

# Conditions for Erecting Hoarding/Fences on the Highway

HIGHWAYS ACT 1980 SECTION 172 & 173

1. Work may not commence until the date specified.
2. The siting of the hoarding and all safety precautions necessary shall be to the approval of the council
3. The structure will be signed and adequately at all times during the hours of darkness, to the approval of the council.
4. A minimum of 1.2m clear width of the footway should be maintained at all times for pedestrian usage. Where a 1.2m 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
5. The hoarding must be painted in colour(s) agreed by the council
6. The bottom 2 meters of any support stands shall be painted white. When newly painted '**WET PAINT**' signs shall be erected.
7. Vertical and horizontal highway sight lines shall be maintained at all times.
8. 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.
9. 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.
10. The applicant will complete the work and remove the hoarding/fence in the minimum amount of time necessary to carry out the work, making good any damage to the highway.
11. 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).
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. 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.
14. 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).

15. 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/fence, 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.
16. Should the applicant wish to erect '**Advertisement Hoardings**' as part of the site screening, then a separate form must be obtained from Property Services Department, Department for Chief Executive & Corporate Resources, P.O. Box 300, Civic Centre, High Street, Kingswood, Bristol, BS15 0DS. The display of such advertisements without first obtaining a licence from Property Services is expressly forbidden.

**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 applicants 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.