

Dorset Highways

A-Board Advertising Signs



Policy Statement

Dorset Council, as the Highway Authority, has a duty to promote the safe use of the highway by keeping it clear of obstruction. Whilst the Council has only very limited legal powers to authorise the erection of A-Boards on the highway, it can choose the degree to which it actively enforces against their placement.

Dorset Council recognises that many local businesses use A-Boards to advertise their goods and services and wishes to support this as long as certain conditions (See A-Board Advertising Sign Requirements) are met to avoid nuisance and hazard to highway users.

Policy Authorised by:

Date of Authorisation:

A-Board Advertising Signs

Policy Objectives

- To ensure that A-Board signs are erected in a safe manner and do not obstruct the highway
- To support Dorset's economy by helping local companies to advertise their business and services
- To ensure a consistent approach is taken across the County to the "management" and the use of A-Board advertising signs

Key Influences

- The need to support Dorset's economy
- Highway Act 1980
- Town and Country Planning Act 1990
- Equalities Act 2010
- Dorset Council's Unauthorised Signs Policy

Legal Basis

Dorset Council has the power to remove any items, including signs, placed within the highway that are a nuisance or a danger to highway users (including causing a danger by obstructing view) under section 149 of the 1980 Act. If the sign constitutes a danger to highway users, the sign may be removed under section 149 even if it is not in direct contravention of this policy.

It is an offence under section 137 of the Highways Act 1980 to wilfully obstruct free passage along the highway. This would make the sign owner liable for a fine, but does not entitle the Highway Authority to remove the sign.

It is also an offence under section 132 of the Highways Act 1980 to "affix a sign, picture or letter onto the surface of the highway, a tree, structure or works in or under the highway". The owner would be liable for a fine and the Highway Authority could remove the sign. The sign cannot be destroyed or sold unless a court order is first obtained under section 149 of the Highways Act 1980, as above.

This Policy is linked to the Dorset Council Unauthorised Signs Policy.

This policy is written with the Equality Act 2010 and Dorset Council's Equality Policies in mind.

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Definitions and Scope

All A-Boards are a type of unauthorised sign with the potential to cause a nuisance or obstruction to highway users, especially those with visual impairment or other disability. However, if certain conditions are met when A-Boards are erected by local businesses it may be possible to balance their commercial needs with the needs of the wider public using the highway.

When the required conditions are met (see A-Board Requirements), the Council will not actively enforce the removal of A-Boards unless the board is felt to constitute a nuisance or a danger.

If the conditions are not met, the council will take reasonable steps to remove these signs and recover all reasonable expenses incurred in accordance with their powers under the Highway Act 1980.

The erection of A-Boards in certain locations can cause friction between traders and highway users, therefore it is important that this policy is enforced consistently across the county whilst retaining a degree of sensitivity to local needs.

Outline of Process

Dorset Council will not grant licences for A-Boards, therefore there is no defined process.

Related Documents

- Equality Impact Assessment Screening Record
- A-Board Advertising Sign Requirements (includes Instruction Pro Forma and Section 149 Notice Pro Forma)

Measures of Effectiveness

- Fewer numbers of complaints received about A-Boards
- A limitation on the use of A-Boards and evidence that those being used are erected in more appropriate locations
- Records that show a consistent approach to A-Board enforcement across the county