

Committee	Cabinet
Date	19 April 2005
Report By	Director of Transport and Environment
Title of Report	Roadside sponsorship policy review
Purpose of Report	To report on the consultation and agree a new policy.

RECOMMENDATIONS

The Cabinet is recommended to:

- 1. agree the revised policy statement (PS8/6) on roadside sponsorship (Appendix B)**
 - 2. ask the Director of Transport & Environment to draft a Code of Practice for roadside sponsorship, and**
 - 3. agree that the distribution of any net surplus income from roadside sponsorship should be subject to negotiation with the Director of Transport & Environment.**
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1. Financial Appraisal

1.1 There are no major financial implications arising as a result of this report. The maintenance of roadside features, sponsored areas and the setting-up costs would be covered through income from sponsorship deals. The distribution of any net surplus income would be subject to negotiation with the Director of Transport & Environment and the other parties involved.

2. Supporting Information

2.1 Sponsored roadside planting has been allowed under a policy agreed by the County Council in 1992, (Policy PS8/6). In 1997, the Council agreed a one-off request to place a sponsored sculpture on a roundabout in Eastbourne subject to a licence with the sponsor and an appropriate maintenance agreement. Since then, various sponsored planting schemes have been implemented, but the scope of requests now being received and sponsorship opportunities require the policy to be reviewed and updated.

2.2 In February this year a consultation document (available in the members' room) outlining the key issues was sent to all county councillors local councils in East Sussex, neighbouring authorities, the Sussex Downs Conservation Board, Ashdown Forest Conservators, the Sussex Police and the Highways Agency. The Scrutiny Committee for Transport & Environment considered the consultation at its meeting on 11 March 2005.

3. Consultations

3.1 Forty-two responses to the consultation were received overall, (38% response); thirty-one were from local councils and other administrative bodies in East Sussex. These are available in the Members' room. A summary of responses is attached at Appendix A.

3.2 Around two-thirds of the local respondents (19 of 31) were in favour of roadside sponsorship. Most respondents felt that sponsorship should be strictly controlled by the highway authority in terms of road safety, signage, (including wording), and appropriateness of a scheme to the local environment. Over half felt that formal planning permission should be part of the process. In any event, consultation between Area highway offices and local councils, (as under current practice), on planting, landscaping and sponsorship requests was strongly recommended. The other key issues related to public liability insurance cover and distribution of any surplus income from sponsorship. Agreements between two and five years were supported. A Code of Practice was suggested.

4. Comments on the consultation

4.1 As far as the need for planning approval is concerned, a balanced approach is suggested as practised under the current policy on roadside planting. This allows *minimal* schemes, (e.g. roadside planting), in appropriate locations to be agreed locally by the highway authority taking into account the views of the local member and the local council, keeping bureaucracy to a minimum. Significant schemes, such as landscaping, gateways or physical features which could have more of a visual impact on the local environment, particularly in historic or rural areas should be subject to planning procedures.

4.2 The need for appropriate public liability (PL) insurance was highlighted as an issue. Only a few of the larger town and parish councils said they were prepared to provide this level of cover. Feedback from other authorities and sponsorship brokers is that most businesses carry £5 million PL cover, but the extra cost of increasing this to £10 million is so expensive that it would deter most potential sponsors or smaller councils from taking on sponsorship deals.

4.3 On the advice of its Insurers, based on actual claims experience nationwide, the County Council carries £10 million PL insurance and requires its contractors to carry the same insurance cover. There are two possible ways forward with this. Firstly, the sponsor can arrange for the work to be done and maintained with the requirement that whoever carries out the work has the correct level of insurance cover. (This may still be difficult for smaller companies). The second approach is for the sponsor to pay the local council to use its own landscaping contractors who would carry the correct liability insurance, to do the work. The latter is the approach taken by Eastbourne Borough Council. The cost of these arrangements would be included in the sponsorship deal and at no cost to the local authorities concerned. Further options may be possible and should be explored.

4.4 Finally, there needs to be agreement on how any surplus income from sponsorship should be distributed. A third of respondents said that surplus income, after setting-up and maintenance costs have been deducted should be shared between the highway authority and the local council. Each sponsorship situation will be different and it is recommended that distribution of any net surplus is subject to negotiation between the other parties involved and the county council.

5. Conclusion and Reason for Recommendation

5.1 Following the consultation with local councils and other organisations there is support for extending roadside sponsorship in the county to include landscaped areas, name signs, planters and other features. There is strong agreement that close control of location suitability, layout and signage is needed through the highway offices in consultation with members and local councils. A Code of Practice is recommended. The County Council should continue to require those promoting roadside features to indemnify the council against any public liability claims which might arise, in accordance with current levels of cover. Sponsorship agreements should be for periods of up to five years. Applicants should meet all the costs of setting-up, insurance and maintenance of their features. It is recommended that the distribution of any net surplus income from an individual scheme is subject to negotiation between the other parties involved and the county council.

BOB WILKINS

Director of Transport and Environment

13 April 2005

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BACKGROUND DOCUMENTS

1. Policy Summary PS8/6 – Planting on Highways by Commercial Concerns.
2. H&T Committee 16 September 1992 – agenda item 9.1.
3. T&E Committee 30 September 1997 – Request to place a sculpture on a roundabout.
4. Lead Cabinet member for T&E, 1 November 2004 - Roadside Sponsorship Policy.
5. Consultation on a new policy relating to roadside sponsorship –February 2005