



Committee and Date

Place Overview Committee

14th December 2018

Item

Public

Banners, Bunting & Christmas Lighting Policy Review in Shropshire

Responsible Officer

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1.0 Summary

1.1 The current application and approval process to display community event banners, bunting or festive lights falls within the remit of Shropshire Councils Street Works team. We wish to request the transfer of this process (under guidance in respect of highways safety) to local Town/Parish councils who possess more in-depth knowledge of their local areas and communities.

2.0 Recommendations

- 2.1 To gain committee consideration and approval to explore the possible transfer of the banners, bunting & lighting process to local parish and town council authorities with highways guidance supplied by Shropshire Council Street works and Highways teams.
- 2.2 Committee's approval to initiate a period of consultation for interested parties to gain an insight on available resources and necessary requirements to support or oppose a service responsibility shift.

3.0 Opportunities and risks

3.1 The opportunity to utilise a broader and more detailed local knowledge retained by local parish and town councils in the decision making process of suitable positioning and safety prerequisites necessary for load bearing fixing points and associated displays.

3.2 The opportunity to encourage local input on defining acceptable design and content criteria based on local area aesthetics and the community sentiment of each individual service application.

3.3 Risk would include the inexperience of highway regulations by local council bodies resulting in possible safety issues, however with substantial guidance from Shropshire Council's highways teams this could prove to be an opportunity to build further relations between Shropshire Council and parish/town councils

3.4 Localised parish/town council involvement would ensure day-to-day adherence to terms and conditions granted using enforcement powers as stated within the Highways Act 1980.

3.5 To allow all localised authorities to develop their individual process and best practice guidance based on their communities as it is felt that a 'blanket' approach across Shropshire does not facilitate individual requirements, for example a market town will have different criteria and challenges compared to a rural village.

4.0 Financial assessment

4.1 There are currently no attached administration or enforcement fees as the process of promoting local events relating to sporting, cultural, charity and recreational activities is considered vital to maximising attendance and awareness and is to be encouraged where possible.

5.0 Report

5.1 Introduction

The current process of the erection of Banners, Bunting and Christmas lighting over or on the public highway within Shropshire requires an application to the Street Works team for approval, however we feel that this process is better suited to fall within local Parish and Town councils authority who are better equipped with the local and detailed knowledge required to best decide on suitable locations, design and content.

Background

Many feel that banners (sporting, recreational, charity & cultural only), bunting and Christmas lighting all add to the community experience within an area and can enhance event and general visitor attendance numbers significantly proving a valuable tool for the local economy, however they require approval under the Highways Act 1980 section 115 (<http://www.legislation.gov.uk/ukpga/1980/66/section/115E>) to confirm they fall within guidelines and policies of safety and do not hinder the aesthetics of the surrounding environment.

Current Process (<https://shropshire.gov.uk/roads-and-highways/application-forms-and-charges/banners-bunting-or-christmas-lights-on-the-highway/>)

The current application and approval process is handled by the Street works team who look to ensure banner content is community based and not for general business advertising and also that the positions of said items cause no potential hazard or hindrance to highway users. An application is made containing details of the required banner, bunting or lighting type, location and confirmation of sufficient public liability insurance (£5m) to protect the council in the event of any possible incidences resulting from the placement of said items on the highway. Items which are placed on or over the highway that are fixed to a non-council owned property, fence or railing require permission from the owner. The application is then assessed and given approval or refusal. A consideration of the applicant is of the load-bearing tolerances of the fixing points, council owned locations should be tested annually and this information will be made available upon request, private properties are responsible for the maintenance and suitability of their fixing points. In this respect there exists some inconsistency in county-wide process. For example, Shrewsbury has specific, historic and approved fixing locations that are regularly tested by the Town Council - whilst other Towns and villages do not.

Potential process amendments/consideration

This application and approval process requires local knowledge and input to identify the suitability of the requested items and locations within the local environment both technically and in regards to the ambience of the local area. The suggestion is towards an approval process managed by local Parish/Town councils who retain this level of local knowledge and would be better suited and more equipped to make localised approval decisions with highways guidance supplied via the Street works and Highways Teams. Localised council involvement would allow the day-to-day monitoring of the placement of said items to ensure conditions and criteria are adhered to using powers of enforcement as stated within the Highways Act 1980.

7.0 Conclusion

7.1 With better localised information the process of erecting banners, bunting and lighting on or over the highway will become more effective and specific to the individual community.

A transfer to local parish and town councils with localised knowledge will allow and encourage an improvement in specific safety measures which are beneficial to all highways users.

We seek approval to complete this review with the involvement of interested parties to investigate the transfer of this service from Street Works to Local Parish or Town Councils with highways guidance provided by the appropriate Shropshire Council departments.

<p>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) There are no background papers to this report.</p>
<p>Cabinet Member (Portfolio Holder) Councillor Steve Davenport</p>
<p>Local Member All local members will be affected.</p>
<p>Appendices Briefing note. Current application form with condition and specifications.</p>