



## DIRECTORATE OF THE ENVIRONMENT

### COUNTY BOROUGH PRACTICE AND PROCEDURE ON THE PROVISION OF FOOTWAY DISPLAYS/ADVERTISING BOARDS/REFRESHMENT FACILITIES ON THE HIGHWAY

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Contact: Highway Operation group 01495 235724

Complied by RJC on 15 September 2003

Revised by RJC on 19 July 2009

1. Caerphilly County Borough Council as the Traffic and Highway Authority has the power to consider and allow displays/advertising boards/refreshment facilities on the highway under the terms of the Highways Act 1980 (Provision of Special Facilities For Highways, Sections 115A to 115J). The Council recognise that requests from commercial business and recognised organisations can be a significant aid to the well being of the community.
2. The necessary planning procedure is wholly separate from that of the highway procedure. Approval under one, does not guarantee approval under the other. An application for an advert only consent will follow its own statutory planning procedure that will include consultation with neighbours and officers of the highway authority – if any objections are received then the matter will have to be referred to the Planning Committee.
3. The procedure for such applications is set out in a report to Cabinet of 2 May 2000 and further clarified and updated in September 2003 and again in 2008. The applicant must provide an indemnity of the Council and must adhere to any condition imposed to erect such facilities on the highway and comply with the relevant criteria and conditions that are detailed in the attached Information Pack, which comprises:
  - Appendix A - Conditions of Use, of displays / adverts / non alcoholic refreshment facilities, on the highway
  - Appendix B - a Certification of Indemnity, of the County Borough Council against any claims arising
4. The initial fees are:
  - £408.00 for refreshment facilities (to include VAT - £308 for planning approval for a change of use and £100 for highways approval).
  - £160.00 for a display / advert facility (to include VAT – £60 for planning approval and £100 for highways approval).
  - Ensuing annual renewal fee for the extension of the licence after the first 12 months will be £100, plus associated tables and chairs cost.
5. Each agreement will be specific to its location and subject matter. Any approval is unlikely to be permanent. It may have a timescale condition attached to it, as the highway may be required for pedestrian or vehicular traffic use in the future.
6. There will be no costs incurred by this Authority

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**CONDITIONS FOR USE**

1. Displays / adverts / signs / refreshment facilities will not be erected without the written consent of the Head of Engineering Services, Caerphilly County Borough Council. The layout and dimensions of the display/advert/sign/facility shall be as detailed in the letter of approval.
2. Any display / advert / sign / facility shall either be securely affixed to the highway or be freestanding to afford pedestrian safety to the satisfaction of the Head of Engineering Services. A facility cannot be affixed to a street lighting column, traffic signal post or a traffic sign post.
3. Any overhead sign shall be erected at least 2.1 metres above the ground level and no part of the sign shall be within 450mm from the kerb edge. Neither must it obscure a lighting column identification number plate which must be visible at all times nor be sited where it is likely to obscure a driver's view of any traffic sign or signal.
5. The applicant shall be responsible for the maintenance of the display /advert/ sign / refreshment facilities and for any replacement as and when necessary.
6. The applicant must submit a plan or schematic layout showing the street names and proposed locations of their signs / displays / facilities, for consideration by the Head of Engineering Services and the Chief Planning Officer together with the appropriate fees.
7. The County Borough Council has the responsibility and reserves the right to remove any facility if it falls into a state of disrepair or otherwise constitutes a hazard.
8. All affected frontagers must be consulted. Any consent may be temporary as the Council reserves the right to re-consider the status of any affected highway.



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FORM OF INDEMNITY

On behalf of : .....

I agree to the conditions as outlined by Caerphilly County Borough Council's procedure for the erection of displays/adverts/signs/facilities on the highway (a copy of which has been supplied to me) and hereby request approval to erect the following items on the highway as shown on the attached drawing and I further agree to indemnify the Council against any claims for personal injury or damage arising from the erection and presence of these items :

(Items:) .....  
.....  
.....

(Business:) .....

(Name:) .....

(Signed:) ..... Date .....

Please return one copy of this form duly completed and signed to:

The Head of Engineering Services  
Communities Directorate  
Highway Operations Group  
Caerphilly County Borough Council  
Highway House  
Penmaen Industrial Estate  
Pontllanfraith  
BLACKWOOD  
NP12 2DY

For Payment:

To make payment please call 01443 866500. Please have this letter to hand with the amount that needs to be paid and the codes that the payment needs to be paid into. The operator will not know this information.

Please provide the operator with the Company Name that the licence arrangement is made under, along with your address, the amount you need to pay, the cost centre payment code and subjective payment code of 3559 T540.