

# WINSLOW TOWN COUNCIL

## Signage and Fly Posting Policy



### Introduction

Fly Posting can be defined as the display of advertising material on buildings and street furniture without the consent of the owner and contrary to the provisions of the Advertisement Regulations.

Signage generally applies to such items as directional signs for events or new developments. The policy also includes self supporting signs placed on the pavement or grass verge and any other objects attached to Council Property in some way.

Fly Posting is illegal and the affixing of any signs to Council property such as street lamps is not allowed without consent. Such items are unsightly, unwanted, detract from the general environment and can be a safety issue on the highway. They affect the quality of life of residents and visitors to the area and can discourage business investment as well as contributing to the 'fear of crime'. Removal of illegal posters and unauthorised signs is both costly and time consuming.

### Legal Powers

- It is an offence to display an advertisement in contravention of the Town and Country Planning (Control of Advertisements) Regulations 1992. This provision applies to all types of unauthorised advertisements and not exclusively to fly posting.
- The Highways Act 1980 s132 allows highway authorities to remove posters displayed on highway land without notice.
- The Planning Act allows District Council officers to remove or obliterate any placard or poster displayed in contravention of the Advertisement Regulations. This can be done:
  - without notice where the item does not identify the person who displayed it and they cannot be identified after reasonable inquiry; and
  - after providing two days notice where this information is given on the poster.

### Winslow Town Council Property

Winslow Town Council will support both the County and District Council in their attempts to identify and prosecute those responsible for fly posting.

Notwithstanding the exemptions listed below, Winslow Town Council **does not give permission** for any business, organisation or charity to advertise by way of fly posting or to affix signs on any property owned or in control of the Town Council.

The town of Winslow is served well by public notices boards, namely:

- at High Street junction with Elmfields Gate
- outside Winslow Town Council Chamber, 28 High Street
- High Street junction with Market Square

Only notices of a non-commercial, non-profit making concern may advertise on these notice boards

Where fly posting or unauthorised signage occurs on property and/or street furniture owned by or in control of Winslow Town Council such notices will be immediately

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removed by either the Clerk to the Council, Councillors or persons acting on the authority of the Council.

The following exemptions will apply:

- District/County Council Planning notices where there is no suitable alternative site for the notice
- Winslow Town Council public notices or notices instigated by the Town Council.
- Notices of events organised by charitable organisations, **with prior consent of the Clerk to the Council** may be placed no more than 21 days prior to the date of the event and must be removed within 48 hours of the end of the event (including any fixings)
- Banners publicising events of a non-commercial nature, **with the prior consent of the Clerk to the Council**, may be placed no more than 14 days prior to the date of the event and must be removed within 48 hours of the end of event (including any fixings)
- Lighting columns are made from a light gauge steel and the manufacturers do not recommend the fixing of any object that may cause stress to the column. Signs approved by the Council may only be affixed to Council property with the permission of the Clerk to the Council and on payment of an initial fee of £50 and may be subject to six monthly reviews and subsequent charges. Such signs may only be affixed by an approved Council contractor.

Notices will generally be A4, and in any case not more than A3, in size. Notices, Signs or Banners will not be displayed so as to cause a visual/physical obstruction or a distraction to motorists.

Failing to comply with the reasonable requests of the Town Council may exclude further permissions being granted and result in notices/banners or signs being removed.

Notices, signs and banners, where no consent has been given, will be removed forthwith and stored to await collection by the owner except in the case of those necessarily destroyed in the course of removal. The Clerk to the Council will endeavour to notify the organiser or owner that such action has been taken but unless collected within 28 days the material will be destroyed. Winslow Town Council will maintain records of such fly posters and may provide this information for use by the relevant prosecuting authority. The Council will adopt a first warning principle and offenders will be given the opportunity to recover notices/banners.

### **Prosecution**

The Prosecuting Authority for fly posting lies with the District and County Councils. However, Police Community Support Officers have certain powers to issue 'fixed penalty' notices to deal with fly posting.

### **Review**

The Amenities Committee on behalf of Winslow Town Council will review this policy statement annually.