

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PARISH COUNCILS' LIAISON COMMITTEE

Agenda Item No.

meeting date: 14 NOVEMBER 2013  
 title: UNAUTHORISED ADVERTS  
 submitted by: CHIEF EXECUTIVE  
 principal author: DIANE RICE

### 1 PURPOSE

1.1 To inform Committee about the steps the Council is taking to address the problem of unauthorised adverts.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives -        }
  - Corporate Priorities -         }
  - Other Considerations -        }
- The Council's aims include promoting public safety and the quality of the environment. Adverts can be a distraction for road users, impact on highway safety and clutter the landscape, thereby adversely affecting the appearance of the area.

### 2 BACKGROUND

2.1 The Council receives numerous complaints about unauthorised adverts, both on areas of public land such as highways and on individual premises.

### 3 ISSUES

3.1 Enforcement is a discretionary remedy and the Council has to manage the resources it has available for enforcement in a way which reflects the expectations of local residents and businesses set in the context of the Council's policies about enforcement.

3.2 The complaints the Council receives divide into two types, namely complaints about adverts which are displayed on business or private premises, and complaints about adverts which are placed in locations remote from the business which they advertise eg on the A59.

3.3 This report deals with the second type of adverts.

3.4 The law relating to advertisement consent is complex but in general terms adverts which are placed elsewhere than on the premises they advertise must have express consent.

3.5 In addition to consent from the Local Planning Authority to display the advert, consent will also usually be required from the landowner to place the advert on the land.

- 3.6 In general adverts which are remote from the premises they advertise are displayed on or near the highway and often use highway land or highway furniture, eg sign or lamp posts.
- 3.7 County Council officers have confirmed that the County Council objects to such adverts but unfortunately does not have the resources to remove all unauthorised adverts from the land or property which it owns.
- 3.8 The action being taken by the Council has the support of the County Council. The Council also regularly receives requests from Parish Councils acting on behalf of their residents, to address unauthorised adverts.
- 3.9 Examples of the work carried out by the Council include steps to secure the removal of unauthorised adverts from the A59, to address concerns about the increased use of A boards on the pavements and signs on lampposts and railings in Whalley, and responding to complaints received about an increasing number of A boards in Clitheroe, including several complaints from individuals who had narrowly avoided injury due to obstruction caused by the A boards.
- 3.10 The Council is always keen to work with local businesses to ensure that the way it enforces is expedient and appropriate to local conditions, and the approach taken has been to inform and assist for example by providing advice about alternative signage eg LCC brown signs.
- 3.11 An example of the approach being taken in relation to the A59 (the highway) is as follows:
- The highway was surveyed from the A671 Whalley roundabout through to the boundary adjacent to Barnoldswick.
- 3.12 The survey found that 23 businesses were displaying unauthorised adverts. A letter was sent to all of them requesting their co-operation in removing the adverts. No information can be given in relation to individual businesses etc in order to ensure that further formal enforcement action can be taken if necessary.
- 8 responded immediately by removing their adverts, they were sent a letter thanking them for their co-operation and informing them that the A59 would continue to be monitored. Thereafter a further letter was sent to all remaining unauthorised advertisers enclosing a copy of the Home Office guidance in relation to advert consent. Further co-operation was received from local businesses and when last surveyed and only a handful of signs remained.
- 3.13 The Council's next step will be to utilise the power it has to remove adverts. This requires the Council to serve notice on the person responsible for the advert, the Council can seek recovery of any costs incurred from the person responsible for displaying the advert.
- 3.14 The ultimate sanction for display of unauthorised adverts is prosecution.

4 **CONCLUSION**

4.1 That Committee note the report.

DIANE RICE  
HEAD OF LEGAL AND DEMOCRATIC SERVICES

MARSHAL SCOTT  
CHIEF EXECUTIVE

For further information please ask for Diane Rice, extension 4418.

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