

## **Appendix 6**

### **Slough Borough Council Digital Advertising Policy**

#### **Summary**

In moving forward, Slough Borough Council intends to utilise its *Highway land* and other Council owned land assets for the purpose of Digital advertising with the main driver of enhancing public space and amenities across the Borough whether this be existing or new structures on Council owned land and Highway land. This document sets out the scope, boundaries, regulations, limits and the types of advertising to be provided. The document sets out in particular the conditions and criteria that will be applied when considering whether to grant consent to third parties to erect structures or objects on highway land for the purpose of advertising.

As there are many different forms of advertising the requirements, particularly in regard to legislation, are different for each, it is important to identify the proposed use of the different forms of advertising in the borough and to determine specific requirements related to specific sites.

This document seeks to provide clarity on future proposals in regard to advertising on Council land, including the criteria to be applied when granting consent for advertising on highway land (see appendix 1 for full detail of proposed sites and the relevant traffic flows for each side.

In particular, the document will act as guidance for the Strategic Director for Place when considering whether to grant consent for erection of structures or objects on highway land for the purpose of advertising.

This document may include locations that are non-highway land but in these instances these assets have been checked to be Council owned land.

#### **Background**

The Council has historically permitted private advertising companies to erect a variety of signage across the borough. Often the signage is incorporated into another structure such as a phone box or bus shelter however there are also many instances of privately operated free standing units operated by media companies across Slough. Private organisations have also been known to utilise parts of highway land to erect advertising signage to promote their business. In all of these instances, the signage is purely for private advertising and does not directly benefit the residents of Slough or the users of the highway network in Slough. Going forward the project will utilise a different direction to be of benefit to Slough as set out below.

Slough itself does have a limited number of electronic signs which are used to display public information and enhance awareness of important matters in the town however these are limited to basic electronic signs which are few and far between. A number of static banners are also attached to lamp columns however the problem with static signage is its inability to be adapted to suit the information which needs to be provided at any given time.

#### **Policy Direction**

This policy covers the majority of advertisements on the highways, however in terms of consent and arrangements each space will be considered and monitored within its own merit. It is expected that that all such arrangements will also be monitored by the necessary authority for advising such as the Advertising Standards Board to ensure that all types of advertising material that may be displayed to the public is appropriate such that it will not be likely to cause upset or offend any individual.

Advertisements also require planning consent and this policy does not cover the considerations which will be relevant to determine whether planning consent should be granted. The Council may enter into contractual arrangements with third parties for the purpose of provision of advertisement and information sharing for residents across the authority. Regardless of such arrangements, the Council will consider each application for highway consent on its merits and on a case by case basis.

This policy is concerned with the following forms of advertising which the Council may grant consent to third parties to provide.

These currently are:-

1. Small Advert Boards/Free Standing Units x35-38
2. Lamp posts/Lamp Columns x140
3. Monoliths x5
4. Billboards x22
5. Digital Advertising Displays (encompassing the suggested format to be used for all of the above.
6. Buildings x1 (The Curve)

These are split in the following Locations

- 1) Roundabouts
- 2) Verges
- 3) Adjacent to SBC property
- 4) Located near to bus shelter
- 5) Gateways into the town including Motorway junctions
- 6) Junctions
- 7) Central Reservations
- 8) Buildings

### **Legislative Framework**

Sections 115B and 115E of Part VIIA of the Highways Act 1980 empowers the Council, in its capacity as highway authority, to place objects or structures on, in or over certain types of highway for the purpose of enhancing the amenity of the highway or for providing a service for the benefit of the public or a section of the public . The Council can also grant permission to third parties to exercise this power.

The Council must be satisfied that the primary motivation for the decision to exercise its powers under section 115B and 115E is to enhance the amenity of the highway in question or to provide a service for the benefit of the public.

The powers set out in sections 115B and 115E only apply to certain types of highway where vehicular traffic is prohibited such as footpaths, bridleways, restricted byways, footways, subway, footbridge or a highway where a pedestrian planning order is in place.

If the Council proposes to place (or to grant permission to a third party to place) an object on a highway for a purpose which will result in the generation of income and intends to grant a third-party permission to do this, it must first obtain the consent of the frontagers with an interest (section 115E). This consent must cover the placing of the object, the purpose for which it is placed and the proposed grant of permission.

Before granting consent to erect structures on the highway, the Council must first publish a notice of the proposal and a period of time for representations to be made. Any representations made must be considered prior to grant of consent.

## **Advertising Spaces by Type**

### **Small Advert Boards/Free Standing Units**

These are structures that are installed for the dual purpose of providing important public service information and displaying advertisements.

There are currently limited numbers of freestanding structures. These are currently limited to town centre and shopping areas throughout the borough.

There will be a continuing requirement for Council messaging and notices that have a clear interest to the public in terms of information/notices within Digital Advertising.

The Council has identified a number of free standing units with a preference for all existing units to be replaced if this proves to be viable. It is likely that many of the existing locations will be retained, however there is the option to identify any other new locations where a viable structure could be installed for the benefit of providing Council messaging and advertising. When deciding whether to grant consent for existing or new small advert boards/free standing structures to be placed on highway land, the Council, as highway authority, will firstly need to consider whether to grant consent for the structure to be erected and separately, whether to grant consent for advertising to be placed on the structure.

### **Criteria/considerations for new small advert boards/free standing structures**

The following criteria will be taken into account when deciding whether to grant consent for advertising to be placed on a new small advert board/free standing structures:

1. There will be presumption in favour of granting consent where the structure or object will enhance the amenity of the highway and its immediate surroundings.
2. There will be a presumption in favour of granting consent for the structure, where it is in keeping with the built environment and does not detract from features of high amenity value.
3. There will be a presumption in favour of granting consent for the structure, where the considerable amount of the advertising space or advertising time will be devoted to Council messaging or other public information items.
4. The extent to which the structure screens other structures or objects that detract from visual amenity.
5. The extent to which the structure blocks other structures or objects that provide visual amenity.
6. The extent to which the structure provides additional lighting and whether this provides enhanced visual amenity.
7. The extent to which the structure could restrict use of the highway by pedestrians.

### **Criteria/considerations for granting consent for existing small advert boards/free standing structures**

The following criteria will be taken into account when deciding whether to grant consent for advertising to be placed on an existing small advert board/free standing structure:

1. There will be a presumption in favour of granting consent where the proportion of Council messaging on the advertising will form a considerable proportions of advertising space or a significant proportion of weeks over a yearly period.
2. If the advertisement provides additional lighting, the extent to which this provides enhanced visual amenity and will utilise energy saving measures
3. Any signage installation approved should not block, interfere or cause interruption to existing signage and services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.
4. Any alterations to existing structures will not prevent or restrict existing pedestrian access routes.
5. Any alterations or extensions to existing structures are reviewed and road safety taken into consideration to ensure they do not cause distraction to users of the highway.

### **Lamposts and Lamp Columns**

Presently the use of lamp posts and columns within the Borough are limited to static signage of which for the considerable amounts are utilised for public information such as directional signage, public information sharing/Slough Borough Council announcements.

Moving forward the following considerations/intentions will be considered for this type of installation.

- Offering this type of installation as a priority to SBE/MBE and/or charitable enterprises which will benefit both those businesses and be of benefit to the borough and wider community.
- Checking the structural Integrity of the street lights to which banners are proposed to be installed including existing brackets for banners and floral displays such as hanging baskets which may need to remain.
- Confirming specific details of the information to be publicised and the appropriateness of approving such information – this often involves seeking client views/agreement or otherwise
- Structural integrity to enable a banner to be attached without fear of adversely damaging the lamp post. In addition, the type of bracket arms that are used for the attachment of banners has been specifically designed to limit the impact of the banner on the lamp post structure. This is due to its ability to act as a sail and bend when a force such as strong wind is exerted on the banner. These are important considerations to ensure the safety of the public and protect the life span of the lamp post structures.
- Proposed Future arrangements: It is proposed that the above current process is altered to include consideration of applications from other parties and this may include those that are driven by local businesses and hence may be for the purpose of commercial gain by those businesses.

### **Criteria/considerations for granting consent for advertisements on existing Lamposts/Lamp Columns**

The following criteria will be taken into account when granting consent for advertising to be placed on existing lampposts and columns:

1. There will be a presumption in favour of granting consent where the proportion of Council messaging on the advertising will form a considerable proportion of advertising space or a significant proportion of weeks over a yearly period.
2. If the advertisement provides additional lighting, the extent to which this provides enhanced visual amenity and will utilise energy saving measures
3. Any signage installation approved should not block, interfere or cause interruption to existing services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.

#### 1) Monoliths

There will be a continuing requirement for Council messaging and notices that have a clear interest to the public in terms of information/notices within Digital Advertising.

The Council has identified a number monoliths with a preference for all existing units to be replaced if this proves to be viable. It is likely that many of the existing locations will be retained; however there is the option to identify any other new locations where a viable structure could be installed for the benefit of providing Council messaging and advertising. When deciding whether to grant consent, the Council, as highway authority, will firstly need to consider whether to grant consent for the structure to be erected and separately, whether to grant consent for advertising to be placed on the structure.

#### **Criteria/considerations for granting consent for existing Monoliths**

The following criteria will be taken into account when granting consent for advertising to be placed on existing Monoliths:

1. There will be a presumption in favour of granting consent where the proportion of Council messaging on the advertising will form a considerable proportion of advertising space or a significant proportion of weeks over a yearly period.
2. If the advertisement provides additional lighting, the extent to which this provides enhanced visual amenity and will utilise energy saving measures
3. Any signage installation approved should not block, interfere or cause interruption to existing services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.

#### **Criteria/Considerations for granting consent for new Monoliths**

The following criteria will be taken into account when granting consent for advertising to be placed on new Monoliths:

1. There will be presumption in favour of granting consent where the structure or items being placed will enhance the amenity of the highway.

2. There will be a presumption in favour of granting consent for the structure, where it is in keeping with the built environment and does not detract from features of high amenity value.
3. There will be a presumption in favour of granting consent for the structure, where the considerable amount of the advertising space or advertising time will be devoted to Council messaging or other public information items
4. The extent to which the structure screens other structures or objects that detract from visual amenity.
5. The extent to which the structure blocks other structures or objects that provide visual amenity.
6. The extent to which the structure provides additional lighting and whether this provides enhanced visual amenity,
7. The extent to which the structure could restrict use of the highway by pedestrians.

## 2) Billboards/Digital Advertising Displays

The digital form of advertising is being utilised within the Borough at presently is currently minimal. Essentially a digital display is very similar to a television/computer screen but is of a stronger construction, suitable for external use, and much larger in size. These large signs will be located in key areas such as off 'A' roads and motorways and will attract a larger audience of both vehicles and pedestrians and be viewable over larger distances.

### **Criteria/considerations for granting consent for existing Billboards/Digital Advertising Displays**

The following criteria will be taken into account when granting consent for advertising to be placed on existing billboards and other non-digital structures.

1. There will be a presumption in favour of granting consent where the proportion of Council messaging on the advertising will form a significant proportion of advertising space or a significant proportion of weeks over a yearly period.
2. If the advertisement provides additional lighting, the extent to which this provides enhanced visual amenity.
3. Any signage installation approved should not block, interfere or cause interruption to existing services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.

### **Criteria/considerations for new Billboards/Digital Advertising Displays**

The following criteria will be taken into account when granting consent for a new billboard or digital advertising displays:

1. There will be a presumption in favour of granting consent where the structure is in keeping with the built environment.
2. The extent to which the billboard or digital advertising represents best value to the Council.
3. The extent to which the structure screens other structures or objects that detracts from visual amenity,
4. The extent to which the structure blocks other structures or objects that provide visual amenity.

5. The extent to which the structure provides additional lighting and whether this provides enhanced visual amenity.
6. The extent to which the structure could restrict use of the highway by pedestrians.

### **Small Format Advertising**

In terms of the project there is also an opportunity to utilise other types of advertising spaces. Current arrangements are minimal and as such there is considerable scope to expand on these. These include but are not limited to:-

- Roundabout Advertising
- Gateway Signs Advertising of which also may include larger signage

#### All privately owned and operated

- *Static roundabout advertising boards/sponsorship boards*
- *Bus Shelter advertising*
- *Phone box advertising*
- *Free standing advertising units, primarily within High Street, shopping parades, main roads*
- *Billboards*

#### SBC owned and operated with public information

- *Welcome to Slough gateway banner signage on lamp columns*
- *Static signage on lamp columns and standalone posts giving motorists and members of the public important information*
- Electronic information signs for road users
- Electronic signage for car parking spaces in town centre

As a roundabout is part of the highway network the roundabout structure is considered as part of the designated public highway, although in most cases it is not land where a highway user is expected to drive or walk.

Proposed future arrangements for Roundabouts: It is considered that the Council are currently not making full use of all of the roundabouts that exist in the borough and it is therefore intended to identify additional roundabout sites where advertising could be considered.

All of the roundabout sites would be designated public highway where the Council is the highway authority and where the Council owns the sub-soil. When deciding whether to grant consent, the Council, as highway authority, will take account of the following criteria when deciding whether to grant consent for a Digital Advertising sign on a roundabout:

#### Criteria/Considerations for both existing and new structures

1. There will be a presumption in favour of granting consent for the structure, where this is replacing an existing structure and the proposed structure is similar or a higher quality design than the previous structure
2. The advertiser would be responsible for ensuring the landscaping of any roundabout is kept to a good standard and in line with the Council's standards for greenspaces.
3. The advertising sign should not be dominant or detract from the soft landscaping on the roundabout.
4. The purpose of the advertising sign should primarily be to provide information to the public that the organisation being promoted has contributed to the maintaining the soft landscaping on the roundabout.
5. Any signage installation approved should not block, interfere or cause interruption to existing services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.

### **Gateway Signage**

A Gateway sign is a sign that identifies that a highway user has entered an area under the control of Slough Borough Council. These are generally signs that are used as Welcome to Slough Borough Council banners. Most of the signs in Slough Borough Council are simple in that they simply provide the message that Slough Borough Council is the home of the sponsor under the welcome to Slough Borough Council message. These signs are located on the highway network generally in a footpath or verge. Therefore, all are on public highway, where the Council are the highway authority and where the Council owns the sub-soil.

There is a potential to increase the number of gateway signs and increase their usage which would include the Welcome to Slough signs that exist at the entry to access route throughout the borough. All of the gateway sign sites would be designated public highway where the Council is the highway authority and where the Council owns the sub-soil.

### **Criteria/considerations for granting consent for existing structures used for Gateway signage**

When deciding whether to grant consent for a licence to place gateway signage on existing structures, the Council, as highway authority, will take into account the following criteria:

1. There will be a presumption in favour of granting consent for the structure, where this is replacing an existing Gateway sign and the proposed sign is similar or a higher quality design than the previous structure
2. There will be a presumption in favour of consent for the structure, where the sign is at the entry to the Borough or a distinct area of the Borough, such as a local shopping centre.
3. The primary purpose of the Gateway Sign should be to provide public information on the area they are about to enter. Advertisement should be subsidiary to this purpose.
4. Any signage installation approved should not block, interfere or cause interruption to existing services such as those intended for security, traffic monitoring such as CCTV, phone masts or signals.

### **Criteria/Considerations for new Gateway signage**

The following criteria will be taken into account when granting consent for a new structure for placing Gateway signs:

1. There will be a presumption in favour of granting consent where the structure is in keeping with the built environment
2. The extent to which the structure screens other structures or objects that detracts from visual amenity
3. The extent to which the structure blocks other structures or objects that provide visual amenity
4. The extent to which the structure provides additional lighting and whether this provides enhanced visual amenity
5. The extent to which the structure could restrict use of the highway by pedestrians