

PLACE SELECT COMMITTEE

SCRUTINY REVIEW OF (UNAUTHORISED) ROADSIDE ADVERTISING

1.0 Executive Summary

1.1 Concern had previously been raised regarding the amount of unauthorised advertising material being placed on, or adjacent to the highway. This varies from fly posting on the back of road signs, to trailers specifically designed to be left on, or adjacent to the roadside, including on walls and fencing. The control of advertising on or adjacent to the highway covers many different services including highways, planning and enforcement. The review sought to ensure that a coordinated approach to the control of roadside advertising was adopted, with clear responsibilities, allowing, where appropriate and safe to do so, legitimate roadside advertising while controlling, efficiently and effectively, inappropriate roadside advertising.

1.2 The Town and Country Planning Act 1990 defines advertising as:

“any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements.”

1.3 The Act divides advertising into three main categories:

- Those permitted without requiring consent from the authority;
- Those with deemed consent;
- Those which require the express consent of the local authority.

1.4 During the review the Committee found that the powers to enforce the legislation on unauthorised roadside advertisements were held between community safety (enforcement and trading standards) and planning services. The Anti-Social Behaviour Crime and Policing Act has given more powers for enforcement of the issue, including the ability to issue Community Protection Notices (CPN). Permission is needed to remove unauthorised advertising on private land.

1.5 There is now a coordinated approach between Stockton-on-Tees Borough Council teams when dealing with complaints regarding roadside advertising. All complaints are initially assessed and recorded by community safety and where possible they are

resolved either through education and advice, warnings or enforcement action, including Fixed Penalty Notices for flyposting. Complaints relating to planning consideration are passed to planning service if all methods of resolving without enforcement action are exhausted. Planning services follow the government guidance: *Outdoor advertisements and signs: a guide for advertiser (2007)*. Signage on roundabouts is assessed by road safety.

- 1.6 The Committee was assured that most advertisements placed on the roadside in the Borough follow the guidelines. There had only been 161 requests for service from the public since January 2022. This represented only 0.7% of all requests for community safety services during the same period. The main area for complaints were flyposting, linked to commercial areas such as Portrack Lane, Stockton Town Centre, and Bon Lea Industrial estate, and these sites were monitored. No complaints relating to banners had been received since 2022, with the introduction of a clear planning position, and there had not been any accidents reported where roadside advertising was stated as the cause.
- 1.7 The Committee was therefore satisfied that unauthorised roadside advertising is no longer regarded as a major concern for the Borough and mechanisms were in place to deal with any issues regarding unauthorised roadside advertising efficiently and effectively. The recommendations seek to ensure the public are fully informed of the rules regarding roadside advertising and reporting systems are strengthened. The Committee felt that online reporting could be enhanced through the introduction of mapping layers, similar to the approach currently being used for reporting of flyposting and that the online reporting system should be reviewed to ensure that all relevant information is obtained to enable issues to be directed to the appropriate service for action.

Recommendations

The Committee recommend that:

1. Further information and guidance regarding the planning regulations for roadside advertising be placed on the planning area of the website.
2. The online reporting system is reviewed to make it easier for members of the public to report an issue.