	5th January 2009
3.	Title:	October Revenue Budget Monitoring Report
4.	Directorate:	Environment and Development Services

5. Summary

To report on performance against the revenue budget for the Environment and Development Services Directorate as at **the end of October 2008** and to provide a forecast outturn for the whole of the 2008/09 financial year.

6. Recommendations

(1) That Members note the forecast outturn position of **an overspend of £711,000** for the Environment & Development Services Directorate based on expenditure and income as at October 2008. This primarily represents a combination of the anticipated energy cost price increase and the net shortfall on Planning Service fee income budgets in this financial year.

(2) That this report be referred to the Regeneration Scrutiny Panel for information.

7. Proposals and Details

Members are asked to receive and comment upon budget monitoring reports on a monthly basis from May onwards. This report reflects the position against budget for the period 1st April 2008 to 31st October 2008. The attached **appendices** give a summary of the projected 2008/09 revenue position for the Directorate;

Appendix A – E&DS Summary Report.

Appendix A1 to A5 – Service Level Summary Report.

Following the October cycle of budget monitoring the Directorate has identified that it is likely incur **an overspend of £711,000** against its total net revenue budget of £44,377,216.

There are two significant areas of pressure which have been identified as likely to have an impact on the financial outturn of the Service for 2008/09. These are;

- Energy cost increases;
- Planning fee income budgets.

Energy Costs

Members will be aware of the current severe upward trend in energy price movements. Both gas and electricity supply contracts have now been re-negotiated. The new gas contract came into operation from 1st June 2008 and will result in an average increase of 15.5% in prices. The new electricity supply contract has been implemented from November 2008 and equates to a 48.5% increase on previous prices (it should be noted that the 2008/09 budget setting process allowed for energy price increases of 5% only).

For EDS energy budgets this is forecast to lead to an estimated overspend in 2008/09 of £564,000 (gas £120,000, electricity £444,000). Management are currently considering potential actions to contain this pressure as much as possible within existing budgets. However the anticipated cost pressure cannot be contained by the Directorate's savings alone. Members will recall that in 2007/08 Cabinet approved an additional £421,000 to help address EDS energy budget pressures (although this figure assumed the Directorate were able to generate £315,000 in additional income and savings).

Funding for the whole of the above pressure will be requested through the Council's 'Revised Estimates' process in November, as a request for a supplementary estimate. The current pressure is impacting most keenly across the office accommodation (£202k), Street-lighting and Streetpride (£200k) and Pools (£150k) (Culture & Leisure) accounts.

Development Control Fee Income

As previously reported there is a significant confirmed cost pressure in respect of a shortfall in fee income within the planning budgets of the Planning and Regeneration Service. This applies principally to planning fee income accruing to the development control account and the land charges fees

budget. The first two quarters of 2008/09 has shown an average 25% reduction on planning fee income levels experienced in 2007/08 due to the severe and escalating downturn in property market conditions. The Land Charges account is also now experiencing a related reduction in fee income levels due to the service's linkage to the property market. The total projected shortfall for the financial year across these accounts is estimated to be approximately £577,000 (this is after application of the remaining Planning Delivery grant and the successor Housing and Planning Delivery grant). Due to the current volatility in market conditions it is not possible to be certain at this stage however. The situation will be closely monitored and every effort taken to reduce further and contain this pressure.

Work is on-going to substantiate the position on both these issues. It is now highly likely that these issues will exert a significant and non-containable cost pressure on the Directorate's budget in 2008/09. Consequently this too has been requested as a supplementary estimate as part of the revised estimates process.

Other areas of pressure

- Street cleansing, staffing and under-recovery of income (£400K)
- Facilities Management (£100k)

Identified savings

However there are three areas of significant savings have currently been identified which help to off-set the above cost pressures. These are;

- Interim waste contract savings - £621,000;
- Additional fee income from land disposals (Regeneration team) - £70,000;
- Freezing of recruitment to non-essential vacant posts - £100,000

Waste

The detail of the new interim waste contracts and the extent of any resulting savings will be reported on fully when all interim contracts have been finalised and the impact on existing budgets can be accurately assessed. However the current estimate is of up to £621,000 in this financial year.

Development team fee income

An additional £70,000 in unbudgeted fee income, generated from land disposals work in the development team of the Regeneration Service has been identified.

8. Finance

Please refer to the attached appendices for detailed financial analysis.

9. Risks and Uncertainties

The overall Directorate budget shows a projected £711,000 overspend.

To date the reported position has reflected a combination of cost pressures partially being compensated for by savings/additional income being generated across the Service. The Strategic Director of Environment and Development Services and Cabinet Member have determined this is an acceptable way of balancing the budget in accordance with Financial Regulation Virement Note Section 11, without the need for implementing virement. However the revised estimate process will be utilised to implement a transfer of resources to meet in-year cost pressures thereby partially addressing the Service budget imbalances. Where cost pressures cannot be contained within the Directorate's cash-limit a request to award a supplementary estimate to cover the currently identified shortfall of £711,000 has also been made.

10. Policy and Performance Agenda Implications

Directorate budgets are aligned only to corporate priorities and spending within the agreed Directorate cash allocation is key to demonstrate the efficient Use of Resources. The first quarter performance monitoring report of 2008/09 has identified no significant issues of concern that have arisen as a consequence of the above reported position. However BV109 (a) Planning Applications income is slightly below the target range due to a low volume of applications being received in this period.

11. Background Papers and Consultation

This is the sixth budget monitoring report for the Directorate for 2008/09 and reflects the position from April 2008 to October 2008. This report has been discussed with the Strategic Directors for Environment and Development Services and Finance.

Contact Name: Andrew Kidder EDS Service Accountant, Ext: 2079.

E-mail: andy.kidder@rotherham.gov.uk

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

Service	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions
Planning & Regeneration Service	577	There is significant cost pressure through an escalation in the level of reduction in planning and land charges fee income (£577k) due to current property market conditions. This is partially off-set by additional fee income from land disposals (regeneration service).	R	Work continues to urgently establish extent of pressure. Management actions to be taken to implement all possible savings measures to contain this pressure whilst the revised estimates process will also be utilised to transfer additional funding in-year to at least partially cover cost pressure.	To minimise cost pressure through revised estimates process and management applied savings actions .
Asset Management	17	Significant cost pressure through energy cost increases has been identified (£202k) and facilities management (£100k) partially off-set by fee income surplus on Rotherham Construction Partnerships.	A	Management action to be taken to implement all possible savings measures including use of budget virement within Service to balance pressures through revised estimates process. CMT report being prepared to substantiate extent of energy problem (10th November). Also to initiate request for corporate funding to be allocated through revised estimate process to manager costs not covered by identified management savings.	To minimise cost pressure through management applied savings actions and internal budget virement so that level of any additional funding required is minimised.
Streetpride	-26	Significant cost pressure on street-lighting energy (£190k) and Street cleansing (£144k) and under-recovery of income on Sec 38 and parking (£160k) have been identified , which are off-set by savings on the interim waste contracts (£622k).	G	CMT report being prepared to substantiate extent of energy problem. Identified interim waste contract savings if confirmed need to be retained by Service.	To minimise cost pressure through management applied savings actions so that level of any additional funding required is manageable.
Culture & Leisure	243	Significant cost pressure on energy costs (£150k) increases, an under-recovery of income (£53k), has been identified and the potential for a shortfall on Country parks (£72k)	A	Management action to be taken to implement all possible savings measures. CMT report being prepared to substantiate extent of problem and to request for corporate funding to be allocated through revised estimate process to cover costs not covered by identified management savings.	To minimise cost pressure through management applied savings actions so that level of any additional funding required is manageable.
Business Unit	-100	Identified savings on management of non-essential vacant posts	G	Work is on-going to accurately substantiate the size of the saving and management action will be taken to implement all other possible savings measures.	
TOTAL	711				

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Planning & Regeneration Service						
Business Development	0	Nil variance at this stage in the financial year	G	No action required.		
Development Promotion	-70	Additional contractual fee income	G	Income will be utilised in revised estimates process through virement to support planning fee income shortfall.		
Strategy Development	-15	Savings on staff vacancies	G	No action required.		
Programmes	0	Nil variance at this stage in the financial year	G	No action required.		
Work Implementation	0	Nil variance at this stage in the financial year	G	No action required.		
Objective 1 Delivery Team - S06068	0	Nil variance at this stage in the financial year		No action required.		
Brampton Centre	0	Nil variance at this stage in the financial year	G	No action required.		
Century Business Centre	0	Nil variance at this stage in the financial year	G	No action required.		
RERF	0	Nil variance at this stage in the financial year	G	No action required.		
Town Centre Mgt	0	Nil variance at this stage in the financial year	G	No action required.		
Markets	0	Nil variance at this stage in the financial year	G	No action required.		
Forward Planning	0	Nil variance at this stage in the financial year	G	No action required.		
Planning Support	0	Nil variance at this stage in the financial year	G	No action required.		
Management	129	Share of vacancy factor and procurement savings shortfalls	A	Work is on-going to accurately capture the size of the issue and action will be taken to implement all possible savings measures.	To minimise cost pressure through management applied savings actions in order to restore budget to a balanced	G
Land Charges	165	Significant cost pressure identified through a reduction in fee income due to current property market conditions.	R	Revised estimates process will be utilised to transfer additional funding in-year to at least partially cover cost pressure, in addition to management identified savings measures.	To minimise cost pressure through revised estimates process and management applied savings actions .	A
Development Control	417	Variance at this stage in the financial year due to significant cost pressure through an escalation in the level of reduction in planning fee income caused by current property market conditions (£527k) off-set by Housing and Planning delivery grants (£110k) usage.	R	Work is on-going to accurately capture the size of the issue and management action will be taken to implement all possible savings measures. Revised estimates process will also be utilised to transfer additional funding in-year to at least partially cover cost pressure.	To minimise cost pressure through revised estimates process and management applied savings actions .	A
Building Control (80% Trading)	0	Nil variance at this stage in the financial year	G	No action required.		
Building Control (20% Revenue)	0	Nil variance at this stage in the financial year	G	No action required.		
Transportation	-49	Fee income over-recovery	G	No action required.		
TOTAL	577					

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

Asset Management	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Facilities Management (Education Premises)	0	Nil variance at this stage in the financial year	G	No action required.		
Facilities Management	100	Cost of management restructuring within Team.	A	To manage costs by implementing budget virement within Service as part of revised estimates process	To restore budget to a balanced position	G
Community Buildings	0	Nil variance at this stage in the financial year	G	No action required.		
Office Accommodation	202	Significant cost pressure through energy cost increases has now been identified (£202k).	A	Work is on-going to accurately capture the size of the issue and management action will be taken to implement all possible savings measures. CMT report being prepared to substantiate extent of problem and request for corporate funding has been made through revised estimate process to cover costs not covered by identified management savings.	To minimise cost pressure through management applied savings actions so that level of additional funding required is manageable.	G
Education Premises	0	Nil variance at this stage in the financial year	G	No action required.		
Environmental Management	0	Nil variance at this stage in the financial year	G	No action required.		
Caretakers	0	Nil variance at this stage in the financial year	G	No action required.		
Public Conveniences	0	Nil variance at this stage in the financial year	G	No action required.		
Bailey Suite	0	Nil variance at this stage in the financial year	G	No action required.		
Reresby Hospitality	0	Nil variance at this stage in the financial year	G	No action required.		
Emergency Planning	0	Nil variance at this stage in the financial year	G	No action required.		
Health and Safety	0	Nil variance at this stage in the financial year	G	No action required.		
Swinton District Heating	0	Nil variance at this stage in the financial year	G	No action required.		
*Commercial Properties	0	Nil variance at this stage in the financial year	G	No action required.		
*Valuation Group (Fee Billing)	0	Nil variance at this stage in the financial year	G	No action required.		
Misc. Fee Accounts	0	Nil variance at this stage in the financial year	G	No action required.		
Strategic Support Team	-35	Moratorium on spend and vacancies	G	No action required.		
Miscellaneous Properties	0	Nil variance at this stage in the financial year	G	No action required.		
Building Cleaning	0	Nil variance at this stage in the financial year	G	No action required.		
Fee Billing - Projects & Partnerships	-100 0	Anticipated fee income surplus in excess of budget by year end.	A	To confirm extent of income but to utilise in revised estimates process through virement to support facilities management shortfall.		
Fee Billing - Consultancy Management	-150	Anticipated fee income surplus in excess of budget by year end.	A	To confirm extent of income but to utilise in revised estimates process through virement to support facilities management shortfall.		
Transport	0	Nil variance at this stage in the financial year	G	No action required.		
TOTAL	17					

Note:

* Now incorporates Commercial Properties and Valuation Group's budgets transferred from former RIDO Service

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

Streetpride	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Community Delivery Teams	201	Cost pressures in respect of the Street cleansing function (£194k) and staffing cost partially off-set by landfill tax savings.	A	Work is on-going to accurately capture the size of the issue and management action will be taken to implement all possible savings measures.	To minimise cost pressure through management applied savings actions in order to restore budget to a balanced position.	G
Network Management Schemes & Partnerships	391	Significant cost pressure on street-lighting energy (£190k) and under-recovery of Sec 38 and parking income (£161k) has now been identified and potential impact of fuel cost increases are being examined.	A	Work is on-going to accurately capture the size of the issue and management action will be taken to implement all possible savings measures. CMT report being prepared to substantiate extent of problem and to consider request for corporate funding to be allocated through revised estimate process to cover costs not covered by identified management savings.	To minimise cost pressure through management applied savings actions so that level of additional funding required is manageable.	G
	0	Nil variance at this stage in the financial year	G	No action required.		
Waste disposal and collection	-622	Saving at this stage in the financial year reflecting the impact of already identified savings on the interim waste contracts re-negotiation i.e green waste processing and H.W.R.C. Potential extent of saving has been constrained by approx 3 month delay in implementation of HWRC contract with Doncaster.	G	Further work on substantiation of contract savings to be undertaken.		
Corporate Accounts - Streetpride	4	Unbudgeted computer maintenance licenses costs partially off-set by saving on service charge from Rotherham Connect	G	To continue to monitor position and substantiate as a matter of urgency.	To minimise cost pressure through management applied savings actions in order to restore budget to a balanced position.	G
TOTAL	-26					

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

Culture & Leisure Services	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Culture & Heritage	55	Archives and theatres staffing budget pressures	A			
Library Service	-8	Savings on vacancy management	G	No action required.		
Recreation & Sport	233	Significant cost pressure on energy costs at non-PFI pools (£150k) and under-recovery of income (£53k). A shortfall on Country Parks budgets are emerging (£72k).	A	Work is on-going to accurately capture the size of the issue and management action will be taken to implement all possible savings measures. CMT report being prepared to substantiate extent of problem on energy and to consider request for corporate funding to be allocated through revised estimate process to cover costs not covered by identified management savings.	To minimise cost pressure through management applied savings actions so that level of additional funding required is manageable.	G
* Tourism	0	Catering surplus from Rotherham Show	G	No action required.		
Reimbursements	0	Nil variance at this stage in the financial year	G	No action required.		
Service Management & Support	-37	Costs of photocopying and staffing, offset by savings on vacancy management	G	No action required.		
TOTAL	243					

Note:

* Now incorporates Visitor Information centre, Tourism, 40 Bridegate and part of Town Centre events budgets transferred from former RIDO Service

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end October 2008)

Business Unit	Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Business Support	-100	Identified savings on management of non-essential vacant posts	G	Work is on-going to accurately substantiate the size of the saving and management action will be taken to implement all other possible savings measures.		
Customer Liaison	0	Nil variance at this stage in the financial year	G	No action required.		
Payments to RBT Management	0	Nil variance at this stage in the financial year.	G	No action required.		
Corporate Account	0	Nil variance at this stage in the financial year	G	No action required.		
General Administration	0	Nil variance at this stage in the financial year	G	No action required.		
Performance & Quality	0	Nil variance at this stage in the financial year.	G	No action required.		
Training	0	Nil variance at this stage in the financial year.	G	No action required.		
TOTAL	-100					

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1. Meeting:-	Regeneration and Development Services and Streetpride Service
2. Date:-	5 January 2009
3. Title:-	Application to Place Tables & Chairs on the Highway - Ward 2
4. Directorate:-	Environment & Development Services

5. Summary

This report details a request for permission to place Tables & Chairs on the highway on Effingham Street in Rotherham under section 115E of the Highways Act 1980 and of an objection received during the consultation undertaken.

6. Recommendations

That the application for a licence to place Tables and Chairs on the highway at Effingham Street be supported by the Council and the objector be informed of the decision.

7. Proposals and Details

The further development of on-street facilities is seen as a natural progression in the overall development of the Town Centre and is viewed favourably by both Rotherham Chamber and the Town Centre Initiative. However, such an initiative does need to be properly controlled and regulated, and the Council does have appropriate powers available to achieve these aims.

The Council as highway authority may grant permission to a person to place an object or structure on, in or over the highway for the purpose of production of income providing that they first obtain the consent of frontages with an interest. The Council cannot grant permission under the Highways Act 1980 until they have published a notice:-

- a) by affixing notices in a conspicuous position at or near the point to which the proposal relates.
- b) by serving a notice on the owners and occupiers of any premises appearing to the Council to be materially affected.

The Council must also consult with the police and receive their agreement to any proposal to site tables and chairs within the highway.

Streetpride has received a request for permission to place Tables & Chairs on the highway from a town centre business "Baker's Oven". The business is asking for the tables and chairs to be sited at the shop frontage on either side of the café entrance. The seating area will be enclosed by non permanent barrier stanchions so as not to obstruct the passage of pedestrians and emergency vehicles. Due to market trading in the town centre on Tuesdays the seating will be reduced to allow for a greater volume of pedestrians.

During the consultation period one objection has been received from a local business that could be perceived to be materially affected. The business' concern is that the additional seating will negatively affect their custom. They argue that other town centre businesses will also be affected which would ultimately be detrimental to Rotherham's town centre. Further concerns, such as litter, obstruction and smoking nuisance were also mentioned. The objector feels disadvantaged geographically with regards to town centre events and markets etc.

Bakers Oven currently provides both a café style service with indoor seating and a traditional baker's counter service. The objecting business attracts a similar clientele to Baker's Oven, providing both a counter service and café service with a large seating plan.

The representation made by the objecting business appears to be a clear fear of increased competition which is likely to be unfounded. The granting of the licence requested would seem to contribute to the aims of the Council in encouraging a more lively street scene within the town centre area.

8. Finance

The charge for administering a licence to place tables and chairs is £60 per annum.

9. Risks and Uncertainties

Risks to the public have been considered and, with recommendations from South Yorkshire Police who support this application, the licence (if granted) will contain the following conditions:

- Tables and chairs should not remain in situ after 17:00 hours
- Non permanent barrier stanchions should not exceed 1 meter in height
- Tables and chairs must not encroach onto any boundary of adjoining business and will not exceed the depth of the original footpath
- The maximum permitted tables and chairs will be 7 tables and 21 chairs (except Tuesdays when only 6 tables and 18 chairs will be in place).

10. Policy and Performance Agenda Implications

Achieving

Supporting the application will contribute to making Rotherham a more prosperous place with a vibrant economy and flourishing businesses.

Sustainable Development

Supporting the application will contribute towards providing an environment to sustain economic growth.

11. Background Papers and Consultation

Not applicable

Contact Name:- Maria Underwood, Licensing Officer, Streetpride Service, telephone ext 2930, E-mail address maria.underwood@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	REGENERATION AND DEVELOPMENT SERVICES AND STREETPRIDE SERVICE
2.	Date:	5 January 2009
3.	Title:	ADVERTISING BOARDS ON HIGHWAYS - ALL WARDS
4.	Programme Area:	ENVIRONMENT AND DEVELOPMENT SERVICES

5. Summary

The report summarises issues relating to the controls on the placing of advertising boards on the public highway.

6. Recommendations

That the report be noted.

7. Proposals and Details

Guidance relating to the use of Advertising Boards on highways was last considered in 2004 when detailed guidance to businesses was provided both in leaflet form and made available on the Council's web site. This guidance has recently been updated and an extract from the web site is attached as an appendix to this report.

During 2004 a copy of the leaflet and an application form for consent was delivered to all of the businesses in Rotherham town centre that were placing advertising boards on the highway at that time.

Action is taken by Streetpride in respect of highway enforcement when issues arise that are:

- the subject of reports from the public,
- the subject of concern expressed by other Streetpride staff and noted whilst they are out and about on other duties, or
- observed by the enforcement officers as an unreasonable interference with the highway and creating a hazard or nuisance for highway users.

When action is necessary, to ensure a consistent approach, any similar occurrence within the immediate area would be dealt with in a like manner.

If advertising boards placed on the highway by businesses are observed to be obstructing pedestrians or the view of drivers or otherwise presenting a potential hazard to highway users then the owners will be requested to immediately remove or re-locate the board concerned. If appropriate Streetpride will remove the advertising board and take it into store.

No authorisation is given to individuals or businesses to attach advertisements to street lighting columns or other street furniture. These are removed forthwith. If appropriate evidence is collected for further action to be considered, for instance where the number of signs or the area over which they are displayed is excessive.

8. Finance

If Planning Consent is obtained prior to an application for highways consent then there is no additional fee payable.

9. Risks and Uncertainties

In these uncertain times the Council should co-operate as far as possible with businesses across the town centre and elsewhere in the borough in authorising advertisements where they do not present an obstruction or hazard to highway users or excessive detriment to amenity.

10. Policy and Performance Agenda Implications

- **Achieving** – seen to help raise awareness of local businesses
- **Safe** – compliance with the guidance helps ensure a safe highway for pedestrians.

11. Background Papers and Consultation

Legal Services have been consulted on this report.

12. Contact Name : *Robert Stock, Network Principal Engineer, Streetpride, telephone ext. 2928, e-mail address bob.stock@rotherham.gov.uk*

APPENDIX

The following is extracted from the Streetpride pages on the Council's web site

Guidance to the use of Advertising Boards on highways

This page explains the procedure applying for consent to display an advertising board on a highway.

The Council is continuing its programme of pedestrianisation in the town centres, using high quality paving and street furniture. The overall aim of these works is to enhance the environment and to attract people and businesses into the town centres.

One of the many benefits of pedestrianisation schemes is that quite large areas of the town are virtually vehicle free. This creates a safer environment for people to shop and socialise. Businesses are obviously keen to advertise their goods or services and there has been a marked increase in advertising or "A" boards in the town centre in recent years. However, the placing of an "A" Board in the highway could be classed as wilful obstruction, and the provision of "A" boards on the highway needs to be regularised and controlled by the Council.

The legal position with regard to such consents is summarised below, and whilst the explanation is quite lengthy, it is helpful to explain the position as fully as possible.

Planning and highway considerations

- An "A" board is an advertisement for the purposes of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007, and requires express consent of the Council.
- Firstly, any person who wishes to place an "A" board on the highway must obtain advertisement consent from the Council acting in its capacity as the planning authority for the borough. Please refer to the [Advertisement Boards on the Highway](#) page.
- In considering an application for advertisement consent, the planning authority will have regard to the effect on the amenity of the locality and public safety.

Secondly, an applicant having obtained advertising consent must also obtain the Council's consent, acting in its capacity as highway authority for the borough. To apply for highway consent, please [contact Streetpride](#)

- The highway authority will consent to the display of "A" boards on the highway where advertising consent has been granted and the applicant enters into an agreement with the highway authority, on terms and conditions specified by the authority.
- The highway authority will require the immediate removal of an "A"

board, or physically remove it where it endangers public safety. The "A" board will also be removed from the highway where advertising consent has not been granted, or the highway authority's consent has not been given.

- There is no fee attached to the consent of the highway authority.

Penalties

- It is an offence to contravene the advertising regulations and is punishable, upon conviction at the magistrates' court by a maximum fine on level 4 of the standard scale (currently £2500) and, in the case of a continuing offence up to £250 per day following conviction.
- It is an offence under section 137(1) of the Highways Act 1980 to wilfully obstruct the highway. This offence is punishable upon conviction at the magistrates' court by a maximum fine on level 3 (currently £1000).

Guidance for the Siting and Location of "A" Boards

1. Where at all practicable, the "A" board should be sited directly adjacent to shop frontages, i.e. within 600mm from the shop frontage, be sited wholly within this area and at least 1.8m of clear footway past the premises should be retained free from all obstructions.
2. The siting of "A" boards in line with existing street furniture outside shop frontages may also be acceptable depending upon location.
3. Only one advertisement per normal shop/commercial premises frontage (up to 6m wide) should be proposed.
4. The advertisement should be at least 1m from the entrance door, be placed within the length of the premises and be a minimum height of 1m and a maximum height of 1.2m.
5. Where multiple occupancy premises share joint accesses, the principles set out in 1-4 should apply.

Further information

Should you require any further information on how to apply, please ► [contact Streetpride](#).

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
--

1.	Meeting:	Joint Cabinet Member meeting for Streetpride and Regeneration and Development Services
2.	Date:	5 January, 2009
3.	Title:	Doncaster Road, East Dene, Gateway Improvement Works, Ward 12, Rotherham East
4.	Programme Area:	Environment and Development Service

5. Summary

To report on proposals for environmental improvements between Doncaster Road/Eastwood View and Doncaster Road/Herringthorpe Valley Road, East Dene, which will further enhance proposed Quality Bus Corridor improvements in the area, previously approved by the Cabinet Member for Streetpride.

- i) Upgraded street lighting
- ii) Gateway style street name signage
- iii) New footway treatment throughout, including the introduction of tegula edging and details
- iv) Selective landscaping improvements

6. Recommendations

That Cabinet Members' approve the proposed works and note the funding arrangements.

7. Proposals and Details

Cabinet Members will be aware of previous environmental improvements undertaken in Rotherham East, as part of the Rotherham East ADF Gateway Improvement Programme and utilising funding from the Housing Market Renewal Area (HMRA) Programme and Local Transport Plan.

The current proposal represents a further phase of such works between Doncaster Road/Eastwood View and Doncaster Road/Herringthorpe Valley Road, East Dene.

The Doncaster Road corridor is identified as a potential Gateway Improvement scheme within The Gateway Improvement Plan (Approved 22nd June 2005, Cabinet Item 37).

The proposed improvements comprise the following works, which are intended to further enhance Quality Bus Corridor improvements planned for February to March 2009 and previously approved by the Cabinet Member for Regeneration and Development Services (Item 124, 24th October 2008 refers).

(i). Upgraded street lighting, comprising new lighting units, black-painted installations and the removal of a small number of concrete standard units.

(ii). Gateway style street name signs throughout.

(iii). High quality footway improvements throughout comprising the use of black-top with tegula edging, corner turning radii details and build outs. (A section of public realm improvement is subject to the approval of the owner of Nos; 381 to 385 Doncaster Road).

(iv). Selective landscaping improvements to the area at the junction of Doncaster Road/Mowbray Street (subject to the agreement of the current owner of the land, Northern Counties Housing Association) and the nearby roundabout.

The local community has been consulted over the proposed Quality Bus Corridor improvements; the Gateway project team within RIDO have carried out further consultation as to the proposed additional enhancements.

Subject to Member approval, it is proposed that works be carried out between February and May 2009. The works will be delivered through the existing Partnership contract with Ringway.

Detailed plans showing the proposed works have been on display in the Members Room since December 18th 2008 and will be available for further inspection at the Cabinet member meeting on 5th January 2009. An illustrative plan is attached as Appendix One.

8. Finance

These additional enhancement works will be funded from the HMRA Pathfinder programme having been secured and approved by the Neighbourhood Investment Team, Rotherham MBC.

The estimated cost of these works is:

Street Lighting Improvements	£16,883
Street Name Signage	£4,528
Landscaping Works	£20,000
Footway Improvements	£90,000
Total	£131,411

9. Risks and Uncertainties

None over and above those normally associated with small scale construction works.

10. Policy and Performance Agenda Implications

The scheme contributes to the 'Rotherham Proud' agenda by enhancing the main 'Gateway' routes into the Borough with high quality public realm works. It will also contribute to 'Rotherham Safe' in that the public highway will be free of defects and well lit. The scheme contributes to the Community and Corporate Plans by:

Supporting the Housing Market Renewal Programme.

Improving and promoting the image of Rotherham and addressing negative views both within and outside the borough, through the environmental improvement of Gateway Corridors which form many peoples first impression of the borough, as well as a backdrop to the lives of many of its residents.

Providing sustainable neighbourhoods of quality, choice, etc, by contributing to an improved environment within many residential districts.

Supporting the Rotherham Town Renaissance, by contributing to the improvement of approach routes to the Town Centre.

11. Background Papers and Consultation

Public consultation has been carried out by the Project Officer and the designs have been approved by the Rotherham East HMRA Steering Group, which includes the three local Ward Members.

Further background papers include:

The Gateway Improvement Plan (Approved 22nd June 2005, Cabinet Item 37)

Gateway Improvement Plan, Annual Review 2007/08/Annual Plan 2008/09
(Approved 18th June 2008, Regeneration and Asset Board, Item 7)

The local community have been engaged on this and other related environmental improvement projects via the HMRA Steering Group and by direct mail shot of local residents.

Discussions have been ongoing with representatives of Streetpride to confirm their capacity to deliver these works in the time-scale outlined above.

Contact Name: Andy Newton, Project Officer, Development Team. Telephone Extension 3849 (e-mail andy.newton@rotherham.gov.uk).