

Summary of the Council's policy position in relation to:

The erection of temporary / unauthorised signs on the Highway – March 2015

1. Scope / background :

This document refers to temporary / removable signs that are erected on or about the highway (**e.g. adverts, A-boards, signs for events etc.**)

2. Basic policy position in relation to signs:

The council's Communities Scrutiny Committee considered this topic in great detail on 9 September 2014. After debating the issues, including the interests of our local businesses, the committee wanted the Highways department to continue working to the following general guidelines :

- i) ALL signs/banners that have an adverse effect on road safety are to be removed from the highway immediately (i.e. regardless of the content).
- ii) Formal permission is required for the erection of temporary highway directional signs (e.g. for one-off events / construction sites / new housing estates etc.). Highway directional signs are approved/authorised via the council's Streetworks department.
- iii) Safely located promotional signs for date-specific community events / charity events and the like may be permitted, at the discretion of the local Streetscene Area Coordinator. Organisers of COMMUNITY EVENTS should therefore contact the appropriate Area Coordinator, in advance, to agree suitable locations for any such signs
- iv) A-boards are to be dealt with in accordance with Section 3 below.
- v) Any other unauthorised signs are to be dealt with according to section 4 below.
- vi) The erection of political campaign signs is not permitted on highway land or council property, including street furniture.

3. Policy position in relation to A-boards:

The council's scrutiny committee also discussed 'A boards', and they wanted the Highway department to continue working to the following rules:

- i) 'A-boards' will only be allowed in the immediate vicinity of the particular business that they are advertising. The council will not permit A-boards to be placed at locations away from the business, e.g. on nearby street corners, or nearby junctions etc..
- ii) a minimum passing space of 1.2 metres must always be maintained. That's sufficient for a wheelchair or double buggy to get past. At some locations more than 1.2 may be required (e.g. busy town centres).
- iii) A-boards cannot be excessively large. They should be less than one metre in height. Their appearance should be appropriate for the area in which they are situated.

4. Policy position in relation to Unauthorised signs

In the case of unauthorised signs, the scrutiny committee wanted the highway department to continue working to the following principles:

- i) All unauthorised COMMERCIAL advertising will be removed from the highway. Where feasible, the council will allow 24hrs notice before removal (thereby allowing companies the option of removing their own signs).
- ii) safely located signs for NON-COMMERCIAL events may be allowed to remain on the highway. However; this is entirely at the discretion of the appropriate highway/streetscene officer. NB This exemption is designed to cover date-specific community events / charity events and the like ONLY.
- iii) If companies / organisations / or individuals continue to erect unauthorised signs, after being warned in writing not to do so, the council will either a) initiate enforcement action for fly-posting, and/or b) recover the costs of the removal of the authorised signs. The non-payment of the removal costs will be pursued through the courts if necessary.

5. Rationale behind the Council's Policy Position:

There are good reasons why the council's policy position (outlined above) has developed over time. The main reasons include:

- i) Signs attached to DCC street furniture are technically classed as fly-posting, and are therefore illegal. The council has a general duty to remove fly-posted materials in the public realm.
- ii) The majority of businesses and event organisers pay for proper signing schemes to guide people to their events (black on yellow type signs). It is therefore unfair to allow some businesses to get away with flouting the law and/or ignoring the rules.
- iii) One of the council's stated priorities is to maintain a clean and tidy streetscene within Denbighshire. Before the council adopted its current policy position, business were effectively being allowed to advertise on the highway without restriction, providing safety wasn't compromised. The consequence was; a proliferation of unauthorised signs, with clusters developing around many junctions and street corners. The situation had become impossible to manage, and very messy. The lack of enforcement inevitably led to copy-cat sign erection by rival companies.
- iv) The council's scrutiny committee recognised that the situation had got out of control, and asked officers to rectify it. They acknowledged that officers could not be left in a position where the council said "yes" to one business, and "no" to another. Officers were therefore given a clear set of ground rules, that could be applied fairly and consistently across the whole of Denbighshire, without fear or favour.

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