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Dorset Highways Unauthorised Signs policy

Ref. No.	
Category:	
People	
Place	Yes
Corporate	
In Constitution	

Policy Details

What is this policy for?	<p>This policy describes how Dorset Council as part of its highway management strategy, manages unauthorised signs on the highway</p> <p>Unauthorised signs will be removed from the highway. Removal of signs will be prioritised according to highway safety, resource requirements and the interests of the community. The Council may exercise their discretion not to enforce in some situations (e.g. small-scale charity events).</p> <p>Dorset Council will charge a fee for the removal and storage of unauthorised signs that do not comply with this policy where applicable</p> <p>The policy outcomes will help:</p> <ul style="list-style-type: none"> • limit the proliferation of unauthorised signs on highway land across the county. • provide guidance and support to officers enforcing this policy. • ensure that any costs incurred by the Council, as part of enforcing this policy, are recovered (where applicable). • ensure that a consistent approach to unauthorised signing is applied across the county.
Who does this policy affect?	Road users,
Keywords	Signs Communities Unauthorised Remove Highway Safety
Author	Name: Michael Westwood Job title: Community Highway Manager Tel No: 01305228167 Email: michael.westwood@dorsetcouncil.gov.uk
Does this policy relate to any laws?	Highways Act 1980

	<p>Traffic Management Act 2004</p> <p>Traffic Signs Regulations and General Directions 2016</p> <p>Town and Country Planning Act 1990</p>
Is this policy linked to any other Dorset Council policies?	
Equality Impact Assessment (EqIA)	<p>Equalities Impact Assessment (EqIA) Not required as no material changes to the policy</p>
Other Impact Assessments	<p>Financial Implications None identified as part of the changes</p> <p>Climate implications None identified as part of the changes</p> <p>Risk Assessment None identified as part of the changes</p> <p>Well-being and Health Implications None identified as part of the changes</p>

Status and Approvals

Status	Live	Version	
Last review date	June 2021	Next review date	June 2023
Approved by (Director)	John Sellgren Executive Director of Place	Date approved	30 June 2021
Member/ Partnership Board Approval	Councillor Ray Bryan portfolio holder Highways Travel & Parking Environment & Wellbeing	Date approved	30 June 2021

Dorset Highways Policy

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Policy Statement

As part of Dorset Council's highway management strategy, unauthorised signs will be removed from the highway. Removal of signs will be prioritised according to highway safety, resource requirements and the interests of the community. The Council may exercise their discretion not to enforce in some situations (e.g. small-scale charity events).

Dorset Council will charge a fee for the removal and storage of unauthorised signs that do not comply with this policy where applicable.

Policy Authorised by:

Date of Authorisation:

Unauthorised Signs Policy

Policy Objectives

- To limit the proliferation of unauthorised signs on highway land across the county.
- To provide guidance and support to officers enforcing this policy.
- To ensure that any costs incurred by the Council, as part of enforcing this policy, are recovered (where applicable).
- To ensure that a consistent approach to unauthorised signing is applied across the county.

Key Influences

- Highways Act 1980
- Traffic Management Act 2004
- Traffic Signs Regulations and General Directions 2016
- Town and Country Planning Act 1990
- Equalities Act 2010

Legal Basis

Dorset Council has the power to remove any items, including signs, placed within the highway that are considered a nuisance or a danger to highway users (including causing a danger by obstructing view) under section 149 of the Highways Act 1980. 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 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.

Definitions and Scope

This policy covers any sign placed within the highway, apart from the standard highway signs as detailed in the Traffic Sign Regulations and General Directions 2002 and placed by or with consent of the Highways Authority.

The criteria for enforcement action can be seen in the Unauthorised Signing – Removal Guidance document.

A small-scale *charity event* is one that is organised by a charity, organisation, school, parish or town council, etc. and that has a duration of no more than 2 days and one that is not expected to attract more than 500 people per day. It may be religious, educational,

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cultural, political, social or recreational in nature and it may involve fund raising, but its primary purpose should be charitable and not commercial.

Inclusions

- Applies to unauthorised signing placed on the highway (including verges, footpaths, paved areas, footway and other pavements) and/or attached to highway furniture.
- Signs for commercial purposes (e.g. sale of goods advertising or housing developments)
- Signs for events which are purely for private purposes (e.g. birthdays) where the sign is deemed to represent a danger to highway users.
- Signs for temporary events which are purely advertising and provide no traffic direction information (although exceptions may be made for large scale events where significant traffic congestion is expected and advanced notification is helpful).

Exclusions

- Signs associated with small-scale charity events are unauthorised, but the Council will usually exercise discretion not to enforce as long as the signs do not create a danger to highway users and are erected no sooner than 2 weeks before the event and removed within 48 hours of the event finishing.
- Other unauthorised signs erected on the highway such as A-Boards, are dealt with separately under the *A-Boards Policy*.
- Direction signs for approved temporary events are dealt with under the *Temporary Event Signs Policy*.
- Signing on private property, including privately owned shopping centres.

Outline of Process

Unauthorised signs will not be permitted on the highway and may be removed without notice and stored.

The originator of the sign will be contacted (where contact details are known) to let them know that the sign has been removed. They will be told that they can pick up the sign within 7 working days.

Where there is a continuous breach of this policy, the Community Highways Manager may authorise court action (please refer to: Unauthorised Signing - Removal Guidance).

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Related Documents

Unauthorised Signs Guidance and Requirements
Highways Act 1980
Town and Country Planning Act
Equalities Impact Assessment Screening Record

Measures of Effectiveness

Measures of effectiveness include:

- Number of complaints/comments relating to unauthorised signs
- Number of enforcement actions required to deal with unauthorised signs.
- Efficiency of cost recovery for dealing with unauthorised signs