

Guidance on the use of advertising boards for Commercial Property in West Lothian

The advertising of property is regulated by the Roads (Scotland) Act 1984; the Town and Country Planning (Scotland) Act 1997; and the Town and Country Planning (Control of Advertisement) (Scotland) Regulations 1984.

The council, like other landowners, will wish to exercise further control over land that it owns or manages.

The Planning Act and associated Regulations state that no advertisement can be displayed without the consent of the Planning Authority, and it is an offence to display an advertisement in contravention of the Regulations. It is also a criminal offence under the Roads Act to place an advertisement on any part of the public road including road verges without the consent of the Roads Authority.

Certain classes of advertisement, including agent's boards, may be displayed without needing a specific planning consent. You should always check with the council's Development Management service before displaying any signs, but generally the regulations with regard to "deemed consents" are as follows:

- The advertisement must be placed on the land to which it relates (i.e. within the curtilage of the property that is for sale or to let)
- They must be placed at the lowest level that is reasonably practicable to display them
- They must be kept clean and tidy, in a safe condition, and must not obscure official signs (road, rail etc)
- There should only be one board per property. Boards should not measure more than 2.0 sq. metres; or 2.3 sq. metres for boards joined together as one (i.e. a V-board).

All advertising boards should be removed within two weeks of the sale or let being concluded.

Advertising consent will be needed for any advertising board that is outside the curtilage of the property being advertised. In the first place you are advised to contact Planning Services Development Management team to establish whether consent is required. (Tel. 01506 280000, email dbc@westlothian.gov.uk)

If you are considering placing an advertising board outside the curtilage of the property, you can check to see if the land is owned by the council by contacting Brian Chrystal in Property Management and Development (Tel: 01506 281821; email Brian.Chrystal@westlothian.gov.uk)

Subject to the receipt of advertising consent the council will consider the issue of a licence for the use of its land.

- a standard licence will give the applicant the right to use the land for a year.
- the annual rental will be £150 – no refund will be given if the sign is removed before the expiry of the agreement.
- applicants will also be required to pay an administration fee of a further £150.
- a deposit of £250 is also payable, refundable at the end of the agreement if the sign has been removed and the land reinstated to the council's satisfaction.

Further information on licences can be obtained from Property Management and Development on 01506 281836 or email propertymanagement@westlothian.gov.uk