

Obstructions On The Highway

Neath Port Talbot

Neath Port Talbot Street Scene



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Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

Making a difference Gwahaniaeth er gwell

ENVT0742



Neath Port Talbot County Borough Council invite the business people working within the authority to work in partnership to produce a “Street Scene” that conveys a sense of life and vitality, taking account of the needs of all sectors of the community.

Displaying goods, using advertising signs, placing tables and chairs on footways and pedestrian areas all add to the colour and atmosphere to every day life and can enhance the environment within which we live and work.

However, they can also interfere with public passage along a pavement and cause a hazard particularly for disabled and visually impaired people. Therefore, the authority needs to control the placing of items in a fair and consistent manner.

There is a policy in place which empowers the council to licence Street Cafes. The policy sets out the expectations and limitations of presenting an outside cafe facility to the public in a manner which benefits the proprietor, the customer and the users of the pedestrian footways.

Items on the footways which are deemed to constitute an obstruction and a hazard to the general public will be dealt under the legislation contained within the Highways Act 1980.

The authority wants to adopt a policy of reasonability rather than a heavy handed enforcement of the Highways Act.



The following guidelines are contained in the policy for dealing with obstructions on the footways.

- The placing of signs or advertising boards on the footways are at the discretion of the authority.
- The display of goods on the footways are at the discretion of the authority and should not extend more than 1 metre off the shop frontage and be contained within the width of the shop.
- Displayed goods must have a suitable barrier at its ends to provide clear demarcation.
- There must be a clear width of passage on the footway for pedestrians of 2 metres.
- Items on the footway must be placed in such a manner that pedestrians are not forced onto the road directly or because of the number of pedestrians.
- The visibility of motorists or pedestrians is not interfered with.
- In pedestrian areas there is free passage for the public and a minimum width of 4 metres for emergency vehicles.

What action will the authority be taking to regulate the “Street Scene”?

The authority will be reviewing street layouts and making contact with those where problems are identified.

Can we keep everyone happy and accommodate all requests?

Probably not, the authority will endeavour to work successfully with as many businesses as possible but inevitably requests are going to be turned down and the reasons given.

How will the authority enforce?

The authority can enforce using the powers in the Highways Act. The first stage will be a verbal request to remove items followed by a written request if the verbal request is ignored.

What will happen to those who ignore a request?

The authority will remove the items from the Highway, store for a maximum period of 2 months and then dispose of the item.

Can I recover the items?

Yes, but the authority will charge to recover its costs for removing the items. The current minimum charge is £50.

How will we deal with any persons who repeatedly ignore authority requests to remove items?

The authority will initiate legal proceedings using the legislation of the Highway Act.

What are the responsibilities placed on the business when items are placed on the street?

A business must have a public liability insurance of at least £2 million to safeguard against a claim from the public, have due respect for the health and safety of the public and demonstrate good housekeeping.

Should you have any queries regarding this advice leaflet then please contact Environment on 01639-686836