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| Briefing Note of: | Head of Economic Prosperity |
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PROMOTING PROSPERITY SCRUTINY COMMITTEE**23 OCTOBER 2018****WORKING GROUP TO REVIEW THE POLICY FOR COMMERCIAL USE OF THE HIGHWAY****1 Purpose of Briefing note**

- 1.1 The purpose of this briefing note is to provide Members with details of the work carried out by the Working Group

2 Key Issues

- 2.1 At the meeting of the Committee on 4 July 2018 Members agreed to review the Policy for Commercial Use of the Highway
- 2.2 A separate smaller group of Members was established forming a Working Group to carry out a more in depth investigate of the Policy

3 Detail

- 3.1 The Council approved and adopted The Policy for Commercial Use of the Highway on the 18 October 2017 with the Policy being fully implemented from 1 April 2018
- 3.2 While approving the Policy, Council also authorised the Head of Economic Development to 'carry out a review of the Policy 12 months after initial implementation, with a view to evaluating the impact and determining whether the application of the Policy should be extended beyond the largest town centres and/or District wide.'
- 3.3 At the meeting of the Promoting Prosperity Scrutiny Committee on 4 July 2018 Members discussed the work programme for the coming year and determined that as part of this a review of the Policy for Commercial Use of the Highway should be carried out.
- 3.4 A Working Group of 4 Members was established to carry out the review and to then bring its findings back to a future meeting of the Scrutiny Committee.
- 3.5 At the meeting of the Council on 25 July 2018 a Motion was submitted regarding the Policy and its implementation. Members approved 'That the Motion, as

presented, be referred to the Promoting Prosperity Scrutiny Committee for consideration, due to the Committee having agreed to undertake a review of the Commercial Obstructions on the Highway Policy as part of its 2018/19 work programme.'

- 3.6 The Working Group has meet on 3 occasions. Agendas, papers and minutes are included as appendices to this Briefing Note. In addition Members undertook visits to all 3 town centres and their findings are included in the minutes and in an additional paper from Councillors Dudson and Sutherland.
- 3.6 The views of various interested parties were obtained and these were presented to the Working Group and are included in the appendices. These include groups representing persons with disabilities, Planners, Economic Development and Licensing
- 3.7 A survey of how other Local Authorities deal with the Commercial Use of the Highway was carried out and the results of this are included as Appendix 8
- 3.8 Members considered various options for the future of the Policy and its potential application in the District. There are numerous options but it was decided there are 5 primary options. These are contained together with accompanying notes in Appendix 9

4 Implications (if applicable)

- 4.1 Should the Policy be discontinued, or should it be decided that fees no longer be charged, fees already paid would have to be refunded to all relevant applicants. To date, a total of £4664.00 has been received from approximately 50 applicants (covering A Boards, Pavement Cafes and occasional promotions / gazebos / rides etc.). If this were to be refunded there would be an under recovery of costs for this financial year.

5 Appendices

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| Appendix 1 | Working Group Agenda and Paper 26 July 2018 |
| Appendix 2 | Working Group Notes 26 July 2018 |
| Appendix 3 | Working Group Agenda and Papers 21 August 2018 |
| Appendix 4 | Working Group Notes 21 August 2018 |
| Appendix 5 | Working Group Agenda and Papers 18 September 2018 |
| Appendix 6 | Working Group Notes 18 September 2018 |
| Appendix 7 | Notes of Councillors Dudson and Sutherland's Site Visit to Rugeley |
| Appendix 8 | Survey of Local Authorities |
| Appendix 9 | Options for Commercial Use of the Highway |

Background Papers

None