

Fly Posting Policy

Introduction

Fly Posting is illegal, unsightly and unwanted. It detracts from the general environment and affects the quality of life of residents and visitors to the area. It can discourage business investment and contribute to the 'fear of crime'. Removal of illegal posters is both costly and time consuming.

Fly Posting can be defined as the display of advertising material on buildings and street furniture without the consent of the owner and contrary to the provisions of the Advertisement Regulations.

Legal Powers

- It is an offence to display an advertisement in contravention of the Town and Country Planning (Control of Advertisements) Regulations 1992. This provision applies to all types of unauthorised advertisements and not exclusively to fly posting.
- The Highways Act allows highway authorities to remove posters displayed on highway land without notice.
- The Planning Act allows District Council officers to remove or obliterate any placard or poster displayed in contravention of the Advertisement Regulations.

This can be done:

- without notice where the item does not identify the person who displayed it
- and they cannot be identified after reasonable inquiry; and
- after providing two days notice where this information is given on the poster.

Prosecution

The Prosecuting Authority for fly posting lies with the District and County Councils. However, Police Community Support Officers have certain powers to issue 'fixed penalty' notices to deal with fly posting.

Metheringham Parish Council Policy

Metheringham Parish Council will support both the County and District Council in their attempts to identify and prosecute those responsible for fly posting.

Notwithstanding the exemptions listed below, Metheringham Parish Council **does not give permission** for any business, organisation or charity to advertise by way of fly posting on any property owned or in control of the Parish Council.

The village of Metheringham is served well by public notice boards, which are located:

Metheringham, Sots hole and Tanvats Parish Council

- War Memorial Garden, High Street
- Outside Metheringham Post Office, High Street

Only notices of a non-commercial, non-profit making concern may advertise on these Notice boards.

Where fly posting occurs on property and/or street furniture owned by or in control of Metheringham Parish Council such notices will be immediately removed by either the Clerk to the Council, Councillors or persons acting on the authority of the Council.

The following exemptions will apply:

- District/County Council Planning notices where there is no suitable alternative site for the notice
- Metheringham Parish Council public notices
- Notices of events organised by charitable organisations, **with prior consent of the Clerk to the Council** may be placed no more than 21 days prior to the date of the event and must be removed within 48 hours of the end of the event (including any fixings)
- Banners publicising events of a non-commercial nature, **with the prior consent of the Clerk to the Council**, may be placed no more than 14 days prior to the date of the event and must be removed within 48 hours of the end of event (including any fixings)

Notices will generally be A4, and in any case not more than A3, in size. Notices or Banners will not be displayed so as to cause a visual/physical obstruction or a distraction to motorists.

Failing to comply with the reasonable requests of the Parish Council may exclude further permissions being granted and result in notices/banners being removed. Notices and banners, where no consent has been given, will be removed forthwith and the Clerk to the Council will endeavour to notify the organiser that such action has been taken. Metheringham Parish Council will maintain records of such fly posters and may provide this information for use by the relevant prosecuting authority. The Council will adopt a first warning principle and offenders will be given the opportunity to recover notices/banners.

Review

This policy will be reviewed annually by Metheringham Parish Council.

Publication and Complaints

This policy will be published on the Parish Council Website and any comments or complaints about the content should be addressed to:
Ms S N Wetherall, Clerk to Metheringham Parish Council, PO Box 1055,
Metheringham, LINCOLN, LN4 3WW.