



THE CAMPAIGN TO PROTECT RURAL ENGLAND
CHARNWOOD DISTRICT AND LEICESTERSHIRE BRANCH
PO BOX 7986 LOUGHBOROUGH LE12 8XT

To: Planning Services, Charnwood Borough Council, Loughborough LE11 2TN.

Application Number P/08/2320/2: Advertising signage on the One Ash Roundabout, Quorn, plus eighteen similar applications, being P/08/2308/2: 2302/2: 2304/2: 2310/2: 2311/2: 2315/2: 2317/2: 2318/2: 2319/2: 2322/2: 2323/2: 2324/2: 2325/2: 2326/2: 2327/2; 2328/2, 2329/2 and 2330/2.

August 31st., 2008.

Dear Mrs. Baker,

The most obvious comment is if these non-essential signs do not distract motorists' attention, what in fact do they do? Local authorities obviously benefit from income derived through advertising 'sponsorship' but this has to be balanced against compromising road safety and any ensuing liabilities where damage and injury result from inattention alleged to have arisen from the presence of highway advertising signage. Road islands can be hazardous at the best of times and no doubt both national and local KSI statistics and insurance company 'damage only' reports will bear this out. Placing signs at critical junctions that have nothing to do with highway directions or warnings is counter-intuitive. Our CPRE Branch website highlights the problem of signage clutter at the Quorn location. See:-

<http://www.cpreleics.org/local-campaigns/clutter-challenge.shtml>

Nationally, CPRE have campaigned for the removal of non-essential road signage generally and distracting highway advertising signs specifically. We have questioned why commercial advertising, such as the case in question, has escaped express planning consent. It is refreshing to see that Charnwood Borough Council has already set something of a precedent in Enforcement case reference E/05/0132 on the approach to a roundabout:-

<http://www.charnwood.gov.uk/uploads/143a7fb45015d8252461675.pdf>

Government Circular 03/2007, Appendix B, paragraph 1, states that '**particular consideration should be given to proposals to site advertisements at points where drivers need to take care, for instance at junctions and roundabouts.**' Indeed, Appendix B begins with the words '**All advertisements are intended to**

attract attention.'

In November 2006 Leicestershire CPRE contacted Leicestershire County Council's Lead Member for Highways as follows:

'November 30th, 2006.

Good morning Mr. Rushton,

I'm very concerned about the traffic island advertising boards appearing around the county and the proposed lamp post advertising scheme. One of the aims in law behind road signage, set out in 'Traffic Signs and General Directions Regulations', is that signs must not be a hazardous distraction. If I recall correctly, cyclists are especially vulnerable at islands. KSI figures may reveal this, though the number of minor shunts at such locations involving all traffic are not recorded. Your comments on the subject of road island and lamp post advertising are eagerly awaited!

Graham Stocks'

Replies from both Mr. Rushton and Mr. Broomhead indicated that there was a lack of clarity in the Advertising Consent Regulations governing signs of this nature posted on highways. However, that confusion now seems to have been clarified by Circular 03/2007, see paras. 3, 4 and 5 of Appendix B. This circular allows local authorities to refuse permission for unnecessary highway signage on both amenity and public safety grounds. Together with PPG19 and Charnwood Local Plan Policy EV1 the grounds for rejecting unnecessary highway signage are now clear.

The legality of allowing road island advertising without due planning process has been challenged in Oxfordshire. In 2006 South Oxford District Council was challenged over the issue of advertisements masquerading as sponsorship signs (*) littering roundabouts. SODC admitted breaching planning policies and that planning permission should have been sought. Introducing commercial 'sponsorship' without consultation increased costs to SODC in addition to leaving the authority open to additional financial risks.

If an authority has sought to find an interpretation of the regulations which allow circumventing the planning application process and therefore public consultation, it is held to be in breach of the Local Government Association's '**Probity in Planning**' guidelines. This Code of Conduct ensures propriety in decision-making. That is, any application in which the Council itself has a direct financial interest must be processed openly and transparently.

RoSPA advised the Oxfordshire CPRE Branch as follows: '***The purpose of advertisements placed by the roadside is to catch the attention of passing road users. Therefore, by definition, such advertisements have the potential to distract drivers and riders from road and traffic conditions. Even a momentary distraction could result in an accident.'***

Research by Brunel University, published this year, investigated the effect of

advertising adjacent to highways on drivers' attention. The abstract of the twenty-page paper, which can be accessed at <http://bura.brunel.ac.uk/handle/2438/2229> reads as follows:

'There is growing concern that roadside advertising presents a real risk to driving safety, with conservative estimates putting external distractors responsible for up to 10% of all accidents. In this report, we present a simulator study quantifying the effects of billboards on driver attention, mental workload and performance in Urban, Motorway and Rural environments. The results demonstrate that roadside advertising has a clear detrimental effect on lateral control, increases mental workload and eye fixations, and on some roads can draw attention away from more relevant road signage. Detailed analysis of the data suggests that the effects of billboards may in fact be more consequential in scenarios which are monotonous or of lower workload. Nevertheless, the overriding conclusion is that prudence should be exercised when authorising or placing roadside advertising. The findings are discussed with respect to governmental policy and guidelines.'

There is what appears to be a legal planning precedent recorded by the Planning Inspectorate under Appeal Reference APP/V2913/H/07/1202151, adjudicated in January of this year. The appeal failed because signs placed along a highway were deemed by the Inspector to adversely affect public safety and amenity.

In conclusion, Charnwood District CPRE and the Leicestershire CPRE Branch would welcome the refusal to grant permission for this type of unsafe and unnecessary commercial advertising.

Joyce Noon

Charnwood District CPRE

Graham Stocks

Leicestershire CPRE Branch

(*) Definitions of 'sponsorship' and 'advertising'

To **sponsor** something is to support an event, activity, person, or organization financially or through the provision of products or services. A sponsor is the individual or group that provides the support, similar to a benefactor. A person or organisation with some sort of responsibility for another person or organisation, especially where the responsibility has a financial aspect; To donate money to. To support a charity by pledging money in advance.

Advertising is a form of communication whose purpose is to inform potential customers about products and services and how to obtain and use them. A commercial solicitation designed to sell some commodity, service or similar. To promote sales.

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