

Advertising in public spaces

Guidelines for using outdoor advertising in Southwark

www.southwark.gov.uk

This set of guidelines is to assist groups in the community as well as departments of the council to appropriately advertise events and activities lawfully.

With hundreds of events, festivals and activities happening across Southwark every year we are always looking for ways to advertise to the public. Different types of marketing ensures that as many people as possible become aware of them as possible. We use posters, leaflets, flyers, postcards, texting, social network sites and websites and street banners to get our message across.

The Town and Country Planning Control of Advertisements Regulations 2007 says that all posters, banners or flags require advertisement consent unless they fit under a number of categories where there is automatic or “deemed” consent. This is national legislation, which Southwark is required to comply with, and is responsible for enforcing.

Southwark Council has implemented a green action plan and sustainability policy 2004 and with partners are influencing a reduction in carbon dioxide emissions, improvement in air quality, reductions in the use and waste of water and implementing a climate change strategy. When advertising in Southwark organisations are required to ensure that they are green and that they recycle waste appropriately.

Priorities

Southwark Council has a series of priorities for the borough. The advertising in public spaces policy should positively contribute to our core priority of making Southwark a cleaner, greener and safer borough whilst supporting the promotion of community focussed activities and events in a safe and lawful manner.

Making Southwark Cleaner and Greener through the enhancing and improving the quality of the urban environment, promoting the use and enjoyment of Southwark’s built heritage, green and open spaces, and local areas.

Community Cohesion As a Council we are committed to ensuring all communities are represented and active in the life of the borough. Through arts, culture and heritage communities can connect through shared activities and sharing experiences. The policy allows equal access to communities to advertise in public spaces.

Criteria for advertising in a public space

Organisations must apply for written advertisement consent for any poster, banner or flag which does not come under one of these categories before it can be displayed. These categories are within the Town & Country Planning Control of Advertising Regulations 2007.

Category 1

Exemptions for Flags

You don't need permission if you want to display the country's national flag, the flag of the Commonwealth, the EU or the UN or of an English County or a saint (e.g. St Georges Cross).

A flag must be displayed by itself. Neither the flag nor the flagpole can display additional advertisement or subject matter (e.g. a Union Flag and an advertisement for a sporting event would require advertisement permission).

Category 2

Exemption for advertisements of local authorities and partners

Southwark Council is able to display an advertisement in relation to any of its services that helps the success of those services.

If the event or activity is funded by, supported by or in partnership with Southwark Council then it is included in this category.

Any banners displayed under this exemption must not exceed 1.55m² in area (e.g. 1 metre by 1.55 metres or 0.5 metres by 3.10 metres).

Category 3

Exemption for miscellaneous advertisements relating to the premises on which they are displayed

An advertisement can be displayed for the purposes of identification, direction or warning with respect to the land or building on which it is displayed.

These signs must not exceed 0.3m² in area (e.g. 0.1 metres by 0.3 metres).

Category 4

Exemption for temporary advertisements announcing local events

This exemption applies to religious, educational, cultural, political, social or recreational activities. Advertisements must be temporary to be exempt. Events and activities under this exemption must not be promoted or carried out for commercial purposes.

An advertisement under this category must not exceed 0.6m² in area (e.g. 0.2 metres by 0.3 metres) and cannot be displayed more than 28 days before the first day of the event and must be removed within 14 days of the last day of the event. There is no limit on the number of such advertisements that can be displayed.

Category 5

Exemption for balloons

An advertisement can be displayed on a balloon providing the balloon is not more than 60m above ground level and providing there is not more than one balloon on the site. Balloons cannot be displayed in conservation area, such as Dulwich Park. This type of advertisement cannot be displayed for more than 10 days in any calendar year on any one site. If you are thinking about using balloon to advertise your event you will also need to speak to the Civil Aviation Authority.

If the advertiser fits in one of the 5 categories they must follow the guidance notes below.

1. No advertisement shall be displayed at road junctions, as this will cause distraction to drivers, cyclists and pedestrians and increase the likelihood of road traffic accidents.
2. It is unacceptable for anyone to advertise at a road junction, on a crossing or on traffic lights. Advertisements posted here will be removed.
3. No advertisements are to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
4. No advertisement shall be sited or displayed so as to:
 - a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. obscure any traffic sign, railway signal or aid to navigation by water or air;
 - c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
7. Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
8. The co-ordination of applications will be through the public realm division.

If the advertisement does not fit into one of the 5 categories the advertiser will need to apply for advertisement consent and obtain that consent before the advert is displayed.

This involves submitting an application form and plan, along with the current application fee of £335 per site. The application form is available at <http://www.southwark.gov.uk/YourServices/planningandbuildingcontrol/planningapplications/planningapplicationformsfees.html> or by contacting the planning department on 020 7525 5403.

An application could cover multiple displays on a single site. The council has eight weeks to make a decision on the application, after which the applicant can appeal if a decision has not been made. The applicant can also appeal if advertisement consent is refused.

In addition to the Advertising Regulations the council will also take account of its Unitary Development Plan when deciding if planning permission can be granted. This states that advertisements will only be permitted where they:

- do not harm amenity or compromise safety, including security: and
- do not obscure highway sightlines and allow the free movement along the public highway by all its users including people with disabilities, especially the visually impaired: and
- are designed (including size, type and any illumination) to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area: and do not cause light pollution.

Penalties

Any person who displays an advertisement without the correct permissions is guilty of an offence. As a result they may be liable to a fine. Such a fine will be a maximum of £1000. In the case of a continuing offence the maximum fine is currently £100 for each day it continues.

Further advice

For further information on the control of advertisements view "Outdoor advertisements and signs: a guide for advertisers" at

<http://www.communities.gov.uk/publications/planningandbuilding/outdooradvertisements>