

**Banners, Bunting, Christmas Lighting & Temporary Signage policy review in Shropshire**

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**1. Summary**

- 1.1. The administration of applications for Banners, bunting, Christmas Lighting and Temporary Signage is undertaken by the Councils Streetworks team
- 1.2. At the Place Overview Committee of July 2019 concerns were raised about the current processes and policies associated with this activity, and the proliferation of signing creating clutter. A Task and Finish group was set up to work with officers to develop new ways of working.
- 1.3. This report outlines the outcomes of the work of the task and finish group.

**2. Recommendations****The Committee is asked to;**

- 2.1. Note the contents of the report and provide a steer of any other areas of review they feel has not been addressed.
- 2.2. Confirm agreement for the working group and officers to consult further with other Councils in order to identify 'best practice', provision for specific retail centres and any local conditions that would be beneficial.
- 2.3. Support the development of a revised policy and process for Banners, Bunting and Christmas Illuminations.
- 2.4. Support a review of recommended amendments to the current Temporary Signage policy and process.
- 2.5. Agree the principle of charging for the administration of applications for Temporary Signage to enable officers to identify appropriate recovery of costs and enhanced enforcement to reduce clutter, for inclusion within the council's annual fees and charges review.

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

- 3.1 There is an opportunity to utilise a broader and more detailed local knowledge retained by local parish and town councils in the decision-making process to better inform suitable positioning and safety requirements necessary for load bearing fixing points and associated displays.
- 3.2 Similar applications are processed by local authorities across the country. There are many officer networking groups that could be utilised to seek out best practice from other authorities to ensure that outcomes are more customer centric and processes streamlined to reduce officer time required to process applications.
- 3.3 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.
- 3.4 There is a risk that a one size fits all approach impacts on the individuality of each town and parish and a more engaged approach could help retain the unique nature of each area and the needs of local residents and businesses.
- 3.5 Some signage and banners may need advertisement consent. There is a variety of different criteria to meet i.e. height, location, size etc when assessing whether it needs consent. Whilst they may be only for a temporary period of time, there are often enforcement complaints to have them removed, and if it is a breach, the council would have a duty to take action and could be a reputational risk to the authority. Guidance should be updated to ensure that there is clarity of the planning requirements for new sites.

### **4. Financial Implications**

- 4.1. There are no direct financial implications as a result of this report.
- 4.2. There are currently no attached administration or enforcement fees for the processing of promoting local events relating to sporting, cultural, charity and recreational activities as these are considered vital to maximising attendance and awareness and is to be encouraged where possible.

- 4.3. There is a current set administration fee of £97 payable by other applicants although it is not considered that this reflects the full cost of administering the scheme and undertaking an appropriate level of enforcement.
- 4.4. The implementation of an appropriate fee/charge, to cover administration costs and an agreed level of enforcement for signage, could enable additional resource to support enhanced engagement with local councils and event organisers to improve the user experience and ensure outcomes are more suited to local needs.

## **5. Climate Change Appraisal**

- 5.1. There are no direct climate change implications as a result of this report.

## **6. Background**

### **Banners, Bunting and Christmas lighting**

- 6.1 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. The team were restructured in 2013 to better align to the objectives of the "Traffic Management Act 2004" and the Shropshire Council Permit Scheme (West and Shires Permit Scheme).
- 6.2 On review of existing tasks within the team the application and approval process for Banners, bunting and Christmas illuminations was highlighted as a task with minimal value in meeting the primary team objectives of "minimising disruption caused by roadworks" and was generally an administrative process with set conditions only.
- 6.3 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.
- 6.4 The current process for seeking approval is available on the councils web site (<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/banners-bunting-or-christmas-lights-on-the-highway/>).
- 6.5 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.

- 6.6 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.
- 6.7 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.
- 6.8 Recommendations from the Place Overview Committee resulted in an engagement note being issued to all Town and Parish Councils requesting consideration and feedback on a proposal to devolve process and enforcement to applicable Town and Parish Councils.
- 6.9 Following further consideration and discussion of received responses by the group, the final “Task and Finish Group” report of 26th March 2020 gave recommendations on pursuing a revised policy, approach and process.
- 6.10 The recommendations included that Shropshire Council retain the administration process and powers for permitting banners, bunting and Christmas decorations (under Highways Act 1980 Section 178 and Section 115E ) but also look to consult further with all Town and Parish Councils to include, where appropriate, provision for specific retail centres, individual towns and parishes.
- 6.11 The committee also recommended that separate policies were created both for banners, bunting and Christmas decorations “over” and “alongside” the highway.

### **Temporary Signage**

- 6.12 The recommendation from the “Place Overview Committee” meeting of July 2019 recommended a Task and Finish group include the current policy and process for temporary directional signing (usually for events or housing developments) in a review of all related “street scene / street clutter” issues.
- 6.13 The current process requires an application and consent under Section 122 of the “Road Traffic Regulation Act 1984” (link) <http://www.legislation.gov.uk/ukpga/1984/27/section/122> and applications and

consent are currently facilitated by the Street Works team (<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/temporary-signage-consent/>).

- 6.14 The application form outlines the conditions and regulations for the erection and removal of signs and indemnifies Shropshire Council against any claims arising.
- 6.15 Conditions of consent are that signs promoting an event are taken down within one week of the completion of the event and that signs signposting developments can only be permitted for a period not exceeding 6 months following the sale of 80% of the development. This date needs to be agreed prior to the signs being erected.
- 6.16 There is a concern regarding the proliferation of such signage and with regard to the enforcement of set conditions.
- 6.17 The Task and Finish Group report of 26th March 2020 recommended that Shropshire Council revise its charges for its housing development sign permit scheme, to better reflect the work required to administer the scheme effectively.
- 6.18 The group also recommended that any permit scheme limits the duration of a permit to 12 months before requiring renewal.

## **7. Conclusions**

- 7.1. Following the recommendations from the group there is an opportunity to agree, draft and implement a revised Policy and Process for Banners, Bunting and Christmas Lights which takes into account specific local criteria and a reasonable, effective and consistent county-wide enforcement process which aligns with service priorities and objectives and also the Authority's strategic objectives and diminishing resources.
- 7.2. The current policy, process and enforcement of temporary signage needs to be reviewed to reflect the outcomes of the working group and better align with the authority's strategic objectives and diminishing resource.
- 7.3. Once a revised policy and process is completed a review of the current administration fee is required to better reflect actual costs and enhanced enforcement to reduce sign clutter and ensure a cohesive joined-up approach to all licenced street signage.
- 7.4. Increased workloads of staff as a result of flooding, snow, and significant increase in roadworks in the past 18 months, in addition to the impact of Covid, no significant progress has been made in respect of further consultation over the past 18 - month period and apologies are given to the Committee for this lack of progress.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

None

**Cabinet Member (Portfolio Holder) - Cllr Steve Charmley**

**Local Member - All**

**Appendices - None**