

Legal position

Advertising in town centres comes under the following regulations:

The display of an advertisement is controlled under The Town and Country Planning (Control or Advertisement) (England) Regulations 2007 (as amended). The display of an advertisement in contravention of these Regulations is a criminal offence.

The first standard condition set out in Schedule 2 of The Town and Country Planning (Control or Advertisement)(England) Regulations 2007 (as amended), states no advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site.

This means that any business advertisement displayed on the public highway needs the permission of Leicestershire County Council (LCC), who are the highways authority for Hinckley. They have control over the roads and pavements throughout the town centre.

At the moment LCC does not 'police' the placement of advertising boards in the town centre. They have stated that they will bring in a licensing system, if the local authority requires it. This would mean that anyone who places an 'A' board on the street would need to apply and pay for a licence to place an 'A' board on the street. They would also have to adhere to a strict set of rules on placement of advertisements.

In addition to the above, for an advertisement to benefit from Deemed Consent under the above Regulations (ie: not requiring prior Express Consent from the Local Planning Authority), the advert must comply with the requirements set out in one of the Deemed Consent Class specified in Schedule 3 of the Regulations.

The Government has published a guidance booklet called "*Outdoor advertisements and signs: a guide for advertisers*", which is available to download here:

www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers



Hinckley & Bosworth
Borough Council

A Borough to be proud of

New guidelines on A-Boards



What this will mean for your business

March 2013

Why have these changes been introduced?

Over the last few months there have been several occasions where businesses have been erecting signs on the highway in Hinckley town centre, outside of the regulatory boundaries, which have been creating a potential H&S concerns, nuisance to members of the public and have made the area look untidy.

Proposed way forward

To ensure that a licence system isn't put into place, it is proposed that businesses voluntarily adhere to these guidelines.

Enforcement

Enforcement powers currently are the responsibility of Leicestershire County Council as the advertising is taking place on the highway. This memorandum supports that these enforcement powers are shared and delegated to all associated partners including HBBC officers, BID representatives and Leicestershire Police.

The powers delegated will be as follows:

- Inform business to relocate or remove
- Right to remove signs

Any officer from the partner organisations can use the powers listed above.



On a pedestrianised street, A-boards should be placed against the buildings, leaving pedestrians free to walk freely down the middle, e.g. Castle Street.

On a traditional road and pavement, A-boards should be placed against the building, e.g. Station Road.

Just follow these simple rules to advertise your business.

Acceptable advertising:

- A single professionally made non illuminated A-Board, not exceeding 500mm width and 1000mm in height
- No character or symbol on the advertisement may be more than 0.75 metres in height
- To be displayed on the forecourt of a business premise
- Must be compliant with Health and Safety regulations
- Must leave a gap of 1.2m wide on the pavement for DDA access



Unacceptable advertising:

- Untidy, unprofessional looking A-boards or equivalent
- More than one A-board
- A board placed away from the immediate vicinity of the property
- An A-board attached to any council street furniture
- A board that impedes highway access i.e. for pedestrian or vehicles

