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**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 15 JUNE 2010**

**SUBJECT: PROPOSED POLICY ON ROADSIDE SIGNING**

**BY: DIRECTOR OF ENVIRONMENTAL SERVICES**

**1. REASON FOR REPORT**

- 1.1 This report is intended to clarify the Policy on Roadside Signing as approved by Full Council on 9 September 2009.
- 1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to the functions of the Council as Roads Authority.

**2. RECOMMENDATION**

**2.1 That the Committee:-**

- (a) **approve the adoption of the Policy on Roadside Signing as detailed in Appendix A and;**
- (b) **instruct the Director of Environmental Services to begin implementing this Policy with immediate effect and;**
- (c) **instruct the Director of Environmental Services to approach BEAR (Scotland) with a view to achieving a consistent approach on the Trunk Road.**

**3. BACKGROUND**

- 3.1 Following 2 notices of motion to the Full Council meeting on 9 September 2009 (Para 6 of the minute refers) by Councillors G. McDonald and D. Ross, the Council agreed to revert to the policy on roadside signing which was in place prior to 18 June 2003.
- 3.2 On 18 June 2003 the Environmental Services Committee (Item 16 refers) approved a new policy, which effectively introduced a "zero tolerance" approach to unauthorised signing. Prior to this, community groups had been allowed to erect signing advertising local events and it was this aspect that the Council wished to re-introduce.

- 3.3 The policy that prevailed prior to 2003 was approved by the Technical & Leisure Services Committee on 22 August 1996 (Para 53 refers).
- 3.4 Unfortunately, since the Council meeting, officers have been unable to track down any copies of the 1996 policy. The Committee report and the minute of the Committee are available, but since the detail of the policy was in an appendix, which has not been archived along with the report, the policy itself is not available. The elected Members who referred to the pre-2008 policy do not have a copy.
- 3.5 In the meantime, in the absence of the detail of the policy the exact nature of what Council wished to approve is unclear and Officers have been unable to enforce it and a number of unauthorised signs have begun appearing on the roadside.
- 3.6 This report, therefore, seeks to introduce a new policy that meets the wishes of members.
- 3.7 The proposed policy detailed in **Appendix A** permits the erection of signs in the road verge for the purpose of promoting community events and gives guidance on the size and siting of such signs.
- 3.8 It does not permit signing for commercial purposes.
- 3.9 In recognition of the difficulties posed for pedestrians, particularly disabled and especially visually impaired pedestrians it is proposed that signing is not permitted on footways. However, the overwhelming majority of requests for community signing are aimed at roadside verges, rather than on footways and so this is not seen as a problem.
- 3.10 No charge will be made for authorisation of signs.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Single Outcome Agreement/Service Improvement Plan**

**The proposal adheres to National and Local Outcomes by striving to ensure that there are no hazards created on Moray's roads by unauthorised signs.**

**(b) Policy and Legal**

**This proposal complies with the requirements of the Roads (Scotland) Act 1984.**

**(c) Resources (Financial, Risks, Staffing and Property)**

**Authorising and enforcing the policy will be met from within the existing staff structure.**

**There are no financial implications from this report.**

**(d) Consultations**

**Inspector Scott Mann of Grampian Police has been consulted on this report and is in agreement.**

**Lorraine Paisey, Principal Accountant has been consulted on this report and is in agreement with the financial implications.**

**Aileen Scott, Principal Solicitor (Commercial and Conveyancing) has been consulted and comments have been incorporated into the report.**

**5. CONCLUSION**

**5.1 It is proposed to introduce a new policy on roadside signing to community groups to promote their events.**

Author of Report: Andy Duff, Senior Engineer (Traffic)

Background Papers: None

Ref: GRH/ARD/

# **THE MORAY COUNCIL**

## **DIRECT SERVICES**

### **POLICY ON ROADSIDE SIGNING**

#### **1. INTRODUCTION**

This policy covers all roadside signing, which can be split into two distinct areas: on footways and in roadside verges. While there are similarities between the two, the types of sign and the associated problems are different and so each is dealt with separately.

This policy is restricted to signing within the road boundary, i.e. the carriageway plus footways, and verges (including side slopes). Signs outwith the road boundary are a matter for the planning service. This policy is also restricted to roads within the control of The Moray Council as local roads authority, that is, it does not apply to private, unadopted or trunk roads.

Transport Scotland policy does not permit roadside signing of any description on trunk roads.

The Roads (Scotland) Act 1984 makes it clear that placing unauthorised objects in the road is an offence and gives the roads authority powers to have them removed. The Moray Council has expressed a desire to cater for the needs of local people who are organising and running events for the benefit of the local community and this policy attempts to fulfil that desire while explaining where and when signs will not be authorised.

#### **2. SIGNS IN ROADSIDE VERGES**

##### **2.1 COMMUNITY EVENT SIGNING**

Only signs promoting an event organised by a recognised community group will be authorised. This would include Community Councils, Community Associations, Church Groups, School PTA's etc. Groups must be not be profit-making or commercial organisations, even if local or small-scale.

Signs must be approved in writing by the Traffic Section within the Transportation Service of The Moray Council. Applications must be made at least 14 days before they are to be erected and applicants must agree to abide by this policy.

Community event signs will be permitted only on a one-off basis. They may be erected no more than 7 days before the event takes place and must be removed as soon as practicable, but no more than 3 days, after the event.

Signs will only be allowed on the nearest appropriate public road, unless otherwise approved by the Transportation Manager. They will only be allowed at one location on each approach direction to the event.

## APPENDIX A

No signs will be allowed at junctions or within 100 metres of any junction.

The maximum size of any sign should be A3 (approx. 420mm x 297mm) and the minimum letter size shall be 50mm. Larger signs may be considered in exceptional circumstances if appropriate. The maximum height of any sign above the verge level (i.e. to the top of the sign) shall be 750mm and the minimum clearance from the edge of the carriageway to the nearest edge of the sign shall be 800mm (this may decrease to an absolute minimum of 600mm where there is insufficient verge width).

The maximum number of signs permitted at any location will be three.

No sign should emulate or attempt to copy a recognised traffic sign.

Larger events, which will generate significant amounts of traffic and visitors, could qualify for temporary direction signs and therefore verge-type signs would not be appropriate. Advice on this can be obtained from the Traffic Section at [traffic@moray.gov.uk](mailto:traffic@moray.gov.uk)

No signs may be fixed to any street furniture, including lighting columns or traffic signs.

Signs, even if authorised, must not be placed so as to restrict the visibility of any road user.

Notwithstanding the above, the Moray Council retains the right to remove any sign or object, following the procedures below, under any circumstances at any time if it is considered to be unsuitable or dangerous.

### 2.2 COMMERCIAL SIGNS

No signs shall be permitted for commercial activities such as hotels, restaurants, commercial sales or any other profit making activity.

It is accepted that a large number of existing commercial signs advertising hotels, restaurants etc have virtually become permanent. It is proposed that these establishments are approached and given a three month period of grace to have their signs removed while being encouraged to join Visit Scotland and therefore having the opportunity to apply for tourist signing.

Any new signs erected within this period of grace will be subject to immediate removal following the procedures below.

## 3 SIGNS (AND OBSTRUCTIONS) ON FOOTPATHS AND FOOTWAYS

Signs on the footway usually take the form of 'A' frames (also known as sandwich boards) and these can be particularly hazardous for disabled pedestrians. Obstructions can be displays of goods for sale, advertising material, wheeled bins and rubbish bags. Wheeled bins and rubbish bags are dealt with under separate legislation and are therefore exempt from this policy.

Signs and obstructions on the footway can make walking hazardous for all, but they make life particularly difficult for the elderly, people with prams and pushchairs, people with walking difficulties and blind or partially sighted people.

Therefore, no obstructions or commercial signs will be permitted on footways or footpaths. Where there is a suitable grassed area alongside a footway or footpath, community event signing will be allowed as set out in 2.1 above.

It is recognised that street furniture could be classed as an obstruction to certain groups, but street furniture is a necessity that is there for the benefit of all. Current guidelines exist for the placing of street furniture and any new or additional furniture installed in streets will be in accordance with these guidelines wherever possible.

#### **4 REMOVAL OF UNAUTHORISED OR INAPPROPRIATE SIGNS**

Where unauthorised signs are noted, they will be removed and returned to Council premises. If contact details are available, or the owner traceable, they will be contacted and asked to collect the signs within 14 days.

If they are not collected within that time, they will be retained for a further 14 days and then destroyed.

If the owner cannot be contacted, the signs will be kept for 28 days and if not claimed within that period, will be destroyed.

#### **5 REMOVAL OF OBSTRUCTIONS IN FOOTWAYS OR FOOTPATHS**

In the first instance, the owner of the obstruction will be requested verbally to remove it within 24 hours. If this is not complied with, a letter will be issued, advising that an offence is being committed under Section 59 of the Roads (Scotland) Act 1984. If the obstruction is still not removed after a further 24 hours, it will be removed and the owner charged with any expenses incurred in removing it.

#### **6 PUBLICISING THE POLICY**

This policy will be made available on the Council's website. In addition, copies will be sent to all Community Councils and Community Associations.

Traffic Inspectors will have copies of the policy, which they can distribute to members of the public when required.

#### **7 GUIDANCE FOR COMMUNITY GROUPS ERECTING SIGNS**

The requirements for anyone carrying out any work, including erecting or removing signs, in the public road, verge or footway are contained in Chapter 8 (Traffic Safety measures and signs for road works and temporary situations) of the Traffic Signs Manual 2006

The relevant legislation governing this type of work is contained in the Roads (Scotland) Act 1984

Any organisation erecting signs in the verge will be responsible for any detriment or damage that the signs may cause to any other road user and for the safety of members/staff/volunteers while they are erecting or removing the signs. The method

## **APPENDIX A**

of erection/removal must not create any hazard for the worker or any member of the public (e.g. by stopping vehicles in inappropriate locations or by walking in the road at night in dark clothing).

It should be remembered that there are often services located in roadside verges and any damage caused by the erection of signs will be the responsibility of the group.

Consideration should therefore be given to arranging adequate insurance cover against potential claims from third parties or individuals within the organisation.

In giving authorisation for any sign, The Moray Council does not accept any liability arising from the erection of such signs.