

APPLICATION FOR PERMISSION TO OCCUPY THE ROAD WITH AN ADVERTISING SIGN

Roads (Scotland) Act 1984 Section 59

Schedule of Charges: There is no charge for permission to occupy the road with an advertising sign.

Applicant and Business Name			
Address			
Post Code			
Tel No		Fax No	
Mobile No			
E-Mail			
New Application (Y/N)		Renewal (Y/N)	
Address or Location of Proposed Sign			
New Applications – Please sketch on reverse proposed location of sign relative to business premises.			
Planning Consent ref if applicable			
Start Date		End Date	
Proof of Public Liability Insurance must be provided at time of application. Failure to provide this will result in the application being rejected.			
Insurance Co. Name	Policy No.	Renewal Date	Attach copy of Certificate of Insurance

IMPORTANT: NO OCCUPATION SHOULD TAKE PLACE UNTIL YOU RECEIVE OFFICIAL PERMISSION FROM THE HIGHLAND COUNCIL

Declaration – I hereby apply for permission to occupy part of the adopted road as detailed above for the placement of an advertising sign. I confirm that I have read and understood the Guidance Notes and Conditions for Granting of Permission relevant to this application and agree to be bound by these should this application be successful. I have in place Public Liability Insurance and will continue to have this in place throughout the duration of any permission granted. I have attached a copy of the current Public Liability Insurance Certificate.

Applicants Signature		Print Name	
Date			

Please check you have

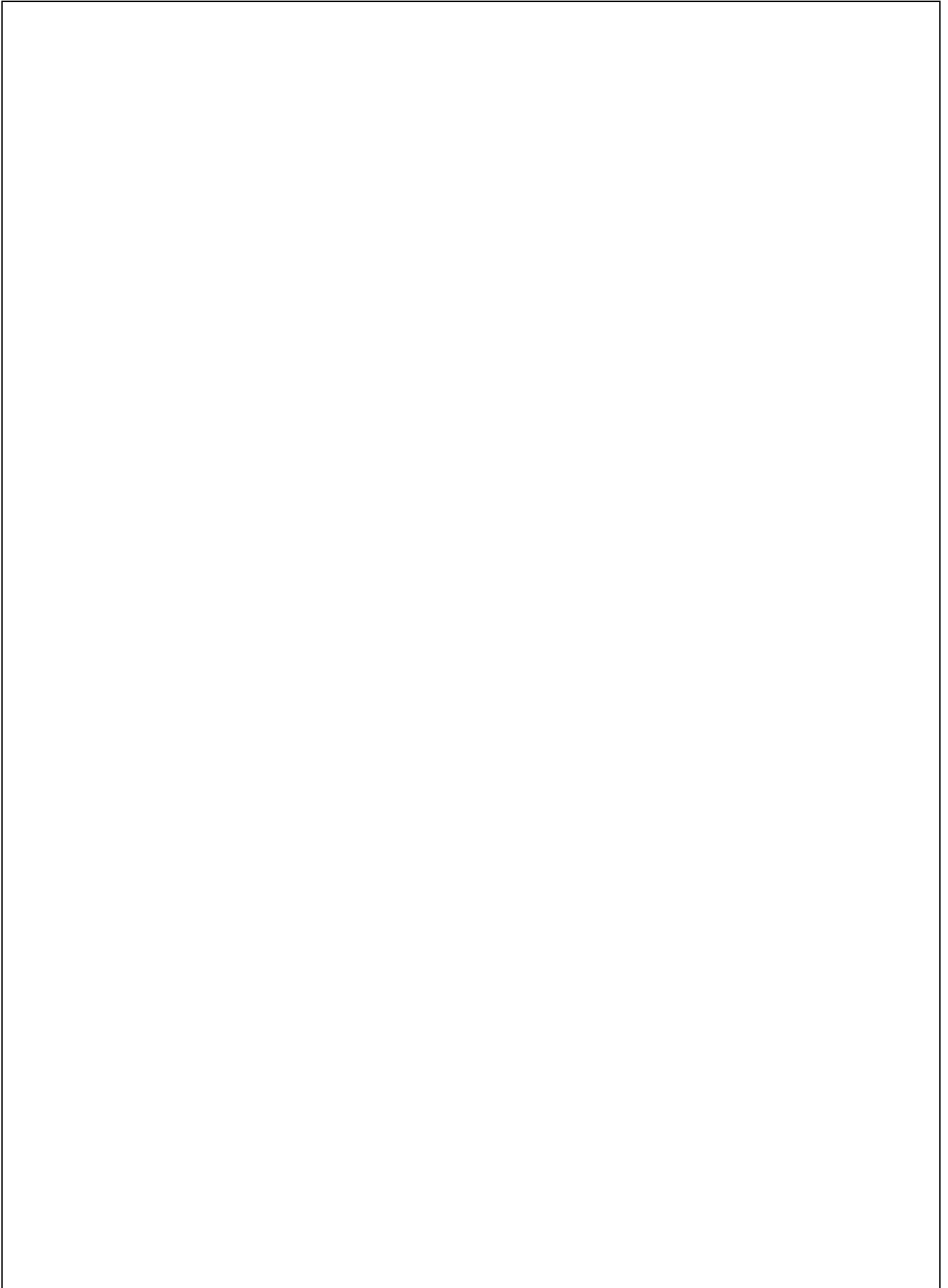
signed the form included a copy of your Insurance Certificate completed the location sketch

and return completed application form to :- communityservices@highland.gov.uk or

Business Support (Community Services), Finance Service, The Highland Council, Council Offices, High Street, Dingwall IV15 9QN

Ref No of Approval:		Planning Comments Received	Yes / No
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Sketch of Sign Location Relative to Business Premises



ADVERTISING SIGNS

NOTES FOR GUIDANCE AND CONDITIONS FOR GRANTING OF PERMISSION

Obstructions on any part of the road, which includes footways, verges, carriageways and public spaces, can cause great difficulty for some sections of our communities, especially the blind and partially sighted, those with disabilities, wheelchair users and those with prams and pushchairs.

An obstruction placed on any part of the road without written authorisation from the Roads Authority constitutes an offence. Authorisation will not be given for any obstruction which, in the opinion of the Roads Authority, creates or has the potential to create a hazard.

Notwithstanding the above, on the basis that such obstructions will be transitory, advertising on public footways and verges by means of “sandwich boards”, “A-frames” etc will be permitted by The Highland Council with prior written approval from the Area Community Services Managers in accordance with the following conditions:

a) In seeking approval the owner of the sign must indemnify the Council against any third party claims so that the sign owner takes full liability for any damage or personal injury caused by placing the sign in the footway or the road. Should an obstruction on a footway be a contributory factor in an accident those persons responsible for erecting or placing it could be liable for damages. **It is a condition of the granting of permission that applicants have in place public liability insurance in the sum of £5 million. Applicants will be required to provide to the Roads Authority a copy of their certificate of public liability insurance with cover up to £5 million for any one event prior to the placement of any advertising board on the footway, footpath, carriageway or public space. Applicants are required to maintain such cover throughout the duration of any permission and must provide a copy with all subsequent applications to renew permission, at the time of renewal of cover and at any other time as requested by the Roads Authority. In the event that the Roads Authority establishes that such cover is not in place all permissions in terms of this agreement will be rescinded and the applicant will require to remove the advertising board forthwith.**

b) In urban areas all boards/advertising etc must:

- be placed at the rear of the footway i.e. adjacent to the building line.
- present no hazard to pedestrians or wheelchair users and have no sharp edges, protruding nails or rotating parts.
- be no more than **750mm** wide and **1m** in height (subject to available space).
- be capable of detection by the visually impaired using a stick.
- be sufficiently stable to withstand being easily knocked or blown over.
- be removed when premises are closed.
- not reduce visibility for road users at a junction, access or bend or obscure any road sign or interfere with any pedestrian facilities.
- not be fixed to street furniture or railings nor be fixed to bicycles which are parked in bicycle racks or attached to street furniture.
- not reduce the remaining available footway width between carriageway and front of display/sign below **1.8m**(note, for footway width of less than 1.8m refer to c) below).
- for streets with high pedestrian usage - not reduce the remaining available footway width between carriageway and front of display/sign below **2.75m**.
- for Pedestrianised Areas - not reduce the remaining available footway width between carriageway and front of display/sign below **3.5m**.
- not be contrary to planning, conservation area or listed building policies.
- not to cause offence or a hazard to the road user.
- only one such object will be permitted for each premises and must be located within the frontage of the premises or in specific circumstances a location as agreed by the approving officer. For premises located in side alleys off of a main thoroughfare consideration will be given, subject to meeting all

other conditions, to locating a sign in the vicinity of the junction. Where space is limited, businesses will need to consider shared signage.

c) Commercial signs in Verges

- in general non-prescribed signs will not be permitted in verges.
- Qualifying businesses and organisations should, in the first instance, apply for Brown Tourist signs or apply for Advertising Sign Consent for signs out with the road boundary.
- where a business is ineligible for Brown Tourist signs and satisfactorily demonstrates it is not practical or feasible to apply for Advertising Sign Consent to erect signs out with the road boundary, they may be able to apply for permission to place an advertising sign in the road verge.
- only one advertising sign will be permitted for each premises and must be located as agreed by the approving officer. Where space is limited, businesses will need to consider shared signage.

d) In all cases permission will be granted for a period of 12 months, after which a reapplication can be made.

e) **Fees:** There is no charge for an application.

f) The applicant should be aware that it may take up to 28 days to process the application and provide written confirmation of approval or otherwise. It is therefore essential that applications to renew are received a minimum of 28 days prior to renewal date to ensure continuity of permission.

Enforcement and sign removal

All obstructions which do not comply with these conditions will be treated as unauthorised and the owner asked to remove them or apply for retrospective permission, unless the signage presents a safety hazard when removal will be immediate. Failure to comply with this request will mean the signs will be dealt with as detailed in the procedures for unauthorised signs in accordance with the Road (Scotland) Act 1984. Notice of removal will only be given if the person responsible for the signage or obstruction can be traced.

Timescales for removal in order of priority:

High = 24 hours or immediate. Signs/obstructions which

- Constitute a danger
- Obstruct visibility
- Distract road users
- Don't leave sufficient width on pavements for the safe passage of pedestrians, prams and wheelchairs

Medium = within 1 week. Signs/obstructions which

- Are fixed to Council property, eg poles, lighting columns, railings, bicycle racks
- Cause a nuisance or offence

Low = at the discretion of the Roads Authority. Signs/obstructions which

- Are unlikely to cause offence
- Are likely to be removed by person responsible no later than 48 hours after the event and erected no more than one week in advance
- Leave sufficient space for safe passage of pedestrians, prams and wheelchairs

Removed signs will be taken to a secure storage area. Action may be taken to recover any associated costs. Return of a sign will be conditional upon payment of any invoiced costs. Signs not collected within 28 days will be regarded as abandoned and will be disposed of. Subsequent use of non-approved signs by the same business will be treated in the same manner and removed.