

# Thame Town Council

## Promotional Signage Policy

### 1. Introduction

Thame Town Council (The Council) has produced this policy to set acceptable standards for the placing of advertising and directional signs within the highways 20/30mph speed restriction boundary of Thame. The Council wishes to encourage the economic viability of the town but this has to be balanced against statutory legal obligations and equality of treatment to members of the public.

Oxfordshire County Council has agreed to delegate to The Council the Delegated Functions under the Highways Act 1980. The Council has powers to remove unauthorised signs from the highways. Our powers as the Highway Authority include:

- a) The removal of unauthorised signs from the highway.
- b) Instructing the owner of any unauthorised sign to remove it.
- c) Removing a sign(s) itself and recover the expenses reasonably incurred from the person having control or possession of it.

The term “highway” includes any carriageway, street furniture, bus stops, lamp post, seating, footway, cycle track, verge, lay-by or other land between the highway boundaries (usually marked by a ditch, hedge, wall or boundary marker). The term “road” means a highway or any other road to which the public has access.

### 2. Legislation

The Council will carry out the requirements of the Highways Act 1980 to:

- a) Ensure the safety and convenience of all pedestrians, especially those with poor eyesight, elderly or disabled people and those with prams, wheelchairs etc.
- b) Ensure clear visibility which is vital at road junctions, where pedestrians cross and at other access points.
- c) Ensure a driver’s attention is not distracted by any unnecessary increase in the number of signs.

Under section 224 of the Town and Country Planning Act 1990 it is an offence for any person to display an advertisement in contravention of the regulations. The relevant legislation is contained in the Town and Country Planning (Control of Advertisements) Regulations 1992 (The Advertisements Regulations).

Under section 132 of the Highway Act 1980 it is an offence for any person to paint or in any way inscribe or affix any picture, letter, or sign on the surface of a Highway, any tree, or structure without consent of the Highway Authority.

### 3. Fly-Posting / Promotional Signage

Fly-posting is an illegal activity regarded as any advertising material displayed on private and/or public property without the consent of the owner and that does not meet the requirements of the Town and Country (Control of Advertisement) Regulations 2007.

Fly-posting is divided into three categories

- i) Advertises primarily for local events, often photocopies put up in large numbers on a regular basis. These may advertise bands playing in pubs, car boot sales and events. They may be attached to lampposts, railings, and street furniture or pasted on buildings.
- ii) Posters advertising products of large organisations and put up by professional poster companies.
- iii) Posters displayed by pressure groups or political bodies.

The Town Council has prepared an Information Sheet, describing promotional signage options available, along with an application form with appropriate terms and conditions.

Discretion will be exercised with regards to promotional signs provided that:

- a) An application form has been duly completed and permission granted by The Council.
- b) There is no hazard or interference with the visibility of motorists.
- c) They are not offensive or unsightly.
- d) They are not affixed to any tree.
- e) The sign is constructed in such a way that does not represent a danger to vehicles that might collide with it.
- f) The sign is not erected at any site that has a significant collision history during the last 10 years.
- g) Signage is displayed a maximum of 14 days in advance of the event and is then removed, including all fixings within 3 days of the event taking place.
- h) No more than 10 signs are displayed per event.
- i) The organisers indemnify the Council against all claims arising from signs.

Event organisers may also be held liable for any action brought against them if there is an accident or damage due to the object being on the highway.

Signs purely intended to advertise goods or services will not be permitted.

Permission will not be granted to display advertisements to announce births, birthdays, anniversaries, weddings, engagements, valentine messages, directional signs to parties and other signs of a similar nature on any part of the public highway.

Commercial event signage will only be permitted if it has been authorised by the approval of an application from the RAC or AA, or other authorised Traffic Management company.

#### **4. Enforcement**

Fly-posters will be removed from highway structures and street furniture belonging to the County Council within 28 days as required by the Anti-social Behaviour Act 2003.

Action will also be taken to ensure that other persons hiring council venues do not fly-post. This will be facilitated through the use of 'no fly posting' clauses in hiring contracts.

No action will be taken unless it is certain that the signs, posters, goods or other items are situated within the limits of the public highway (i.e. on highway land).

An unauthorised sign will still be removed although it may have consent under The Town and Country planning (Control of Advertising) Regulations.

On the first occasion of an offence and if the owner of unauthorised signs, structure or posters is contactable they will be asked to remove them forthwith. When the owner is unavailable or repeats the offence, the signs or posters will be removed by The Council and on the first occasion only, every endeavour will be made to inform the owner of the action taken.

Signs will be taken to a suitable depot to await collection within 14 days by the owner, except those necessarily destroyed in the course of removal. Signs not collected will be disposed. Where appropriate The Council will initiate legal proceedings and seek recovery of all costs.

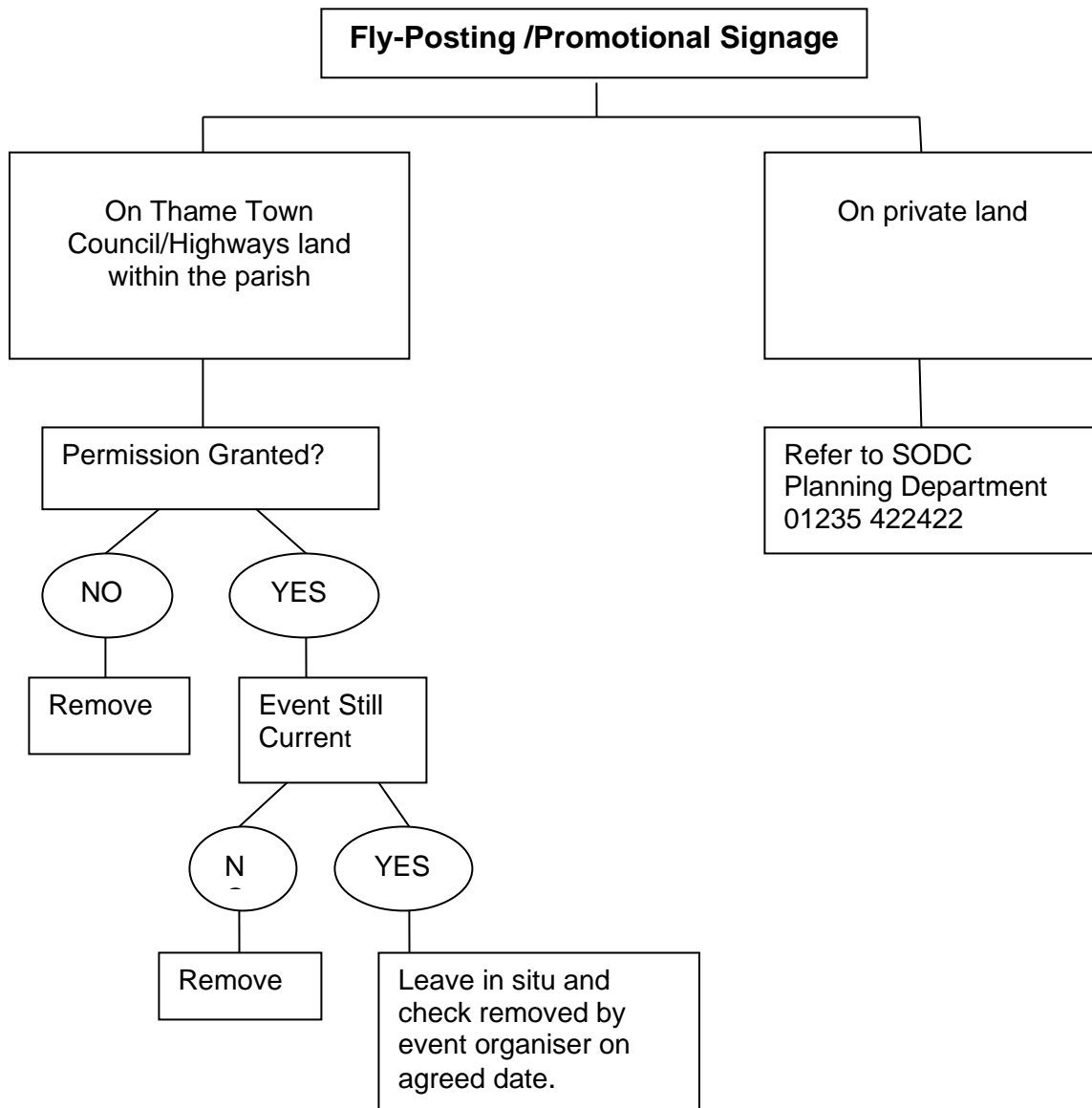
## **5. Permissions**

All applications in the first instance will be reviewed and authorised by a Council Officer. Written requests of appeal received will be undertaken through Council procedure and considered by the Planning Committee held every three/four weeks.

## **6. Modifications, alterations and amendments**

The conditions, procedures and requirements specified within this policy may be modified, altered or amended at any time without notice as The Council deems appropriate.

# Removal Procedure for: Fly Posting /Promotional Signage



## Authorisation Procedure

