

BRIEFING NOTE

Review of the Banners, Bunting & Christmas Lighting Policy and Process – Claire McHarrie, Project Administrator, Street Works Team.

24.09.2018

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 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 ambiance 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.

Suggested Actions

Gain approval from Portfolio Holder to review process and to consult with local councils and identified stakeholders to develop suitable best practices going forward across the county and the investigation of transferring the application and approval process to localised authorities.

