

Good practice - neat single sign against shop



Bad practice - excessive obstructions to pedestrians



Only one 'A' board permitted



'A' board near crossing point

Neat Display

Code of Practice for Controlling 'A' Boards and Displays of Goods on the Highway Pavements in Warwickshire

1. Introduction

Shopping areas within the County of Warwickshire have much to offer by way of creating an ambience that makes them attractive to shoppers and visitors alike.

'A' Boards and the display of goods on the highway pavements are traditional ways for businesses to promote and display their goods in and around the town centres of Warwickshire, often adding to the amenity and atmosphere of the street scene. The County Council recognises that some traders wish to use this means to promote their business activities, but it must be in a way that both enhances the street scene and is sensitive to the needs of its users.

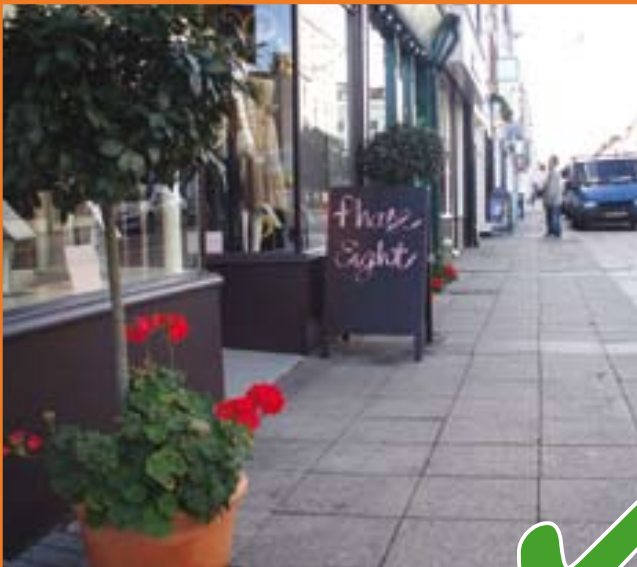
The following Code of Practice has been produced to achieve a reasonable balance

between these needs by setting out our approach to enforcing the law in your town. In this Code, an "advertising sign" means a portable free standing advertising sign designed to be placed on the ground, often called an "A" Board or similar.

This scheme has the support of your Town Centre Managers and the local business forum. Complaints will be monitored and the success of this Code will be regularly reviewed. If this Code is not successful, it may be replaced by a strict enforcement policy or a more restrictive statutory licensing regime involving an annual charge.

It is important that the number, size and positioning of items on the pavement are regulated to ensure that they do not become unreasonable and cause difficulties for pedestrians, particularly those with impaired vision or mobility problems, the elderly or those with young children.

The County Council wishes to work with businesses and the community to achieve a sensible and practical solution for the use of advertising signs. Plans will be made available to show any local town specific constraints to the use of advertising signs or displays.



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Display extends too far

2. General Conditions

The following conditions are applicable to both the placing of advertising signs and display of goods on the highway and must be met in all cases. Every 'A' Board or display of goods should be organised according to these important key principles:-

- Only one advertising sign will be permitted per business to minimise the obstruction to pedestrians and other footway users.
- No advertising signs or displays, etc are to be fixed into or on the highway. They must be temporary in nature so they can easily be removed. No excavation will be permitted to install or remove the item.
- No advertising signs are to be fixed to lamp posts, bollards, seats or other items of street furniture.
- All advertising signs, boards and displays, etc must be removed in their entirety at the end of each trading day.
- A minimum clear width of 1.8 metres of footway is to be left between the edge of the carriageway, or from any item of street furniture or other permanent structure, and the outer edge of any advertising sign or the goods being displayed. This is to ensure that there is no obstruction or danger to any highway users, particularly the visually impaired, the disabled, or those with push chairs, etc.
- In a very busy street it may be necessary to leave more than 1.8 metres of footway space for highway users. The manner in which the advertising signs or the displays are set out should not prevent or discourage people from using the footway - the route available to them must be straightforward, obvious and unobstructed.
- Advertising signs or displays must not cause a visual distraction or obstruct sight lines of vehicle drivers, nor block visibility for pedestrians.
- Advertising signs should be not wider than 600mm and no higher than 1000mm above ground level
- Rotating or swinging signs will not be permitted and both signs and goods placed in the highway must be

sufficiently stable so as not to present a danger to any highway users.

- In pedestrianised areas these principles will generally apply, although the special nature of these areas means that each case will be considered on an individual basis. A route for emergency vehicles (minimum 3.5 metres) is required in these areas.
- It is essential that public liability insurance cover of a minimum £5 million pounds is held by traders to cover third party claims.
- In some locations businesses should arrange a rota of signage to minimise clutter and hazards to pedestrians, particularly at the end of narrow streets and alleys.

These general conditions might not be appropriate in every circumstance. Advertising signs and displays may need to be removed during events, to permit maintenance or street works or for other reasonable cause. Any additional requirement made by the County Council, the Police or emergency services, including immediate removal of any item, must also be complied with.

3. Display of Goods

The following conditions apply specifically to the display of goods:-

- Displays should only be located immediately outside the frontage of the premises so that staff and

customers do not have to cross the normal flow of pedestrians. The items in the displays should only relate to the business or trade normally carried out at the premises, and must not obstruct fire door exits or access to statutory undertakers plant and equipment, and should harmonise with the character of the area.

- All displays must be entirely within and adjacent to the frontage of the trading establishment and be no wider than a third of the available highway footway width upto a maximum of 2.5m.
- Displays detached from the frontage will not be permitted.
- In pedestrianised areas a minimum of 3.5m wide route along the pedestrianised area must be retained.
- No selling or trading will be permitted upon the highway. All transactions must take place within the trading establishment.



This Code does not relate to goods displayed at markets, street fetes or lay-bys which are regulated by local byelaws or other special regimes. Any additional requirements made by the County Council, the Police or emergency services must be complied with.

4. Legal Background

It is an offence under Sections 137 and 148 of the Highways Act 1980 to willfully obstruct the highway or to place things in the highway without lawful excuse. Sections 143 and 149 give the County Council powers to remove any items that have been placed in the highway. Obstructions might also be public nuisances.

This Code of Practice aims to minimise the need for exercising these powers. However, compliance does not guarantee that advertising signs and displays will be lawful.

Although we aim to tolerate signs and displays that do comply, we might be obliged to take enforcement action in certain circumstances. If this happens, we shall try to give you fair warning before taking any action.

Obstructions which do not comply with the Code will be liable to prompt enforcement action.

5. Process to be followed for the removal of advertising boards and displays of goods

If a sign or display is deemed to be unlawful and an immediate danger it will be removed immediately from the highway and either returned to its owner, if known and practicable, or retained for a period of one month before being disposed of by the County Council.

Where signs or displays breach this Code but do not constitute an immediate danger, the owner will be requested to remove or reposition them in accordance with this Code. If the problem persists the County Council may serve notice requiring an unlawful obstruction to be removed. If such a notice is not obeyed, we can remove the item and charge the person responsible. We may also prosecute the person responsible.

6. Other licences

Councils have powers to place permanent items such as road signs, trees and seats on the highway. The County Council also issues licences and permits for a number of items to be temporarily placed in highway areas, including those for the erection of scaffolding, the placing of builders skips or for street cafes. Where issued, those licences and their terms override this Code.

7. Further information

The purpose of this Code is to advise whether the placing of advertising signs and the display of goods in the highway will be tolerated. It does not extend to other items.

8. Modifications, alterations or amendments

The procedures and requirements specified within this Code may be modified, altered or amended at any time as Warwickshire County Council deems appropriate.



Neat 'A' Boards and tidy displays close to shops

If you need any other information or assistance, please visit the website www.warwickshire.gov.uk/roadsandtransport or contact us at countyhighways@warwickshire.gov.uk or phone us on 01926 412515

If this information is difficult to understand, please contact us and we can provide it in another format.