

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Economy, Transport and Environment
Date:	16 July 2019
Title:	Use of Non-Prescribed Signs on Public Highways
Report From:	Director of Economy, Transport and Environment

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1. The decision:

- 1.1. That the Executive Member for Economy, Transport and Environment notes the recent guidance from the Secretary of State for Transport, regarding the use of non-prescribed traffic signs on local authority roads, and authorises the Director of Economy, Transport and Environment to arrange removal of reported non-prescribed traffic signs in order to comply with legislation and safeguard the authority from litigation, and to avoid compromising enforcement which would be detrimental to road safety.

2. Reasons for the decision:

- 2.1. The Department for Transport prescribes the lawful use of signs in the Traffic Sign Regulations and General Directions, and in various volumes of the Traffic Signs Manual. Signs which do not comply with the prescribed use are often erected on the public highway by third parties without the County Council's permission, and a decision is needed to authorise the removal of such non-prescribed traffic signs.
- 2.2. The County Council regularly receives requests from members of the public, parish councils, and residents' groups to erect signs that cannot be implemented because the request lies outside of the legislation. An example is the provision of 30mph speed limit repeater signs on street lit roads. For the reasons given by the Secretary of State, it is important that signs are used strictly in compliance with the legislation.
- 2.3. In his letter, the Secretary of State reminds local authorities of the need to comply with the legislation.

3. Other options considered and rejected:

- 3.1. Erecting signs on public roads outside of the prescribed uses requires specific authorisation by the Department for Transport. It would be possible to seek specific authorisation by the Department for Transport for non-prescribed

traffic signs. This is rejected as such authorisation is rarely given as the legislation is intended to provide a nationally consistent signing regime and legally enforceable regulation.

- 3.2. It would be possible to leave reported non-prescribed traffic signs in place without seeking specific authorisation by the Department for Transport. This is rejected as it would expose the County Council to litigation, for example if an obstruction is the cause of an accident or an injury in a collision. In addition, in some cases non-compliant signage or road markings can render some highway restrictions, including speeds limits, to be unenforceable.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker:

4.2. Conflicts of interest declared by other Executive Members consulted:

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

16 July 2019

**Executive Member for Economy, Transport and
Environment
Councillor Rob Humby**