

Example of Voluntary Guidelines from Bristol

“A” BOARDS: GUIDELINES

1. Introduction

1.1 The Council has a dual role in the control of “A” Boards on the highway, that of the

- Local Planning Authority who have powers and duties under the Town and Country Planning Act 1990 (as amended) and the
- Highway Authority who have powers and duties under the Highways Act 1980 and responsibility for street scene enforcement.

These guidelines have been prepared specifically in relation to street scene enforcement and are not intended to override any controls under the planning regime or express permissions required under the Highways Act 1980.

1.2 “ A” Boards located on private land contained within the forecourt of a premises will require neither express consent under the planning system nor approval under the Highways Act.

2. Purpose of Guidelines

2.1 These Guidelines are intended to provide advice on siting “A” Boards on highway land.

2.2 As the Highway Authority, the Council has a duty to protect the rights of the public to the use and enjoyment of the highway, specifically in regard to the use of the highway safely and without obstruction.

The effective and proper enforcement of the laws relating to highways are essential to protect the local environmental interest of the residents, visitors and businesses of Bristol from the harmful impact that breaches of highway law can have.

- 2.3 The application of the Council's duty as set out in paragraph 2.2 above, provides the basis for securing a consistent and fair approach to pursuing breaches of "A" Board displays on highway land.
- 2.4 A decision about enforcement action has serious implications for all involved: the general public, businesses, victims, witnesses and defendants. By applying the same principles, everyone involved in the process is helping to treat stakeholders fairly but effectively.
- 2.5 These Guidelines also support the Council's objectives as set out in the Bristol Development Framework and the Joint Local Transport Plan for the West of England, to improve the pedestrian environment and encourage walking as a more sustainable and healthy form of travel. The guidelines also form a key part of Bristol's Walking Strategy, which has been developed under the overall policy approach of the Joint Local Transport Plan.

3. Scope of Guidelines

- 3.1 These Guidelines apply solely to "A" Boards and other freestanding pavement signs, placed upon the Highway, which includes footways footpaths, paved areas and pavements and/or attached to highway property pursuant to the Council's duty highlighted in paragraph 2.2 above.

It does not apply to "A" Boards on private property, including privately owned shopping centres.

An "A" Boards may display the business carried on, the goods sold or services provided, or the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises.

- 3.2 The Council understands the needs of businesses, and that to attract customers, businesses may wish to place "A" Boards and display goods outside of their premises.

This Guidelines set out allowances for what is considered acceptable in respect of "A" Boards pursuant to paragraph 2.2 above.

- 3.3 Wherever possible "A" Boards should be located within the curtilage of the property.

4. Practical Guidelines for “A” Boards on the Highway

- 4.1 “A” Boards and other freestanding pavement signs should be placed within a distance of 60 cm immediately in front of the premises they are advertising provided that 1.8 metres of clear footway can be retained between the road and the board.

No “A” Board or other freestanding pavement signs should be placed on highway land where there are private forecourts that could be used to accommodate them in accordance with conditional deemed consent.

Dimensions of “A” Boards

- 4.2 “A” Boards should be a standard A1 size and a maximum of 1.1 metres high. This is to ensure some uniformity in design, and thereby limit the size of the obstruction in the highway.

Colour and Design

- 4.3 Strong colours enhance in small quantities; too much and the effect is overpowering. To achieve impact a sign or advertisement should contrast with its background but it should not overwhelm it. Vibrant colours can be appropriate in commercial areas to add excitement, but may not be appropriate in more sensitive areas such as Conservation Areas or close to Listed Buildings.
- 4.4 Signs which are purely promotional rather than informative, for example, a sign bearing wording advertising a “Sale” or “Special Offer”, are discouraged in favour of a sign bearing the name of the company or organisation owning or operating in the premises. This is not because of the subject matter of the sign, but in order to discourage a proliferation of promotional advertising, which ultimately could lead to a cluttered appearance.

Illumination

- 4.5 No electrical supply or illumination will be considered on the Highway where it constitutes a highway hazard.

General

- 4.6 All “A” Boards and other freestanding pavement signs should be temporary in their nature so that they can be easily removed (e.g. require no excavation to install or remove).
- 4.7 “A” Boards and other freestanding pavement signs must not damage the highway. They must also be stable and not easily blown over.
- 4.8 Rotating or swinging signs, boards, displays, etc. on public highway should be avoided.
- 4.9 “A” Boards should relate to the normal business of the trading establishment.
- 4.10 Where multiple occupancy premises share joint accesses, only one sign, board, display, etc. will normally be considered appropriate per frontage (such as Arcades and Courts). However alternative options may be considered such as larger shared boards.
- 4.11 Any business should only display one “A” Board.
- 4.12 Advance directional “A” Board signs should not be placed on the highway away from premises.
- 4.13 It is not permitted to fix/chain boards or adverts to any bollard or piece of street furniture.
- 4.14 Placing “A” Boards in sensitive areas such as conservation areas or close to listed buildings can be unacceptable because of the adverse impact that the proliferation of such displays can have on visual amenity. As such particular attention will be paid to the visual amenity consideration of the “A” Boards in such locations.
- 4.15 “A” Boards will be the owners’ responsibility when placed on the highway and the Highway Authority will not be liable for any injury or damage caused to highway users where these are placed on the highway.

All “A” Boards should be removed in their entirety from the Highway at the end of the days trading.

- 4.16 Nothing in these guidelines absolves those concerned from their legal responsibilities under the Town and Country Planning Act 1990 as amended and the Highways Act 1980.

5. Safety Considerations

5.1 The impact of an advertisement on public safety will depend on the nature of the advertisement and its location. The advertisement should not be so distracting or confusing that it endangers people who are taking reasonable care for their own and others safety.

5.2 A sign would be considered a hazard if: -

- It obstructs visibility;
- Its content or appearance might distract the attention for a period of sufficient duration to endanger the viewer;
- It might create glare and dazzle the viewer;
- It obstructs, overshadows or distracts the attention away from highway, signs, signals or beacons.

6. Equality

6.1 On 5th April 2011 the new public sector ‘Equality Duty’ came into force under the Equality Act 2010. The aim of the duty is for public bodies to consider the needs of all individuals in making society fairer by tackling discrimination and providing equality of opportunity for all.

7. Enforcement

7.1 Enforcement will be taken by the Council in appropriate situations under the Highways Act 1980.

7.2 “A” Boards that create a nuisance or present a danger are likely to be removed by the Council in accordance with relevant legislation. This may involve serving a Notice requesting its removal before seeking a court order for removal and disposal where necessary. However “A” Boards that constitute an “immediate” danger, hazard or obstruction will be removed from the highway immediately.

- 7.3 “A” Boards removed from the highway, will be stored for 3 months after which they will be disposed of. A charge of £50 per item will be made if any item is claimed. In the case of persistent offenders or commercial concerns that the authority feels has an impact on the street scene, consideration will be given to seeking a criminal prosecution.
- 7.4 Normally, enforcement action will be undertaken on a theme or area based approach to coordinate and maximise its impact and efficiency.

It will however be necessary at times to take action immediately on individual complaints.