

Conditions for erecting hoarding or fencing on the highway

HIGHWAYS ACT 1980 SECTION 172 & 173

1. Work may not commence until the date specified.
2. The siting of the hoarding or fencing and all safety precautions necessary shall be to the approval of the Council.
3. The name, address, office telephone number and “out of hours” emergency contact telephone number of the hoarding contractor shall be prominently displayed on a sign measuring 600mm by 450mm and fixed to the hoarding.
4. The structure will be signed and adequately lit at all times during the hours of darkness, to the approval of the Council.
5. A minimum of 1.5 metres clear width of the footway should be maintained at all times for pedestrian usage. A minimum of 1.2 metres may be acceptable in less populated areas. The width is required to enable wheelchair users or those with guide dogs to pass safely through the hoarding. Where a 1.2 metres clear width of footway cannot be maintained, a signed and guarded walkway must be provided for pedestrians to the approval of the Council. The hoarding must be lit, either as a pedestrian walkway and/or for warning purposes to the satisfaction of the Council.
6. The hoarding must be painted in colour(s) agreed by the Council.
7. The bottom 2 metres of any support stands shall be painted white. When newly painted, 'WET PAINT' signs shall be erected.
8. Vertical and horizontal highway sight lines shall be maintained at all times.
9. Wherever practicable, hoarding shall be kept back 450mm from the carriageway edge, up to a height of 5.5 metres measured from the channel level.
10. There may be occasions where part of the hoarding is closer than 450mm to the carriageway edge, or the proposed site of the hoarding is considered to be particularly liable to impact damage by passing vehicles (this is a major factor on steeply cambered

roads). In these circumstances adequately secured and properly signed, guarded, and lit barriers shall be provided along the face of the structure. Generally, minimum 300mm by 150mm baulk timbers painted red and white will be acceptable providing a suitably safe clearance for passing high-sided vehicles. All baulk timbers must be securely joined together to prevent displacement and have reflective cones securely fixed to their top surface at 2 metre intervals. Water or sand filled plastic barriers shall be used on all main traffic routes or classified roads.

11. The applicant will comply with all the directions issued by the Council with respect to the erection and maintenance of traffic signs in connection with the structure.
12. The applicant will afford and protect the rights of the statutory undertakers, to have access as and when reasonably required to that plant or apparatus, and will ensure that no damage is caused to such plant or apparatus.
13. Access to all underground apparatus and street furniture is to be accessible at all times and not be restricted.
14. During the period in which the hoarding is erected, it shall be swept and maintained in good order so as not to be injurious to the amenities of the neighbourhood. The highway around the hoarding shall be swept and kept clean, the footway shall be kept clear for pedestrians and properly protected both day and night, so as to cause no danger or injury to the public or otherwise.
15. The applicant will complete the work and remove the hoarding or fencing in the minimum amount of time necessary to carry out the work, making good any damage to the highway.
16. No unreasonable obstruction of the highway is caused. Where there is potential for encroachment onto the highway, the applicant will comply with all the directions issued by the Council with respect to the erection and maintenance of traffic signs in connection with the structure. Traffic management details must be submitted and approved prior to the issue of a licence. All signing shall be carried out in accordance with the Traffic Signs Manual (Chapter 8).
17. Any excavation in the Public Highway to erect a hoarding shall be subject to the prior agreement of the Council, and an additional licence is required (private opening licence). It should be noted that a further fee and refundable deposit would be required in these circumstances.
18. No works on or to the public highway are permitted within the limits of the hoarding without prior approval of the Council and will be on the basis of a private opening licence (if applicable).
19. The applicant will fully indemnify South Gloucestershire Council against all claims, demands, costs and expenses which may arise out of the erection, existence or

removal of the hoarding or fencing, the subject of the licence, and to support this indemnity, will furnish proof of adequate insurance cover of £5,000,000 in respect of any one claim.

20. Should the applicant wish to erect 'Advertisement Hoardings' as part of the site screening, then a separate form must be obtained from Property Services at the Department for Chief Executive and Corporate Resources, PO Box 1953, Bristol, BS37 0DB. The display of such advertisements without first obtaining a licence from Property Services is expressly forbidden.

21. A duplicate copy of the licence must be clearly displayed on site at all times during which the hoarding is erected, and must be readily available for inspection by authorised officers upon demand.

NOTES:

1. The erection or retention of a hoarding or fence on the highway without a licence issued by the highway authority is an offence. (The following maximum penalties apply: Section 172 Highways Act not exceeding level 3 on the standard scale. Section 173 Highways Act not exceeding level 1 on the standard scale.)
2. If any of the terms or conditions of this licence is not complied with, the Council reserves the right to require the structure to be removed forthwith at the expense of the applicant without prejudice to any claim or right that may have arisen.
3. If the Council refuses to issue a licence, or issues a licence on terms to which the applicant objects, the applicant may appeal to the local Magistrates Court against the refusal or the terms.
4. The applicant's attention is drawn to the Health & Safety at Work (etc.) Act 1974, the construction (Working Places) Regulations 1996 (SI 1966 No 94) and Sections 168 and 169 of the Highways Act 1980.