



Derby City Council

# A-Boards

and other advertising  
structures on the highway



Citywide policy and guidelines  
2013

## Introduction

Derby is a fantastic place to come and shop with a great range of stores from the well known high street chains, to local independent retailers and quirky independent boutique style shops. This mixture, together with the compact and friendly city centre makes it a unique and welcoming place for shoppers.

Derby has always been a warm and hospitable place for disabled shoppers but the recent increase in the use of A-Boards and consequently, some thoughtless positioning has started to impact on that reputation. The number and variable quality of A-Boards is also having an adverse visual impact on the street scene of Derby.

**‘Unfortunately, A-Boards are a problem for visually impaired people. They can be very dangerous if you walk into them and when this happens you lose your confidence for days before you dare to go shopping again’**

Noel Walshe of Sight Support Derbyshire

No business has a right to place an A-Board on the public highway but in the spirit of supporting businesses through these tough economic times, the City Council allows sensibly placed A-Boards and advertising structures.

These guidelines on the use of A-Boards are designed to make sure that businesses can advertise, that everyone can shop safely in our City Centre and more importantly that shoppers return to Derby, making it their shopping destination of choice.

## Background

Derby City Council, as highway authority, is responsible for the safety of highways (other than trunk roads) within the city. This includes footways and pedestrianised areas.

If A-Boards are not positioned sensibly they can sometimes cause an obstruction to pedestrians. The Council is seeking to ensure that such obstructions do not occur. Under the Highways Act of 1980, we have power to remove obstructions within the highway. However, we recognise the value of these boards in advertising and generating trade for businesses. We are therefore trying to take a balanced and inclusive approach by issuing guidelines as a means of controlling them.

A primary consideration in drawing up the guidelines has been to ensure that A-Boards do not present a hazard to disabled people, particularly those with a visual impairment. With this in mind we are seeking, as far as possible, to standardise the boards in terms of their construction and location.

## Objectives

- Work with all users of the footways to reach an inclusive policy to meet their needs.
- Work with traders to promote their businesses in a way which improves the street scene, increases footfall and allows pedestrians to move freely through a clear, obstacle-free network of streets.
- Ensure the safe and free movement of pedestrians especially the visually impaired and disabled people.
- Ensure that the powers contained within the Highways Act 1980 and Road Traffic Regulation Act 1984 Town and Country Planning Act 1990 and Town and Country Planning (Control of Advertisements) (England) Regulations 2007 are applied fairly and consistently, and in the public interest.
- To ensure a consistent citywide policy.

## Compliance and Enforcement

All A-Boards and other advertising structures must comply with this guidance. Compliance with the guidelines will usually mean that the A-Boards or other advertising structures are acceptable, but the Council reserves the right to take enforcement action where compliance with the relevant legislation is not achieved.

The A-Board policy will be included in all Neighbourhood Management Charters and will be enforced by Neighbourhood Officers and other trained members of Streetpride. If an A-Board is identified as being dangerous or causing an obstruction, it will be moved by the officer to a safer position. The officer will then talk to the shop owner and offer advice on why it was necessary to move the A-Board and what corrective action to take. Failure to comply with the advice given will result in referral to the Neighbourhood Board for further action.

Further action will be taken against owners of A-Boards that continue to create a nuisance, breach advertising legislation or present a danger to the public. These are likely to be removed by the Council in accordance with relevant legislation. This may involve serving a Notice requesting removal before seeking a court order for removal and disposal where necessary. However, A-Boards or other advertising structures that constitute an “immediate danger” will be removed from the highway straightaway and either returned to the owner, if possible, or kept and later destroyed.

Any A-Boards or other advertising structures removed and stored by the Council will be kept for 28 days before being disposed of. The Council may seek to recharge any expenses incurred in removing A-Boards or other advertising structures to the owner.

## General Principles

- There must be a maximum of one A-Board per building. Where there is more than one business operating from a building then a shared board should be considered.
- A-Boards must be placed outside own business and
- must not be within 1.5 metres of any other A-Board, permanent

or temporary item of street furniture (such as bus stops, benches, cycle stands and litter bins), and

- must not cause a visual obstruction to pedestrians or drivers.
- Where segregated café seating areas are present, A-Boards must not project further than the seating area. They must conform with the Equality Act and not impede disabled users of the cafe area.
- They must not obstruct access to business premises, particularly for disabled customers and the emergency services.
- They must be removed when premises are closed and
- when weather conditions such as high winds could make the boards unstable.

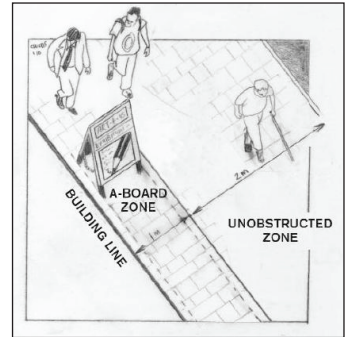
## Size, type and style

- All A-Boards should be between 750mm and 1200mm high and a maximum of 750mm wide.
- They should be of a quality construction and look professionally made – sturdy and stable construction with no sharp edges.
- Rotating or swinging signs will not be permitted.
- Be of distinctive colour, preferably edged in AA yellow.
- A-Boards should be temporary, and not fixed in nature, i.e. to other street furniture.



# Positioning

On a traditional road and pavement A-Boards must be placed against the building line while maintaining a minimum of 2 metres 'unobstructed zone', as set out in the Department for Transport 'Inclusive Mobility' guide. Where this isn't possible because of physical constraints 1.5 metres is the minimum acceptable distance.



Examples of these types of streets include:

Albion Street

St James Street

Friar Gate

Cheapside

Bold Lane

The Strand

Kings Street

Ford Gate

Bradshaw Way

Wardwick

On 'paved' pedestrian streets with lower numbers of pedestrians, (less than 20,000 per day) which have sufficient width to maintain an 'unobstructed zone' for pedestrians; A-Boards may be placed against the building.

Examples of these types of streets include:

Sadler Gate

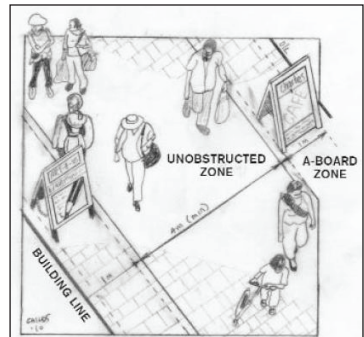
Iron Gate

Exchange Street

St Peters Street

Corn Market

East Street



## Other

1. We will be tolerant of existing A-Boards subject to our agreement if we are satisfied that they are managed and located correctly. All new A-Boards should comply with this guidance
2. We will consider the provision of collective signs at specific sites on main thoroughfares to advise the public of the whereabouts of businesses in remote locations. Until such time we will, at our absolute discretion, consider allowing A-boards to advise of remote premises, subject to a maximum distance between premises and board of 50 metres.
3. All businesses are legally liable for any claims of damage or injury, caused by displaying A-Boards on the highway. Compliance with these guidelines will not relieve owners of their responsibility and they will be advised to have a Public Liability Insurance cover of £5 million for any such claims.
4. In the event of an emergency, or to allow access to pipes and cables, A-Boards may need to be removed to allow access to the highway.

## Advice and Assistance

We will be pleased to discuss any proposals for A-Boards or provide clarification on suitable locations.

## **Streets where A-Boards will not automatically be allowed**

A-Boards and other advertising structures will not automatically be permitted on streets where:

- there are high numbers of pedestrians (generally in excess of 20,000 pedestrians per day) and/ or
- pedestrian safety and servicing needs are adversely affected by narrow footways or other physical restrictions.

These apply to the following streets and areas:

Abbey Street from Macklin Street  
to Friary Street

Jury Street

Amen Alley

Green Lane

Babington Lane

Macklin Street

Cathedral Road

Queen Street

Derwent Street

St Mary's Gate

Full Street

St Peter's Church Yard

Gower Street

Walker Lane

In these instances we will talk to businesses about any proposals they have and look at individual circumstances.



## **Alternatives to A-Boards**

Alternatives to A-Boards such as fascia and projecting signs may, subject to the 'Shopfront and Advertisement Guide' and planning requirements, be permitted. These alternatives should be discussed with a member of the Conservation Team (Telephone: 01332 640809 - email: [built.heritage@derby.gov.uk](mailto:built.heritage@derby.gov.uk)) and a member of the Planning Team (telephone: 01332 640795 - email: [developmentcontrol@derby.gov.uk](mailto:developmentcontrol@derby.gov.uk)).

## **Precincts and Arcades with multiple businesses**

Larger shared boards or signs may be considered where there are multiple businesses in close proximity.

For further information please contact the Derby City Council Street Pride Team on 0333 200 6981 or email [streetpride@derby.gov.uk](mailto:streetpride@derby.gov.uk).

## Legal reference

Highways Act 1980 Sections 137, 143, 148 and 149 relate to the depositing or placing of items within the highway and give the Highway Authority powers to control.

Road Traffic Regulation Act 1984 Section 69 gives general provisions for the Local Highway Authority to require the owner or occupier to remove signs such as A-Boards.

The Town and Country Planning (Control of Advertisements)(England) Regulations 2007 relate to the control of outdoor advertisements and the need for Advertisement Consent from the Local Planning Authority.

The Town and Country Planning Act 1990 (as amended).

## Contact Details

### **Highway Maintenance**

Street Pride: 0333 200 6981

e-mail: [streetpride@derby.gov.uk](mailto:streetpride@derby.gov.uk)

### **Environment and Planning**

Planning Tel: 01332 640795

e-mail: [developmentcontrol@derby.gov.uk](mailto:developmentcontrol@derby.gov.uk)

**Conservation** Tel: 01332 640809

e-mail: [built.heritage@derby.gov.uk](mailto:built.heritage@derby.gov.uk)

### **City Centre Management**

Cathedral and St Peter's Quarter Business Improvement Districts

Tel: 01332 419050



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