

APPENDIX 2

Mr D Parkman – Business Owner (Cigar Box)

18/12/2014

Thanks for your letter, I have read the draft copy of the Highways Amenities Permissions (street licensing).

I would like to know how much the council intend to charge for the rent of the land my A board will take up. How can i make any comment with out all the facts. My Business (The Cigar box)51 the high street Cowes is opened all year, however in the summer months i have a stand outside the shop with beach items on. From what i have read this would need to be licensed. again i need to understand the cost implications before commenting on your policy.

How do you intend to police this policy?

Mr M Ayres

18/12/2014

As a sole trader I believe a, advertising board helps to promote businesses in this struggling climate, and would like them to be excluded in any policy amendment. also if not causing an obstruction any goods which help to promote a business such as wicker baskets, beach goods etc.I wouldn't like to see seating and table and chairs infringe onto the public area for reasons of congestion, especially events like Cowes week.

Bembridge Parish Council

18/12/2014

Dear Licensing.

Ref: Highway Amenity Permissions Policy

Bembridge Parish Council supports the introduction of the Highway Amenity Permissions Policy to regulate the use of tables, chairs and A-boards etc on the highway.

We do have concerns that the likely are going to be £300-400 and this seems like a very high amount. We need to be supporting smaller businesses to advertise and accommodate their customers. The high fees could then cause businesses to think that they will not apply for the permission and perhaps continue the placement anyway as they have previously enjoyed.

I know that Island Roads District Steward was having trouble enforcing a tables and chair placement in the High Street but he was not supported by his senior managers. Therefore the enforcement of the permission is also important to ensure that the process is fair for all involved

Mr D Walter

19/12/2014

Two months is a long time for notice to be given for a temporary A board. A boards are often used in response to events arising, markets changing, new products available, etc. For example, a huge catch of fish just landed locally? A boards are ideal for advertising temporary availability of products; the fishmonger can chalk-up the details and put a few boards out. Another example is charity events, sales, etc., in local halls. Few running one-off events will have thought in advance about the need to go through this 2 to 6 month procedure.

I suggest that the rules allow for A boards to be placed in accordance with the guidelines without PRIOR notice with a statement given to the local Parish or Town Council or IWC explaining where the board is to be, and when. A local officer may assess whether there is any material problem with that siting and agree with the owner where to move it.

I feel that while the main objectives of the policy are necessary and laudable, it is a bit too rigid and jobsworth in the present form.

Thanks for listening.

Mr S Kitching

19/12/2014

Good evening

I am concerned at the clutter of signs and street furniture that, collectively, present a significant difficulty to people with visual impairment. They also affect all pedestrians, and those in mobility scooters. They are, furthermore, visually intrusive. I doubt if they actually serve any useful purpose.

My view is that, unless a particular sign is demonstrably essential, it should not be permitted on a pavement, which is, after all, for the use of pedestrians. (Police can move people on if they are obstructing free passage.)

Regards

Mr R Bartlett

20/12/2014

To whoever deals,

From a Health & Safety aspect you should be chasing the 'bin' men who leave recycling bins strewn across pavements after emptying them...Wilton Park Road looks a mess and a genuine hazard after they have been. Leave the shopkeepers alone.

The sooner the Isle of Wight hands responsibility for local government back to either Portsmouth or Hampshire; can't come fast enough.

Isle of Wight Council - what a waste of effort & time.

Mr H Burford

21/12/2014

Sirs,

I offer the following comments on the Consultation Document, in the hope that they might be constructive:-

First, is there a need to state explicitly that the granting of any such licence does not in any way place a liability on the council for any claim brought against the licence holder?

In DEFINITIONS, item 3.8, the reference to size here is inappropriate; it is referred to later in the correct place.

Under 5.2, I would personally question whether the 0.7m height minimum is high enough, bearing in mind (a) the problems of partially sighted pedestrians and (b) the effective visibility when people are moving through crowds.

Mr G Hall

27/12/2014

Dear IWC.

Thank you for inviting business owners to comment on the proposed Highways Amenities Policy.

It is difficult to submit a fair comment as there is no proposed fees listed in the draft proposal. An indication of the fees would make it a more effective consultation. I see no mention of Island Roads and ask if they could also request a charge from the businesses or the IWC.

I would ask the councillors to be mindful that we are a Tourist Island - Businesses should be encouraged to create a pleasant seating area and ambiance as on the continent. Holidaymakers like to find venues with outside seating - it also ensures more employment opportunities are created.

Tables / chairs / planters / A boards can add to an area and cost business owners a substantial sum of money to provide. It also means that the council does not have to provide so much public seating. There is currently no cost to the council - if you start to bring in lots of new rules and regulations this will bring you additional costs - this could by far outweigh any revenue brought in - particularly if an applicant(s) goes to appeal.

The new proposal would also be very hard to monitor / enforce -. New A boards / tables etc. could be placed on a pavement every day - who and how would it be enforced and at what cost?

All in all the IWC does make it very hard for businesses. We have had increased parking charges, free parking afternoons removed. We have had closures of public toilets and reduced beach cleaning. You are asking business owners to provide toilets for the public and offer tourist information services. I do feel that to charge

them for A Boards, Tables etc could actually mean even less facilities for our much needed holiday makers.

I do feel it would be more cost effective and a nicer place to live, trade and visit if you dropped this idea and “cut the red tape” and reduced the amount of street trading licences required. Do not give the licensing department an impossible task of imposing charges for every A board, Table, Chair, Planter on the Isle of Wight - Do not give businesses another cost burden and do not reduce the offer to our tourists on this Tourist Island.

If this proposal goes through it will be another blow from the IWC to businesses, visitors, locals and could well be a financial loss to the IWC.

Yours,

Gary Hall.

Mr R Crawley

30/12/2014

Dear Sir or Madam,

We are in receipt of your letter dated December 15th relating to the new draft policy on the use of objects or structures on, in or over the highway. After reviewing the draft policy we have no comments but do seek a clarification. Will this new policy apply only to new applicants or do businesses with existing licenses, such as ours, have to reapply?

Ms K Smith – Guide Dogs for the Blind

02/01/2015

I am writing with regards to the potential new street licensing policy which would regulate the placing of objects on pavements.

We greatly welcome this policy and understand how street clutter can be dangerous to visually impaired people navigating their local community.

I have attached a document for your viewing which details survey findings and our recommendations for local authorities. These include;

A-boards and café furniture should be easily detectable and noticeable to pedestrians with visual impairments They must be situated in such a way that they can be negotiated with ease by users with mobility problems.

Furniture should only be allowed on pavements where sufficient width of footway can be left clear and unobstructed for pedestrian usage of the area (usually a minimum of 2 metres).

Where premises are in a side street, A-boards must not normally be placed remotely in the main street directing customers to the premises.

All A-boards placed on the highway should be able to be moved freely and easily. An A-board should not be attached to any sort of object on the highway.

Whilst positioned on the highway they should be stable and kept upright

Please do let me know how we can further support this policy. Our Mobility Instructor who covers the Isle of Wight would be happy to provide practical support and advice

to demonstrate how to make the streets accessible for those with visual impairments living in the community.

Mr B Lathwell-Fisher

02/01/2015

Thank you for your letter asking for our views on the draft proposals .The Crown was granted permission to place tables, chairs , umbrellas and A-boards on two areas under the Highways act 1980 part VIIA REF RM31 .This was a yearly permit which we renewed every April over the last 6 years via V King Senior Administration Assistant Business Support Highways and Transport.

Difference to Proposals.

Required plans were sent to us from the council showing the areas that they would allow us to place furniture and as all food and drink that was consumed at the said furniture was brought inside the Crown it was classed as off sales so there was no requirement to vary our Licence. I can provide a copy of the plans if required for reference ,though I am sure you will have a copy on file .

The outside seating in the Crowns case is an important part of our business as reflected in our rates of over £2000 a month and hopefully there will be no changes to our present agreement .I would be available to bring the council plans over to your offices if required and to discuss any other matters concerning this draft policy .

Ms T Stillman

02/01/2015

Thank you for the opportunity in commenting on the draft Policy.

This is a good opportunity to include details of landlords consent. Whilst the attached document makes mention of additional Amenity Land Hire Charges, It doesn't make it clear to an applicant that the land owners consent is actually required.

Mr M Barlow

02/01/2015

As a customer, NOT a shopkeeper, part of the attraction to Newport for shopping is the 'clutter', much as one expects to see in most parts of Europe. If the local business leaders are looking for a sterile atmosphere, then go ahead; but as a potential customer, count me out !!! I consider, as a senior OAP, to rate the current practice as dangerous is a pathetic statement, and suggestive of an excuse for poor individual shortcomings in business administration. Let's add some colour to our shopping centres, and be free to enjoy a coffee whilst watching the rest of the world go by.

Mr R Quigley

03/01/2015

Thank you for the opportunity to comment on the above policy. From your letter and further information in the county press, I am led to believe this is in relation to A boards and other similar items

Firstly, before I add my opinion as an owner of 2 businesses in Cowes, I am surprised that this is even being discussed as the council seem to have enough on their hands plugging the enforced £28 million shortfall in funding. How this matter helps I do not understand. It seems a bit like polishing the brass bell when the titanic was on its way down

Secondly, has anyone in the council (officers or otherwise) looked at towns that have bucked the national trend of reduced footfall. Leamington spa being a great example. They have grown footfall to the town by over 20%. How do they manage their amenities policy? They don't allow out of town developments I know that and they have very expensive parking, so just a thought.

Thirdly, if stopping the usage of A boards etc is the intention (sorry, reading the comments in the county press), what is the overall goal? It will certainly affect small businesses that use A boards to promote on a daily basis (much the same way supermarkets have shelf 'barkers' in their stores). I can't believe for a minute that the issue of tripping over them is any greater than tripping over a raised flagstone and certainly not as much of an issue as the slippery pavement in Ryde high street. In fact, part of the problem is not enough people in the high street to fill the businesses so they can pay their rates.

And finally, rather than taking a 'no approach' as this and many councils do to matters such as this. Maybe it is time to say yes, to encourage the enterprise the council claims to want to attract to high streets. Allow A boards etc (at no charge) but have a set format, size and method of positioning. Agree times they are not to be put out, such as days of carnivals or parades or the days the councils have made the town centres so appealing there are too many people for an A board to be of any use. Perhaps the same approach could be taken to allowing cyclists into town rather than discouraging them at all costs (as one day someone might cycle into someone...)and outdoor seating / entertainment.

This is a lovely Island and is visited by lovely Holiday makers that are attracted to its beaches, businesses and overall charm. I don't know of anyone that has been put off by a small business owner trying her or his best to attract customers.

Good luck, as no matter what you try to do, not everyone will be happy, but I urge you to think about the 'long game' and support our fantastic high streets.

Mr S Newton

05/01/2015

My comments on the draft policy are as follows:-

Paragraph 7.4 – amend from 'Highways and Parking Services' to 'Parking Services' and add a new line for Island Roads

Section 11 – this refers to non-conformance with the conditions of consent; however is it worthwhile including a further section on action that will be taken if an A-board or object is on the highway without the benefit of any permission?

Ms L Cullum

06/01/2015

I am responding to your letter regarding Highways Amenities Permissions (Street Licensing) Draft Policy asking for my views

I have two business premises in Shanklin Town, Isle Of Wight Jewellers 49 Regent Street PO37 7AE & Cobblers 2 Clarendon Road PO37 7AG.I have an " A Board" outside each business premises and have done so for many years without any complaint or incident. The pavement is wide, over your recommend distances, this does not cause any obstruction or problems for people or people with sight difficulties. I can say this with confidence as I provide to customers a service changing batteries in talking watches and a free service on altering the time when the clocks change. These customers have never had any problem with my "A Boards". The board is an important source of information, advertising and provides extra income. As a small independent traders we need all the help and support we can get to continue to survive in the High Street. On saying all this I fully support some form of licensing is required to prevent people randomly putting items on the pavements. A site visit by an officer is a must and communication is very important to the individual trader.

Northwood Parish Council

07/01/2015

I write to advise that Northwood Parish Council, at its recent meeting, welcomed and fully supported the draft IW Council's Highway Amenity Permissions Policy.

Gurnard Parish Council

09/01/2015

Gurnard Parish Council discussed the consultation paperwork last night and have no comments to make.

C Tosdevin & S Banks

09/01/2015

Dear Mr Winchcombe

having viewed the draft policy for the above, we should like to register our utmost horror at the proposal to charge small businesses for displaying A frame advertising boards. It is difficult enough running a small business in the current economic climate without incurring more charges.

The precious hours spent preparing yet another risk assessment, filling in application forms, taking photographs and letter writing are lost hours of production to keep our business afloat.

Without our A frame board many tourists would not know that our freshly prepared crab sandwiches are the best bargain on the Island. We feel this form of advertising adds ambiance to Cowes High Street and in six years of trading, have never had an accident.

We hope you find our comments useful and sincerely hope this proposal goes no further.

Cowes Town Council

13/01/2015

Cowes Town Council welcomes the establishment of a Highway Amenities Permissions Policy.

However, it considers that traders wishing to obtain permissions must be able to apply via a less rigorous submission in certain respects but that there is a need to strengthen certain criteria as to the physical nature of the applicants' intent.

A particular concern is as regards to 5.4 and 5.10. This asks for a plan to be either of a scale of 1:100 or 1:50. Such would necessitate the applicant having to draw up a plan themselves or engage someone to do such. This is not the forte of local traders and, without being derogatory as to their abilities, most wouldn't understand how to produce a drawing to scale as requested. Inasmuch that most, if not all, applicants would have a degree of IT understanding, would it not be easier to request a photograph of any 'A' boards, showing both sides, whereby the adjacent landscape features are shown? Such photos could be dimensioned to indicate the proximity of adjacent structures. They could also give a location by submitting a Google Earth plan with the siting shown?

Will section 4.4 govern the provision of any banners/hoardings forming or attached to the designated boundaries of an enclosed space containing tables and chairs or would such be regulated by a Planning Consent? Such requires some restrictive guidance as that given for the size and visual appearance as set out for 'A' boards.

Should it be stated that 'A' boards should be self-supporting and not affixed to any street furniture or the like? This is commented on inasmuch that there have been 'A' boards which have, due to their construction, had to be tied to street furniture to stop them from being blown over or bodily moved in strong winds. No mention is made as to how any 'A' boards would be manufactured. Is this not perceived as an issue? The concern here being that they need to be of a robust material of weight to negate possible wind shift and that the locking mechanism, (spreader), needs to be mechanically fixed to negate collapse.

In essence, regulating the use of 'A' boards and areas for the siting of tables and chairs etc. is admirable, however, is it not possible to ask for specifications/details/graphics of any furniture/structures which would be provided. It's accepted that under 4.4 the "visual impact" needs to be "in keeping with the amenity, environment and character of the area". However, it is of concern that it could be difficult to argue a case of such being inappropriate once the shopkeeper has made a substantial investment and located such furniture.

The comments and observations raised by the Town Council are meant as being constructive and in no way are intended reflect any objection to the much awaited principle of regulating a situation which has given concern to the Town Council for some time.

Mr & Mrs Flux

13/01/2015

We have read the IWC Highways Permissions Policy Draft for Consultation. Which we currently believe there is no need to enforce a new policy at this time. We are small business owners & a user of a 'A' frame.

So far we have never had any incidents or complaints from the Public or Council over signage. Additionally many other shop owners we have talked to have also stated the same. So far there has not been a policy on street signage and the businesses have been self-regulating them-selves for years without problems.

Enforcing a new policy would take valuable time & money away from Island Roads & the IWCC to enforce it (Which as far as I'm aware have been told by the government to cut budgets.) It would also be more fees to Small Businesses which many cannot afford due to the economic climate.

However if this policy is approved there are a few points which I think should be noted.

1: Unless I missed the section is there a current date planned when the council want the policy to start?

2: If this Policy does go through we would please ask, can there be a 6 month preparation period before the policy starts, where the users of signage are able to keep on using the signs while setting the paper work in order so there will not be a time where we will be unable to use our signage.

3: Under section 5.4 it states we would need confirmation from the council development control department detailing whether or not planning permission is required & In the same section it also states A site specific risk assessment must be accompanied with the form.

On average how long does it take this permission to come through and are these parts really needed as I assumed the IWCC or Island Roads would be doing this as part of the policy after the forms are handed in ?

4: Under 6 (Fee & Charges) It does not actually state how much the fees will be? A large number of the applicants will be people running small businesses, I would ask kindly that the Fees concerned will be affordable, as many of us are already stretched with other charges from the council and government (such as Rates, Vat, Ni, Staff Pensions etc.)

Plus if possible could the fees be fixed to only go up by the rate of inflation so they stay fair?

5: Lastly as I am new to planning, is there any help to show us how to apply with what you require and do it correctly, as I would not like to waste anyones time?

Thank you for reading our letter

Niton & Whitwell Parish Council

13/01/2015

Niton and Whitwell Parish Council has asked me to inform you that it has no objections to the proposed policy.

Shanklin Town Council

13/01/2015

IW COUNCIL HIGHWAY AMENITY PERMISSIONS POLICY (TABLES & CHAIRS, A-BOARDS, AND ANY OTHER OBJECTS PLACED ON THE HIGHWAY)

At last week's Town Council meeting Members' discussed the above document.

Members' respectively ask that if this policy is implemented that it is enforced in a fair and proper way - Members' assume the IW Council will carry out enforcement.

Members' wish to know the sanctions for those who do not abide by the policy.

I look forward to hearing from you.

Mr E Costerton

14/01/2015

Dear Sirs

By way of comment regarding the above draft policy to be taken into account by the Licensing Committee;

The draft policy does not seem to provide an evidential basis for the need for the policy. The relevant sections of the Highways Act 1980 were inserted into the Act by the Local Government (miscellaneous provisions) Act 1982. Presumably the council has some reason for instigating this policy now (i.e. a sharp increase of incidents affecting public safety or an increased volume of nuisance cases), which should be published with the draft policy.

The policy has been drafted for consultation without providing draft figures for the cost of the proposed application process. It does not appear that a decision could be sensibly reached in relation to a policy that has been primarily drafted to provide for application fees to be recovered without publishing the application costs at this stage.

The policy represents another increased overhead for retailers on the high street at a time when high street retailers are already under considerable pressures in the market. This policy could result in the further loss of retail shops from the high streets on the island.

Further to point three above, there may be consequential loss of employment on the island should retailers consider this policy to be a final pressure on overheads that makes retailing on the Isle of Wight uneconomical.

Mrs M Norris

14/01/2015

Dear Sir

Yet again small businesses are going to be seriously disadvantaged by this policy at a time when the government has made it clear they should be supported. These are the points I wish to be addressed in this draft policy.

5.2 a) My small business will be at a serious disadvantage to large businesses situated in a pedestrianisation area around the corner less than 10 metres away. They already have enormous boards advertising their sales and occupy large tracts of the area by tables and chairs which provides free advertising anyway. Furthermore when we suggested our street could be pedestrianised it was refused.

The pavement outside my business will not be large enough under these provisions to support our small swing-board as the gap is not 1.5 metres wide to begin with. Our swing-board measures 95cm high x 65 cm wide and has not been causing any obstructions for more than two years, so why is it suddenly not acceptable? Why can't we be allowed a proportionately sized swing-board to the width of the pavement?

As the shop is built at a sloping angle to the highway we are already hidden by the Co-op windows and need a swing board to attract customers. I have lost track of the number of customers who have come in and asked us are we a new business as they didn't know we were there!

I will also be at a disadvantage from traders across the street where for some inexplicable reason a wider pavement has been built, so we will be in a situation where they can advertise using A-boards and I can't.

5.2 b) This paragraph is ambiguous do you mean the distance between the closest edge of the Swing-board to the pavement should be 0.45 metres or 1.5 metres?

5.3 As there is a two month time delay between applications and granting of said license I think swing boards currently in use should be allowed to remain in use while the retrospective application goes through.

5.4 The amount of public liability is excessive at 5 million. No-one has ever had to pay out anywhere near this amount in costs and as my small business is covered up to 2 million yet again it would incur more costs and administration to upgrade the current insurance.

6.1 Why should we have to pay a fee for a license which does not cost us anything at the present time? It is a stealth tax and yet more burdens on a struggling small business. And what is the fee to be? I cannot see anywhere in the draft proposals the cost indicated.

Mr F Lyons

14/01/2015

Of course the Council should regulate the placing of items on its property in order to prevent obstruction of the pavements. I find it difficult to believe that the Council does not already charge businesses who place tables and chairs on its pavements and in pedestrianised areas an economical rent for use of the space, but if it is the case that no charge is made, then in my opinion, the Council is being negligent.

Mr R Harrington Vail

14/01/2015

Dear Sirs

Highways Amenities Permission Policy

I wish to comment on the proposed amendment to the policy's which regulate the placing of objects on pavements and highways, such as items such as A-frame style advertising boards, tables and chairs, parasols, planters etc.

The main issue of clutter on pavements and obstruction does not come from any of the above, but rather from the many posts and signs places on the highway by the local authority. Rather than using an existing street lamp, CCTV post or another existing post, yet another post in placed on the pavement. Too many formal signs cause confusion, and can act as obstructions. The most intrusive of all are the very large white parking fee tariff notices. It seems that the Council has chosen to highlight the very insignificant issue of A frames, whilst missing the massive issue of clutter is has placed on the highways of our towns.

I am aware that small businesses have been pushed out of prime trading areas, such as High Streets, by high businesses rates and extortionate rents. The large national and multi-national companies now dominate our main shopping roads. Small businesses now have to exist off the beaten track, in side roads and alleyways, which often means that the general public often forgets their very existence.

Thankfully many of these small enterprises have owners who have a lot of innovation. The use of planters, which are attractive, bringing colour to the town, is one example of this. Better efforts are often made than the boring unimaginative ones commissioned by the IW Council, St James Square being a prime example, of bare earth, interspersed by a handful of pathetic little plants. Likewise the tables and chairs outside of cafes are a brilliant new concept, which had added something positive to Newport.

A frames are not much of an issue, providing that are placed in front of the Councils many pavement obstructions, such as lampposts, bollards, CCCV posts etc. I think they add an interesting feature to the townscapes. There is something quite traditional about them, I have seen A-frames used by shops etc in old photos, and remember them when I was a child.

For the small businesses they represent and effective, free form of advertising and promotion. I discovered an independent delicatessen, whilst on holiday in Cornwall. This was due to a carefully placed A frame.

We need to bring more ideas to promote new independent enterprises to the island. The last thing small businesses need is yet more regulation and more fees to pay. For the record I am against any change in the current regulations.

Ryde Business Association

15/01/2015

The Ryde Business Association wish to register its strong objection to this policy and any subsequent polices that would require additional planning permission and associated fees in respect of signage etc, etc.

For and on behalf of Ryde Business Association

Mr S Smith on behalf of Newport Business Association

15/01/2015

Good Afternoon,

I email in relation to the consultation for A' Frames and other such furniture to be granted permission within high streets/highways.

I wrote to you on behalf of Newport Business Association as Chair of the group.

The group voted in favour of there being a policy in place to police this permission. The majority of 83.33% voted in favour.

We feel that there should absolutely be a policy in place to ensure our streets aren't littered with A' Frames and other such furniture causing a hazard and detrimentally affecting the aesthetics of our town centres.

The policy is not thorough enough and more consultation is needed to create a fairer and more sensible policy that will benefit the whole of the retail economy not just for certain businesses.

As such we urge the council to liaise with business leaders on formulating a better plan before enforcing a policy that will be untenable for many businesses.

A support system needs to be put into place for businesses that have very little visibility and who will be receive a drop in footfall should their A' Frames be removed. The NBA can certainly help support the council with a more robust plan that will be embraced by all businesses whilst maintaining a structured environment for the council to police.

As the Chair of the NBA and the IOW Chamber of Commerce retail board I urge you to engage with the key stakeholders to complete this policy.

Mr M Horton

15/01/2015

I write in response to the consultation letters sent out with regards the above policy in the capacity of a business owner, French Franks 2 St Thomas Square Ryde and 13 St Thomas Square Newport.

There is clearly a balance to be struck and some A boards away from the premises to which they relate can be a nuisance.

However the town centre economies are extremely fragile. Changes in shopping habits and town centre use are of course a big part, so to though are business rates, town planning and most critically of all the situation as regards parking implemented by the council in Newport.

At a political level for the local authority to be taking large capital receipts for out of town shopping centres, whilst taxing the business and shoppers out of the town centre impacted by it through parking fees is a difficult scenario for small business.

More red tape is not desirable and certainly any move to create revenue from street furniture would be very bad news and should be strongly opposed.

The island is in real danger of having no viable commercial centres and this move would not help.

Ms S Kennedy

15/01/2015

I write with reference to

Highways Amenities Permissions Policy (Street Licensing)

currently under consultation.

My points for your most serious consideration are as follows:

1. The highways are financially maintained by the public, be they business operators or traders or otherwise. The highways are for the use of the public, again regardless of their occupation, if any. Thus it is unreasonable to ask for further monies for a 'right' to use the said highways.
2. Given the current severely depressed 'High Street' economy it is surely foolhardy to impose further requirements and costs upon those traders who have persevered through such difficult times. A struggling enterprise will be likely to be unable to pay for 'permission' to continue to use non-static advertising, with the result that they will be less obvious and likely to fail. Closed businesses bring nothing to the 'High Street' nor the Council.
3. The 'permission' that you propose to be sought by the applicants, and the payment to the Council for such permission, does not serve any purpose. You explain in your proposal that the granting of permission under the Act does "not relieve the applicant of the requirement to comply with all other legislation including legislation related to planning, street trading, food safety, and health and safety". So what does the Council provide for the charges incurred for such permission? And what exactly is the purpose of this policy? (It is clearly not designed to promote/support/encourage the continuity of the 'High Street')....

4. ...which leads to 'Cui Bono?' Who benefits from this? There is no explanation in the Highways Amenity Permission Policy draft proposal as to the purpose of said policy. What is the purpose, who benefits, what does an applicant actually receive for their payments?

Mr Winchcomb, please realise that further financial impositions upon traders will only have a negative impact upon the 'High Street', with the result of further depression to economy of the Isle of Wight. Short term ideas to raise the IOW Council income such as this will only serve to the long term demise of the 'High Street'.

Mrs Flux

15/01/2015

Dear Sir.

I work in a shop in Watch Bell Lane, this is a small enterprise. The Lane is off the beaten track, and people very often find it difficult to locate us.

There is a marked difference to the volume of trade when the "A" frame is used, which results in a busy day, to when it is not, when it is a worryingly quiet day.

To businesses in better positions, and in good view of the public, this is not such a concern. Smaller businesses in side roads etc, who need to use "A" frames, will be unfairly penalised with quite a list of charges, and compliances to adhere to.

Mr Flux

15/01/2015

Independent traders are frequently endeavouring, and sometimes failing, to compete against the ever increasing tide of supermarkets and multiples on the Island. Therefore, in order to survive, these local businesses do require more help and assistance from the authorities, particularly in advertising their locations without having to pay onerous charges. These smaller businesses provide variety in goods and services needed on the Island.

Mr I Thornton – Island Roads

16/01/2015

Dears Sirs,

The following comments are made in respect of the draft policy consultation document for Highways Amenity Permissions (Street Licensing):

1. Section 3.9 'Object' should include A –boards in the list
2. Section 4 & 7.6 These sections should include (i) Environmental Impact and (ii) Network Availability as considerations for determination

3. Section 5.4 & 5.10 a 1:1250 location plan also be included in addition to the detailed 1:100 or 1:50 scale plan
4. Section 5.6 A location plan extract should be included on the notice for clarity of public information?
5. Section 7.4 Island Roads will need to be directly consulted on applications, for Network co-ordination (works and events) and maintenance purposes
6. Section 9 Conditions should always include standard items giving precedence to highway works, utility works, building works, emergency services etc. Any licenced item should be removed from the network immediately if requested by an authorised IW Council or Island Roads representative.

Island Roads would recommend that approved application locations be identified on site by demarcation stainless steel road studs, for which a one off fee for the supply and installation, which would be recovered from the applicant.

In determining fees for any application, Island Roads would have to still have to make site visits and would seek to continue to receive these costs, being funded through the Council in line with the current Highways PFI Schedule 23 Part 4A fees and charges.

When an application is approved for a 'tables and chairs' licence, this could give rise to additional litter clearing in an area and / or Highway maintenance / street cleansing. Any such additional cleaning / maintenance above and beyond the Highway PFI contract requirements would be deemed additional and Island Roads would seek to recover such costs from the applicant through the licencing process.

Consideration should be given that the changes to the process included within this draft policy document have an effect on the Highways PFI contract and that a formal change may be required to the PFI contract.

Mr J Rosenthal

16/01/2015

Whilst I have no objection to tables, chairs, 'A' Boards etc in the street I think that more care should be taken in what are Daytime pedestrian areas of the Highways. During the day there does not appear to be any problem as it is only pedestrians that have to maneuver around these obstacles, granted some may cause a problem for the blind or otherwise impaired pedestrians which should always be taken into consideration.

The main objection is where they take up all of the pavement area, as per The Coast and The Ale House in Shooters Hill, Cowes and are still there in the evening when traffic is allowed to use the highway, many a time I have seen people have to step back and wait while traffic goes through before they can continue along the 'pavement area'

Ryde Town Council

16/01/2015

CONSULTATION ON THE HIGHWAYS AMENITY PERMISSIONS (STREET LICENSING) POLICY.

Ryde Town Council's response to the draft document is as follows:

Firstly we are grateful to be afforded the opportunity to comment on your draft policy.

Overall, we are pleased to see a policy in this area, which has caused this Town Council some concern. The draft that you have shared with us goes a long way toward addressing the majority of our concerns.

We would have preferred to have had more information in relation to the proposed fees prior to comment but base our comments upon the draft document submitted.

(p1.4) This paragraph states that legislative amendments will be made automatically. We welcome this but ask that provision be made to notify interested parties, including the Town Council, when such amendments are made with a copy of the new amended policy.

(4.4) This paragraph focuses on the visual impact of the individual items of street furniture. We believe this section should go wider than individual design and should consider the overall appearance of the furniture at each location together with an overview of the collective effect in any location.

(5.4) The suggested application form does not seem to ask for a reason for the application. We would suggest a rationale be included, as we believe this could be an important consideration. In addition the application should ask the requested times.

(5.9) In this paragraph and also reiterated in (p6.6) the policy suggests returning the application fee, which is understood to be 25% of the final fee, if the application is unsuccessful. We do not agree with this and think this charge should be retained regardless of whether the licence is granted. It is our view that any application will generate costs which will include costs of processing, advertising and additional correspondence. Not to mention officer time in considering the application itself. If these costs cannot be recovered against a fee then the policy could become unworkable and too costly. In addition making the application process free, which we believe this amounts to, would result in an influx of applications. These would be made on the 'win win' notion of either getting a licence or getting your money back. The potential high demand could be difficult or impossible to manage. It is essential that this new policy is self-financing, especially given the current economic climate, and to have a non refundable charge is consistent with other licencing applications as well as planning applications.

(p6) This section does not provide any fee figures, but we believe that this is a fundamental part of this policy and are disappointed that figures are not available for consultation. We ask that when the fee figures are agreed that interested parties, including the Town Council, are consulted.

(p7) This section states that consultation on the applications will be for 28 days but remains silent on the accessibility of objections. The planning department have them as accessible, and licencing as hidden. We believe that these applications,

comments and licences should be available for the general public to view in the interests of transparency.

(p8.4) The policy states that when considering comments received they will be weighted and gives an example stating 'professional knowledge'. We believe this would prove difficult to quantify and as a result is not workable. If there is to be any weighting it should be transparent and not based on a subjective interpretation as to the professional knowledge of the person making any comment.

The policy also states that if an objection is made the application will go to the licence sub committee, we welcome this and would ask that we are given adequate notice of any and all such referrals.

The policy also states that if there are no objections the application will be approved. We believe that any application should have to meet certain criteria in any case. We note the requirement for pavement access, but suggest that you consider other criteria for the approval of any licence such as complaint information or a demonstration of a need in that location as examples.

(p11) This paragraph deals with enforcement but the focus is entirely on breaches of current licences and their conditions. It makes no reference to those businesses who may not or never have had a licence because they either have never applied for it, or who applied and were refused. In the interests of fairness these 'unlicensed' businesses need to be part of this policy and the action they can expect for obstructing the highway without a valid licence should be made clear and explicit.

It is essential to be able to enforce the policy for all businesses including those who have slipped through the net or who are taking advantage. We would like to see much more information in this section about what the consequences are of any breach and what steps will be taking by the licencing authority. Without enforcement, there is a real risk that the policy would not be adhered to as businesses have nothing to lose by ignoring it.

In addition if a fee was retained for every application, successful or not, then this money could create a budget and be used to pay for any necessary enforcement.

Finally, we hope these comments are helpful and are grateful and welcome your attempts to formalise this process.

Arreton Parish Council

18/01/2015

Dear Sirs

I apologise for this response being slightly late. Arreton Parish Council is of the opinion that there is already sufficient legislation to prevent the obstruction of pavements and feel that this policy is unnecessary.

Yarmouth Parish Council

20/01/2015

I appreciate that this email is slightly later than the very tight timetable imposed for the above consultation, but Yarmouth Town Council would like to offer the following comments:

“Yarmouth Town Council is concerned about the impact on the vibrancy of the local street atmosphere if the proposed measures are implemented over-zealously”

Newport Parish Council

28/01/2015

Dear Sir/Madam

Consultation on draft Highway Amenity Permissions Policy (Tables and Chairs, ‘A’ boards and any other objects placed on the highway)

Members appreciated just how important this is especially to the centre of Newport, particularly the Squares, the High Street and any other commercial locations in the town centre that has seen an ever increasing number of ‘A’ boards in the last couple of years and an apparent lack of adequate control over outside tables/seating. On that basis our Committee welcomes the draft policy document

The present problem is that we are producing an unattractive environment that presents a serious problem for disabled people including the blind and partially sighted. A problem that could have been (part) remedied, and still can, by using powers under the Highway Act 1980.

There are two positive points coming out of this draft document.

- NPC have been asking for an appropriate level of enforcement and/or a policy with suitable enforcement measures for a considerable period of time and a draft has now been produced, which we welcome.
- NPC contributed to the new policy for Street Trading Consents and this draft policy seems to reflect that particular approach and is consistent in terms of procedure and criteria to be applied to applications especially in terms of appearance and the impact that that has on the character of the area.

That said, this is not really a policy as it does not relate to a specific overview for historic town centres such as Newport. It is merely a regulatory set of rules and procedural requirements and if these are not ‘tested’ within a sound policy framework that deals with the future of town centre it is simply a subjective judgement based on the merits of each individual application at the time. That, in itself, lays it open to inconsistency and, as a consequence, frustration because it will ultimately fail to meet the needs of the town centre. This draft document really should be the last piece in the jigsaw.

Newport is unique on the Island for the following reasons.

- It is a medieval town based on a grid pattern different from all other Island towns as their shape and development largely came later and was governed by a coastal location. Regrettably one size does not fit all.
- It is very significant in terms of its built and cultural heritage and continues to popular with residents and visitors alike.
- It is the main shopping area based around the High Street and the Squares and has faced considerable challenges in the last five years.

The town centre is vitally important not just to Newport but the whole Island. It is absolutely critical that every effort is made to protect and enhance the viability and vitality of the town and this can only be done through civic pride and investment within a framework of carefully developed policies, necessary controls and enforcement.

We're happy to admit that it is impossible for IWC (and NPC) to control market forces but it is important to maintain and create an environment that means that the town continues to act as a magnet with appropriate attractions and facilities to ensure that people continue to use the town centre during the working day and in the evening.

Any overall strategy for the future of the town needs to address these issues and this should be achieved by developing a vision, a strategy and specific (planning) policies in MVAAP, as a corollary to the Island Plan. It would then surely follow that matters like licensing, street trading consent and this draft highway permissions policy, although different legislation, should dovetail and reflect the vision and the strategic approach to enhancing the experience of visiting the town. The actual regulation of tables/chairs and 'A' boards and suchlike should be the final part of developing the overall objectives and aims and 'fit' with the strategy for the town centre.

The dilemma here is that we need something now to adequately control the situation, generate funds through fees/charges, enhance the area and ensure the necessary enforcement codes are in place to deal promptly with any transgressions. In these particular circumstances, as a Parish Council, we have to support this draft policy, subject to amendments (see below), but with the proviso that it is fully reviewed once an overall strategy is agreed and approved.

Specific comments and suggested amendments to draft policy

- 1.1. The interim policy needs to become effective well before Summer 2015
- 1.3. A review frequency of every five years is acceptable providing the first review comes after the approval of the MVAAP that should include an overall vision for our town centre.
- 1.9. Any *significant* departures must be the subject of a further application.
- 3.8. Should include any item that meets those specific criteria that protrudes or overhangs the public highway.
- 4.1. Public safety. A '*significant* risk to the public' cannot be defined. Any obstruction is capable of being a danger to physically handicapped, disabled, wheelchair users, blind or partially sighted persons.
- 4.4. Visual Impact. In an area such as Newport town centre this is a critical consideration and fundamentally it is about unnecessary and unattractive clutter not just design and livery. A number of mobile of advertisements (i.e. placed/removed easily), possibly placed on a daily basis, is inappropriate in locations noted for its heritage and free movement of pedestrians and should not be permitted under any circumstances.

- 5.1. How does this particular requirement impact on the numerous unauthorised 'A' boards positioned throughout the town centre. Will they be asked to make retrospective applications and what happens during the interim period between submission of application and determination?
- 5.2. Firstly there should be areas where the Local Authority refuse to accept applications for 'A' boards (such as the squares in Newport). The Parish Council would prefer to see no 'A' boards at all in the town centre providing there is adequate information and/or finger signs at various locations. The issue of tables chairs needs to be the subject of approved guidelines avoiding areas of busy pedestrian traffic (or making appropriate provision); the areas should be specially designated or only relate to space directly in front of premises; the areas need to be properly annotated and all tables/chairs plus any other paraphernalia removed and stored each day.
- 5.9. Why? If this is in any way discretionary why should Local Authority return the 25% fee simply because the application is rejected (or withdrawn). How does this reflect the time and resources on the part of Council Officers in processing the application
- 6.2. The actual fees for the application should not be overly excessive but the precise charge, especially for tables and chairs, presumably calculated on (max) number covers is critical, as is the 'pot' for the monies received.

On behalf of the Parish Council our Committee came to certain resolutions that translate into the following requests.

- We would like clarification on range of points outlined above
- We would wish to see various amendments reflecting our requirements
- We would like confirmation that certain areas will not be accepted as suitable for any 'A' boards or any other form of temporary/unauthorised advertisements.
- We would like to ensure that areas are designated and specifically delineated for the setting out of tables/chairs
- We wish to see a specific time for setting up and removal each day.
- We need transparency and precise knowledge of prescribed fees and land hire charge and how the resulting monies will be used.

Three of our Members, including the IWC Ward Member, submitted their own comments/questions to be considered by our Planning & Licensing Committee. In order to endorse and embellish the above observations I am attaching these as an appendix to this submission

In conclusion, the Parish Council has particularly strong views on this matter but does not wish to be seen as 'anti-business' in any shape or form. We accept that there is a need for appropriate advertising and we are more than prepared to work towards sensible solutions, particularly for commercial premises in locations like Watchbell Lane, Holyrood Street, Lugley Street and Scarotts Lane, but these must be in keeping with the character and appearance of the town centre and carefully positioned without creating any kind of pedestrian obstruction or restricting visibility at road junctions. 'A' boards are simply inappropriate. In similar terms, the Parish Council support an 'alfresco environment' in appropriate locations, such as St.Thomas Square, but expect this to be properly controlled with appropriate financial return that can be invested in enhancing the ambience of the whole area.

APPENDIX...Written observations by Parish Members prior to the meeting of our Planning & Licensing Committee.

A

Seating, should be specified areas, with set numbers, preferably with boundary 'barriers' (style and type to be approved?), with a minimum gap for passing traffic both by the buildings and in hey he case of st Thomas's between the seating areas and around the memorial.

A boards. If (and only if) designated areas are given, they need to be in an area wider than an average pavement and no other obstructions that narrow the gap again. They are a nuisance on pavements. Limited to one per premises. I understand why small businesses need them and I feel that we need to find a solution that doesn't detract from their value as an advert for the off high street shops. Perhaps the number should be severely limited in the areas and shops share the boards, two or three adverts on a single board for shops in the same area. Or have ' official' a boards, or go With the centralised advertising, which I don't feel will be as effective as a boards for grabbing the public s attention.

B

The document is clearly a work in progress.

- Clarification is need on the fees charged and how the land rental will be calculated*
- Will the policy be retrospective?*
- With businesses struggling in a difficult financial climate, is it fair to remove A boards without an alternative in place?*
- Do we want the clutter of A boards at all?*
- How will this policy be monitored.*
- If there are charges will Island Roads be more interested in enforcement?*

C

1. Our 2 Squares need to be managed separately to the general policy to ensure safe access and visual amenity to cope with tables, chairs, planters,market stalls and mobile traders.

2. Personally, I would not allow A Boards on the public highway.

3. Encourage use of hanging signs, baskets etc instead to make areas look attractive.

4. Charges for tables and chairs should be commensurate with the rental value of the property.

5. Tables and chairs must be contained within a marked boundary preferably with the barrier /pole method which allows for advertising and assists sight impaired pedestrians.

6.Planters and other objects only permissible if 1.95m is clear on the highway for pedestrian access.

I have had numerous letters over the years complaining about the clutter and now is our chance to clear it up. Clean and clear streets and smart shop fronts are more attractive than our current situation. I had a letter last week on behalf of a blind person supporting this initiative of decluttering.

I had a meeting with AJ Wells last week moving forward our signage project which will go some way to providing an alternative for local businesses to get noticed. Newport Business Association voted 90% in favour of regulation, the 10% wanted no regulation. One member said they chose to be located in a side street and did not believe it was their right to put advertising boards wherever they wanted. Another thing to bear in mind is that if licences are to be granted there is nothing within this policy that would stop businesses from out of the area advertising ie Sainsbury's, Tesco or dare I say ASDA could apply to have boards in St Thomas' Sq..it is a loophole waiting to be exploited. There is no local context