

- All displays must be entirely against the frontage of the trading establishment and be no longer than a third of the shop frontage. (A pavement must be at least 2.8m wide before any shop displays is allowed on it ).
- Empty milk crates and bread baskets must not be used as stands to display any goods on pavement.
- Displays detached from the frontage will not be permitted under any circumstances.
- Shop displays must not cause a visual distraction or obstruct sight lines of vehicle drivers, nor block visibility for pedestrians.

No selling or trading will be permitted upon the highway. All transactions must take place within the trading establishment.

- The Code does not relate to goods displayed at market, street fetes, or lay-bys which are regulated by local byelaws or other special regimes. Any Additional requirements made by the Council, Police or Emergency Services must be complied with.

These general conditions may not be appropriate in every circumstance.

Advertising boards and shop displays may need to be removed during events, to permit maintenance of street works or for other reasonable cause. Any additional requirement by the Council, the Police or Emergency Services, including removal of any items, must also be complied with.

#### 5. Process to be followed for the removal of advertising boards and display of goods

Any advertising board that is deemed to be causing a nuisance or obstruction will have a yellow "Illegal removal notice" placed on it. This notice will demand the item be removed

The wording in this publication can be made available in other formats such as large print and Braille.

Please call: 01274 431000

within 7 days. Failure to do so will result in the item being removed and disposed of by the Council. The Council may charge anything from £25 and above for the removal of an item from the highway

Where an 'A' Board or a shop display breaches this Code but it does not constitute a danger, or a nuisance, the owner will be requested to remove or reposition it, in accordance with this Code. If the problem persists, the Council may serve a notice requiring the unlawful obstruction to be removed. If such a notice is not obeyed, the Council can remove the item and charge the person responsible. We may also prosecute the person responsible.

If any 'A' Board sign or display is deemed to be unlawful and an immediate danger, it will be removed without giving any prior notice to the owners. The Council has powers to place permanent items such as road signs, trees and seats on the highway.

#### 6. Other Licences

The Council also issues licenses such as permits for a number of items to be temporarily placed in the highway areas, including those for erecting of scaffolding, the placing of builders skip or for street cafes.

When issued those licenses and their terms override this Code.

#### 7. Further Information

The purpose of this Code is to advise whether the placing of advertising signs and the display of goods in the highway will be permitted. It does not extend to other items.

#### 8. Modification

The procedures and requirements specified within this Code may be modified, altered or amended at any times Bradford Council deems appropriate.

# Highways Enforcement Code of Practice

## Control of Advertising boards and Display of Goods on the highway pavements of the Bradford District



Making Bradford a **safer** place for all to live in

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## Introduction

Shopping areas within Bradford and its surrounding areas have much to offer by way of creating an ambience that makes them attractive to shoppers and visitors alike.

Advertising Boards (better known as 'A' Boards) and the display of goods on the highway pavements are traditional ways for businesses to promote and display their goods within commercial districts, often adding to the amenity and atmosphere of the street scene.

Bradford Council recognises that some traders wish to use these means to promote their business activities. However, it is important that the number, size and positioning of items on the pavements are regulated to ensure that they enhance the street scene and do not cause difficulties for pedestrians, particularly those with impaired vision or mobility problems, older people or those with young children.

The following Code of Practice leaflet has been produced with the intention of achieving a reasonable balance between the needs of both businesses and pedestrians and gives general guidance on Bradford Council's enforcement policy.

The Council wishes to work with businesses and the community to achieve a sensible and practical solution for both the use of advertising boards and the display of goods on the footway of a public highway.

The Code of Practice has the support of the Town & City Centre Management and the local business forum. Any complaints will be monitored and the success of the Code will be reviewed regularly.

If this Code is not successful it may be replaced by a stricter enforcement policy or a more restrictive statutory licensing regime involving an annual charge.

## 2. Legal Background

Under Section 149 of the Highways Act 1980, a highway authority has the power to immediately remove from a highway pavement anything which it reasonably considers constitutes a danger to highway users and ought to be removed without delay. It can also recover the costs of doing so. Under Section 137 of the same Act, a highway authority can prosecute any person who obstructs the free passage of the highway pavement. Section 28 of the Town Police Clauses Act 1847 states that it is an offence to place goods for sale on a footway.

The Code of Practice aims to minimize the need for exercising these powers; however compliance does not guarantee that all advertising boards and displays will be lawful.

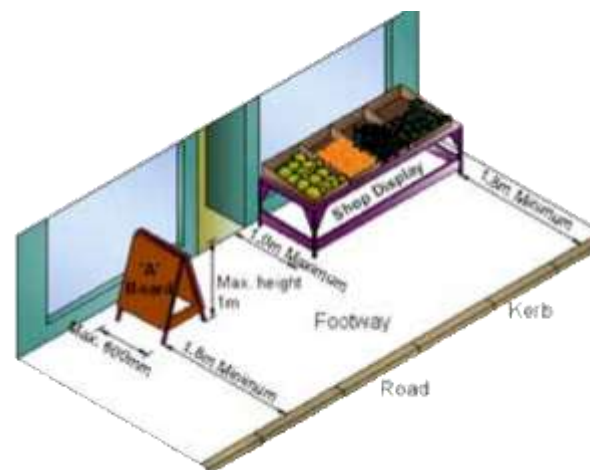
Although Bradford Council aims to permit A-boards and shop displays that do comply, it may be obliged to take enforcement action in certain circumstances. If this happens fair warning shall be given before any action is taken. Obstructions which do not comply with the Code will be liable to prompt enforcement action.

## 3. Advertising Boards ('A' Boards)

The following conditions are applicable to placing Advertising Boards on the highway and must be adhered to in all cases. Every 'A' Board should comply with these key principles

- Only one 'A' Board will be permitted per business to minimise the obstruction to pedestrians.
- The 'A' Board must be placed against the shop frontage and on the same side of the road as the business unless otherwise agreed with in writing with Council's Enforcement Officer

- A minimum clear width of 1.8m of footway is to be left between the rear of the kerb line and the 'A' Board that has been placed on the footway. This is to ensure that there is no obstruction or danger to any highway users, particularly visually impaired, and disabled, or those with pushchairs etc.
- A pavement must be 2.4m wide before any 'A' Board can be placed on it.
- No 'A' Board shall be fixed permanently onto the highway. They must be temporary in nature so they can be easily removed in their entirety at the end of each trading day.
- No 'A' Boards should be fixed to any lighting columns, traffic lights, bollards, safety barriers, seats, or other items of street furniture. Any 'A' Board attached to any street furniture will be removed immediately without any Notice being given.
- No 'A' boards will be allowed on any grass verge adjacent to the highway.
- In a very busy street it may be necessary to leave more than 1.8metres of footway space for highway users (at discretion of Council).
- 'A' boards must not obstruct sightlines of vehicle drivers, nor block visibility for pedestrians.



- 'A' boards will not be allowed on central reservations, roundabouts and busy traffic junctions.
- 'A' boards should not be wider than 600mm and 1000mm (maximum) in height above ground level. They must be in good condition and professionally made (i.e. proper sign writing/ painting/printing – not handwritten )
- Colours used on 'A' boards should provide a tonal contrast to both adjacent shop frontage and pavement material wherever possible.
- Rotating signboards will not be permitted on the highway under any circumstances.
- In pedestrian areas these principles will generally apply although the special nature of these areas means that each case will be considered on an individual basis. A route for emergency vehicles (minimum 3.5metres) is normally required in pedestrian areas.
- It is strongly advised that public liability insurance cover for a minimum of 2 million pounds is held by traders to cover any third party claims.
- In some locations businesses should arrange a signage rota to minimise clutter of hazards to pedestrians, particularly at the end of narrow streets and alleys.

## 4. Display of Goods

The following conditions apply specifically to the displays of goods on the footway of a public highway:

- Displays should only be located outside the frontage of the premises so that staff and customers do not have to cross the normal flow of pedestrians. The items in the display should only relate to the business carried out and must not obstruct access into the premises or any fire doors etc.