

Policy committee
10.09.13

Secretariat memorandum

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Agenda item: 7

PC014

Drafted: 20.08.13

Highways obstructions on London's streets

1 Purpose of report

- 1.1 To update members on the work being undertaken to improve the accessibility of London's streets for all, particularly in relation to the problem of advertising boards obstructing the pavement.

2 Background

- 2.1 Maintaining clear and accessible pavements is a mainstream pedestrian issue, but has particular importance to elderly users and those with visual and mobility impairments. Their representative bodies, the RNIB, Guide Dogs, Age UK London and Transport for All, regularly campaign on this issue and call for action against highways obstructions.
- 2.2 London TravelWatch has been a consistent proponent of a clear and uncluttered pedestrian environment to make walking easier and more pleasurable for all, but particularly to ensure London's streets are as accessible as they can be. This is reflected in our recent *10 policies to keep London moving* document which called for the removal of clutter from London streets, including traders' advertising boards.
- 2.3 In 2001 we welcomed TfL's (Transport for London) then Managing Director of Streets' letter to us saying that TfL were to "return our pavements to pedestrians by clearing away unlicensed obstructions and advertising boards". In 2004 we welcomed the TfL commissioned report *Towards a fine city for people*, which encouraged clearing London's streets of clutter and obstructions. More recently we welcomed the Mayor's 'Better Streets' initiative which included TfL guidance promoting the removal of unlawful advertising boards. London TravelWatch successfully promoted the recognition of this issue in TfL's response to the Mayor's Transport Strategy: *Taking forward the Mayor's Transport Strategy Accessibility Implementation Plan*, March 2012.
- 2.4 As part of London TravelWatch's recent work on its *Interchange and walking* report and its work with Transport for All auditing the Olympic venues we were sensitised by blind Transport for All volunteers to the issue of highways obstructions on the pavement. Members then determined to address the issue as part of their work plan as it is clear that little progress is being made on this important issue.

3 Progress towards clear and inclusive streets

- 3.1 Good work has been undertaken by TfL and many local highway authorities to remove some types of clutter. Unnecessary guard railing has been removed. Parking and other poles, bollards etc. have been removed or consolidated.
- 3.2 There are exemplary London boroughs that recognise the issue of unlawful highway obstructions on their pavements. Kingston upon Thames is the best example. It uses the powers available to it to keep its streets clear of advertising boards and achieves a high level of compliance.
- 3.3 At the other extreme some boroughs undertake no enforcement activity and respond to complaints by simply advising traders where best to locate advertising boards. Many boroughs have created a set of rules to allow some limitation on obstruction of the highway which they claim to apply, but in many cases do not.
- 3.4 TfL uses the powers it has in an exemplary way on a small number of high profile streets it controls. On these streets, for example Tooley Street, it ensures they are clear of obstruction and achieves a high level of compliance. However, on the overwhelming majority of its streets it does little, if any pro-active enforcement activity. The worst example we found is the A1, Upper Street through Islington, which has over 100 boards along a single pavement.

4 Discussion

- 4.1 An accessible public realm is an important mainstream transport issue, particularly for elderly users and those with visual and mobility impairments.
- 4.2 TfL and London's local highways authorities have statutory (and therefore unavoidable) Highways Act duties and powers to keep their pavements clear of obstructions. They have a duty to promote equality of access.
- 4.3 The Mayor, TfL and many of London's local highway authorities have policies to clear clutter, including advertising boards. TfL has produced its own guidance to that effect.
- 4.4 Despite these duties, powers and policies, many of London streets are constantly obstructed and inaccessible for many, particularly vulnerable groups. The weakness of the law is that there is no mechanism for users to insist that highway authorities undertake their Highways Act duty. When one complains about obstructions on the footway it appears London's highways authorities are doing the opposite of what they should. Many take the stance of being the defenders of the obstructor's right to obstruct.
- 4.5 These issues are discussed further in the appended draft report London TravelWatch intends to publish after discussion.
- 4.6 On 9 September 2013, London TravelWatch will convene a roundtable meeting between us, TfL's Director of Streets and groups representing elderly users and

those with visual and mobility impairments. The Policy Officer will report the outcomes of that meeting.

5 Prioritisation criteria

- 5.1 The items and issues raised in this report fall within the remit of London TravelWatch and they meet the criteria for relevance and impact on transport users in the London TravelWatch area. For over a decade London TravelWatch has had policies calling for the removal of highways obstructions including traders advertising boards. This is reflected in our most recent policy statement '10 policies to keep Londoners moving'. This issue affects all Londoners, particularly elderly users and those with visual and mobility impairments. London TravelWatch is the only statutory body representing the users of TfL's streets.

6 Equalities and inclusion implications

- 6.1 This is clearly an equality and inclusion issue, particularly for elderly users and those with visual and mobility impairments who find navigating London's cluttered streets problematical.

7 Legal powers

- 7.1 Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider – and where it appears to the Committee to be desirable, to make recommendations with respect to - any matter affecting the functions of the Greater London Authority or Transport for London which relate to transport (other than of freight).

8 Financial implications

- 8.1 There are no financial implications for London TravelWatch arising from this report, beyond the cost of publication which will be undertaken within the existing budget.

9 Recommendations

- 9.1 Members to note the report and agree any changes prior to publication.
- 9.2 London TravelWatch continues to work with groups representing elderly users and those with visual and mobility impairments on this issue.