

# HIGHWAYS AND TRAFFIC GUIDANCE NOTES

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NO.	<b>HAT 63/1/10</b>
SUBJECT	REQUEST FOR SPONSORSHIP OF HIGHWAY PLANTING
EFFECTIVE FROM	June 2010
AUTHOR	Local Highways Manager (Boston)
DISTRIBUTION	Distribution List

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## 1. Introduction

1.1 This HAT sets out the approved policy for the provision of planting within the highway. The policy was approved by the Environment Committee on 24 January 1996.

## 2. Scope

2.1 This policy only applies to requests for the provision of planting on the highway by other Councils, Community Groups and Commercial Sponsors. The policy is designed to encourage planting in suitable locations to enhance the visual environment. Borough/District/City Councils also have an interest in many planting schemes and as Planning Authorities may need to approve any associated signing in addition to approval by the Highway Authority.

## 3. Policy

### 3.1 Borough/District/City Councils

3.1.1 Where a Borough/District/City Council wishes to carry out planting or already does so, the Highway Authority's role will be confined to approving the planting scheme and any associated signing on highway safety grounds and issuing a licence to plant in the highway. If the Borough/District/City Council wished to enter into an agreement with a commercial sponsor this will be permitted and it will be left to that Council to determine the design of any signs and consider whether Planning permission is required.

3.1.2 Generally such schemes will be confined to the main towns. Existing schemes will be regularised by the Highway Authority licensing the use of highway land.

### **3.2 Community Groups and Parish Councils**

3.2.1 The Highway Authority's role will be to approve the planting scheme on highway safety grounds and to licence the use of highway land. Generally, such schemes do not include any signing.

3.2.2 If the sponsor wishes to provide signing, two different approvals will be required:

- (a) the Highway Authority for traffic safety
- (b) the Planning Authority for planning permission

A simple solution might be to agree a standard form of sign with all the local Planning Authorities thereby removing the need to approve individual signs. This could include standard wording as in Appendix A.

### **3.3 Commercial Organisations**

3.3.1 Where a commercial organisation agrees to carry out or sponsor a planting scheme which is not already undertaken by a Borough/District/City Council this will be encouraged. In some towns it will, subject to the agreement of the other Council, be treated as a Borough/District/City Council scheme as in paragraphs 3.1.1 and 3.1.2.

3.3.2 Elsewhere it will be dealt with direct by the Highway Authority as in paragraphs 3.2.1 and 3.2.2 except that the standard sign would read as in Appendix A.

3.3.3 Some sponsors may wish to have a sign design which is more in line with their corporate livery or logo. In such cases it will be the sponsor's responsibility to obtain the approval of the local Planning Authority. Also the sign should also retain the LINCOLNSHIRE GREEN reference and be approved by the Highway Authority.

### **3.4 General**

3.4.1 All planting schemes will require licences to ensure they are approved on highway safety grounds but no charge will be levied.

3.4.2 There will be a general presumption that the sponsor bears the full cost of all planting schemes, including maintenance and associated signing and returning the highway to its original condition on termination of any licence. Cost sharing will be considered on an exception basis where one of the following conditions is met:

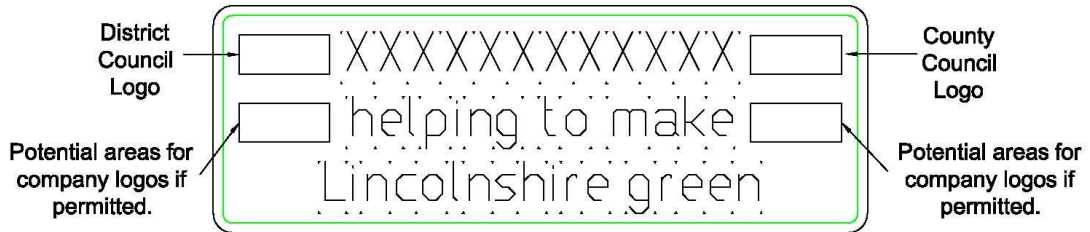
- (a) there is a significant cost saving to the Highway Authority
- (b) the site and scheme are particularly noteworthy in contributing to an improved roadside environment

Such exceptions would need the approval of the Local Highways Manager after consultation with the Chair and Vice Chair of the Planning and Regulation Committee.

3.4.3 Anyone undertaking planting in the highway will be required to have public liability insurance to an indemnity level of £5 million and to agree safe methods of working with the Highway Authority.

3.4.4 The standard letters and application form for use in granting the relevant licence are attached as Appendix B.

DRAFT



Scheme Ref. 1	
Sign Ref. A	x-height 25.0
Letter colour WHITE	SIGN FACE
Background GREEN	Width 630mm
Border WHITE	Height 220mm
Material Class RA1 (12899-1:2007)	Area 0.14sq.m



Scheme Ref. 1	
Sign Ref. B	x-height 25.0
Letter colour WHITE	SIGN FACE
Background GREEN	Width 630mm
Border WHITE	Height 270mm
Material Class RA1 (12899-1:2007)	Area 0.17sq.m

**Examples of approved sponsorship signing**

**Company sponsorship legend and logos to be approved by LCC Signs Manager. Designs to be drafted by signs team.**

My ref:  
Your ref:D/ / / /SPONSOR  
2009

Name  
Address 1  
Address 2  
Town  
County  
Postcode

Dear

**SPONSORSHIP OF PLANTING WITHIN THE HIGHWAY**

Thank you for your letter dated concerning the above.

I attach an application form which I would be grateful if you would complete and return to this office.

Please ensure that you contact all relevant utility companies to ensure that your intended depth of planting and/or proposed signing will not interfere with any of their apparatus.

Yours sincerely

**for Area Highways Manager  
Division**

Encl: Application Form



**APPLICATION FOR THE PURPOSE OF SPONSORSHIP PLANTING  
WITHIN THE HIGHWAY**

1 I/We(block capitals):  
.....  
.  
request permission to plant within the County Highway in the Parish of:  
.....at (address):  
.....  
.....  
.  
for the purpose of planting:  
.....

**The location is shown on the attached plan (scale 1:1250), four copies enclosed.**

- 2 I/We intend to commence work on: .....  
and indicate on the plan referred to in 1 above the dimensions of the areas of the planned opening, proposed layout and type of planting.
- 3 I/We agree to pay any future costs which may occur due to defects in our work.
- 4 I/We agree to remove any planting/signing, and make good any damage whatsoever caused, at our own expense, at any time if required to do so by the County Council, unless such removal is necessitated by County Council funded roadworks when the cost will be borne by the Highway Authority.
- 5 I/We agree to employ only contractors who have operatives and supervisors trained and accredited under the New Roads and Street Works Act 1991 as required by the County Council. A copy of their certificates will be available for inspection by the Executive Director (Development Services) representative upon request.

- 6 I/We agree to indemnify the County Council in respect of all claims actions, liabilities whatsoever or howsoever arising from such work attributable to our negligence.
- 7 I/We agree that any planting shall be executed by the opening up of the highway and that we shall conform with the requirements of the executive Director (Development Services) or representative, regarding specification, submission of risk assessment and the timing of the opening. The reinstatement of the highway will be carried out in accordance with the requirements of Sections 141 and 142 of the Highways Act 1980 as regards specification.
- 8 I/We understand that this approval, if granted, will not have any provision included for its assignment during the effective period.

**NOTE**

- (a) The reinstatement of the Highway is the responsibility of the licence holder and should be carried out in accordance with any requirements and specifications supplied by the Executive Director (Development Services) or representative, under the Highways Act 1980, Sections 141 and 142.

**Signed** ..... (Applicant)      **Date**.....

Please print name .....

Address .....

.....

Tel No: .....

Date .....

**Signed** ..... (for Lincolnshire County Council)

**Date** .....

**Data Protection Statement**

The information supplied on the form will be used to process your application/ enquiry and will be retained as a record. This will allow your personal details to be available if you contact Lincolnshire County Council in the future for information or other services. Please select the appropriate check box regarding the retention of your personal details. All personal information will be processed in accordance with the Data Protection Act 1998 and you have the right to see records relating to yourself and to ask that they be amended where they are inaccurate.

Please select one of the options below:-

- I agree to the retention of my personal details by LCC as outlined above.
- I do not agree to the use of my personal details by LCC other than for the processing of my application/enquiry.

Please return the completed form to:

Lincolnshire County Council  
 Development Services - Highways and Traffic  
 Boston and South Holland Division  
 Municipal Buildings  
 West Street  
 Boston  
 Lincolnshire  
 PE21 8QR  
 Tel No: 01522 782070  
 Fax No: 01205 314572

**DEVELOPMENT SERVICES (HIGHWAYS & TRAFFIC)**

**PUBLIC LIABILITY INSURANCE FOR ACTIVITIES AFFECTING THE HIGHWAY**

Any person executing any works and/or placing any temporary or permanent equipment in/under/over the highway shall indemnify Lincolnshire County Council against all claims arising out of those works and shall provide proof of insurance, effective during those works, covering Public Liability with indemnity of not less than £5m (**five million pounds**) for any one accident or any one claim, unlimited in aggregate. Excess sums of more than two thousand five hundred pounds will not be accepted.

Such insurance may, obviously, be arranged through an insurance company or broker but private individuals may be able to extend their household insurance.  
 Statement by the person(s) carrying out the work/placing the equipment:

I/We ..... indemnify Lincolnshire County Council in respect of all claims arising out of the granting of my/our application to carry out works/place equipment in/under/over the highway save in so far as the circumstances attribute negligence to Lincolnshire County Council. I/We confirm that the indemnity provided by my/our Public Liability Policy is not less than **five million pounds** for any one accident or any one claim, unlimited in aggregate and that any excess payable does not exceed two thousand five hundred pounds.

**Signature:** ..... **Date:**  
 .....

Statement by the Insurers or Broker:



I/We confirm that the aforementioned cover will remain effective during the period of such works and during the existence for temporary equipment in/under/over the highway under:

Policy Number: ..... Expiry Date: .....

Amount of any Excess payable (in pounds):  
.....

**Signature:** ..... **Date:**  
.....

These works/placing of equipment shall not be undertaken until this form has been signed by both parties and returned to Lincolnshire County Council and a specific written authorisation/permit for this activity has been issued.

Please return this form to the following address:

Lincolnshire County Council  
Development Services - Highways and Traffic  
Boston and South Holland Division  
Municipal Buildings  
West Street  
Boston  
Lincolnshire  
PE21 8QR  
Tel: 01522 782070  
Fax: 01205 314572

My ref:  
Your ref: D/ / / /SPONSOR  
2009

Name  
Address 1  
Address 2  
Town  
County  
Postcode

Dear

**CONSENT FOR SPONSORSHIP PLANTING WITHIN THE HIGHWAY  
LOCATION:**

I refer to your recent application to erect sponsorship signs and plant shrubs within the highway at the above location.

The County Council's consent is given to your proposal subject to your compliance with the conditions set out in the attached application form and approved plan. I enclose a signed copy of the application form and plan for your retention.

Please contact this office and return the completed Public Liability Insurance Pro-forma prior to commencing any works within the highway.

Please ensure that any utility apparatus is located on site by use of an appropriate cable avoiding tool or by contacting the appropriate statutory undertaker, in the vicinity of the sponsorship sign, prior to excavation.

This consent will be due for review on an annual basis from the date of this letter or may be terminated by either party by giving a minimum of one month notice. The applicant will be responsible for returning the highway to its original condition at their own cost.

Please contact \_\_\_\_\_ at this office should you require any further information regarding this matter.

Yours sincerely

**for Area Highways Manager  
Division**

Encl: signed copy of Application Form and Plan

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