



Jersey

**PLANNING AND BUILDING (DISPLAY
OF ADVERTISEMENTS) (JERSEY)
ORDER 2006**

Official Consolidated Version

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PLANNING AND BUILDING (DISPLAY OF ADVERTISEMENTS) (JERSEY) ORDER 2006

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Jersey

PLANNING AND BUILDING (DISPLAY OF ADVERTISEMENTS) (JERSEY) ORDER 2006

THE MINISTER FOR PLANNING AND ENVIRONMENT, in pursuance of Articles 76 and 124 of the [Planning and Building \(Jersey\) Law 2002](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“application” means an application to display an advertisement made in accordance with Article 2(1)(b) or Article 7(1);

“by local advertisement”, in respect of an application, means in a manner –

- (a) that is likely to bring the application to the attention of the public of Jersey;
- (b) that advises members of the public of Jersey where they may obtain further details of the application; and
- (c) that advises members of the public of Jersey of the manner in which they may provide representations in respect of the application;

“by site display”, in respect of a notice, means by the posting of the notice by firm affixture to some object, sited and displayed in such a way as to be easily visible and legible by members of the public;

“decision-maker” means the Chief Officer or, as the case may be, the Planning Applications Committee;

“ground floor level”, in respect of a building, means the level immediately below the first floor of the building to the ground level;

“ground level” –

- (a) in respect of a building, means the level of the surface of the ground immediately adjacent to the building;
- (b) in respect of an advertisement that is not displayed on a building, means the level of the surface of the ground on which the

advertisement or the structure supporting the advertisement is situated;

“Law” means the [Planning and Building \(Jersey\) Law 2002](#);

“protected site” means –

- (a) a site of special interest; or
- (b) a building included on a published register of buildings of architectural, archaeological or historic interest.¹

2 Permission required for the display of advertisements

- (1) A person must not display an advertisement on a building or land except with and in accordance with the permission granted –
 - (a) by Article 10; or
 - (b) on an application made to the Chief Officer by that person and (if different) by the owner of the building or land on which the advertisement is to be displayed.²
- (2) A person is not displaying an advertisement in accordance with permission if when doing so the person fails to comply with any condition subject to which that permission was granted.³

3 Publicity for applications

- (1) An application must be publicized in accordance with this Article.
- (2) All applications will be publicized by the Chief Officer by local advertisement.⁴
- (3) An application must also be publicized by the applicant giving requisite notice by site display in at least one place on or near to the land or building where the advertisement will be displayed.
- (4) The notice –
 - (a) must be displayed within 3 days of the applicant receiving an acknowledgement of the receipt of the application; and
 - (b) must be displayed for at least 21 days.⁵
- (5) In paragraph (3) “requisite notice” means notice in the form set out in Schedule 2 or in a form substantially to the like effect.
- (6) This Article does not apply to any change in an application where the Chief Officer has advised the applicant that the change is so minor that the change does not need to be publicized in accordance with this Article.⁶

4 Evidence of compliance

- (1) An applicant must show the Chief Officer that the applicant has complied with Article 3(3) and (4) by requisite notice given to the Chief Officer accompanied by a copy of the relevant site notice displayed by the applicant.⁷

- (2) Article 10 of the Law shall apply to a notice given under paragraph (1) and the site notice accompanying it as if they were part of an application for planning permission.
- (3) In paragraph (1) “requisite notice” means notice in the form set out in Schedule 3 or in a form substantially to the like effect.

5 Providing representations in respect of an applications

- (1) Except as provided by paragraph (4), any representation in respect of an application must be provided within 21 days of the application –
 - (a) first being publicized by local advertisement in accordance with Article 3(2); or
 - (b) first being publicized by site display by the applicant in accordance with Article 3(3),whichever is the later.⁸
- (2) A representation must be provided in writing and must contain the name of the person providing the representation and details of how the person may be contacted.
- (3) It may contain such other information as the person providing the representation considers appropriate.
- (4) If the Chief Officer considers that it would be in the public interest to do so, the Chief Officer may extend the period of 21 days mentioned in paragraph (1) by such further period as the Chief Officer consider appropriate.⁹
- (5) The Chief Officer may do so before or at any time after the end of the period of 21 days.¹⁰

6 Grant of permission to display an advertisement

- (1) When considering an application the decision-maker –
 - (a) will take into account all representations made to him or her; and
 - (b) will also take into account all material considerations including the effect the proposed advertisement would have on the environment generally and in particular on the environment of any protected site; and
 - (c) will not grant permission to display an advertisement in a way that is inconsistent with the Island Plan unless he or she has been satisfied by the applicant that there is sufficient justification for doing so.¹¹
- (2) The decision-maker may –
 - (a) grant permission to display an advertisement on a building or land unconditionally or subject to conditions; or
 - (b) refuse to grant the permission sought.¹²

7 Grant of permission for advertisement already displayed¹³

- (1) The decision-maker may, on an application, grant permission for the display of an advertisement on a building or land where the advertisement was already being displayed –
 - (a) without permission; or
 - (b) without complying with a condition subject to which permission for the display of the advertisement was given.¹⁴
- (2) The decision-maker may grant permission under paragraph (1) to have effect from the date the advertisement was first displayed.¹⁵

8 Conditions attached to the grant of permission to display an advertisement

The conditions which may be attached to the grant of permission to display an advertisement on a building or land will fairly and reasonably relate to the proposed display of the advertisement and may, in particular, relate to all or any of the following –

- (a) the dimensions, design, structure or external appearance of the advertisement;
- (b) the materials to be used in the construction of the advertisement;
- (c) the position where the advertisement may be sited on the building or land;
- (d) any illumination of the advertisement.¹⁶

9 Permission to display advertisement attaches to land

- (1) The grant of permission to display an advertisement inures (except insofar as the permission otherwise provides) for the benefit of the building or land on which the advertisement is displayed and of each person for the time being having an estate or interest in that building or land.
- (2) A condition attached to the grant of permission to display an advertisement on a building or land binds and is enforceable against a person for the time being having an estate or interest in that building or land.¹⁷

10 Approved advertisements

- (1) Subject to the provisions of this Order, permission is hereby granted for the display of an advertisement described as an approved advertisement in Schedule 1.
- (2) The permission granted by paragraph (1) for the display of an approved advertisement is subject to any relevant exceptions, limitations or condition specified in Schedule 1 in respect of that advertisement.
- (2A) An approved advertisement must be maintained in a manner which does not impair the visual amenity of the premises on which the advertisement is placed or the surrounding area.¹⁸

(2B) Any hoarding or similar structure used to display an approved advertisement must be maintained in a manner which does not interfere with public safety.¹⁹

(3) This Article does not apply in respect of a protected site.

11 Directions restricting approved advertisements

- (1) This Article applies where the Minister is satisfied that in respect of a particular building or area of land it is expedient that approved advertisements of a class specified in Schedule 1 should not be displayed on the building or area of land unless permission is granted by the decision-maker on an application made to the Chief Officer.²⁰
- (2) The Minister may give a direction that the permission granted by Article 10 shall not apply in respect of the building or area of land to the display of advertisements of the class specified in the direction.
- (3) The Minister will serve notice of a direction given under paragraph (2) on the owner and occupier (if different) of the building or land to which it applies.
- (4) A direction under paragraph (2) has effect from the service of the notice on the owner of the building or land in accordance with paragraph (3).

12 Revocation and modification of permission

- (1) Permission to display an advertisement (including permission given by Article 10) may be revoked or modified by giving the owner of the land on which the advertisement is displayed at least 28 days written notice.²¹
- (2) If permission to display an advertisement is revoked in accordance with paragraph (1) the owner of the building or land must remove the advertisement or cause the advertisement to be removed before the end of the period specified in the notice.
- (3) If a notice under paragraph (1) requires any modification to be made to or in respect of an advertisement that modification must be made before the end of the period specified in the notice.
- (4) Articles 27(6) to (10) and 108 of the Law (in respect of compensation and appeals) shall apply to a decision to revoke or modify permission to display an advertisement as if it were a decision to revoke or modify planning permission.²²

13 Citation

This Order may be cited as the Planning and Building (Display of Advertisements) (Jersey) Order 2006.

SCHEDULE 1²³

(Article 10)

APPROVED ADVERTISEMENTS

PART 1	
OFFICIAL ADVERTISEMENTS	
Class A	
Approved advertisement	A. An advertisement employed wholly for the purpose of announcement or direction in relation to a function of the States, a Minister or a parochial authority, being an advertisement that is reasonably required to be displayed in the manner in which it is displayed in order to secure the safe or efficient performance of that function.
Conditions	<p>A.1 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield. <p>A.2 The advertisement must not be illuminated except to achieve the purpose of the advertisement.</p>
Class B	
Approved advertisement	B. An advertisement employed wholly for the purpose of announcement or direction in relation to the operation of the provider of a public service, being an advertisement that is reasonably required to be displayed in the manner in which it is displayed in order to secure the safe or efficient performance of that operation.
Conditions	<p>B.1 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield.

	B.2 The advertisement must not be illuminated except to achieve the purpose of the advertisement.
Interpretation of Class B	B.3 For the purpose of Class B “provider of a public service” means a person who provides sewerage, gas, water or electricity to the public or to a portion of the public.
Class C	
Approved advertisement	C. An advertisement required to be displayed by virtue of an enactment (including an advertisement that is required by an enactment to be displayed as a condition of the valid exercise of a power, or the proper performance of a function).
Conditions	<p>C.1 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield. <p>C.2 The advertisement must not be illuminated except to achieve the purpose of the advertisement.</p>
Class D	
Approved advertisement	D. An advertisement in the nature of a traffic sign employed wholly for the control, guidance or safety of traffic.
Conditions	<p>D.1 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield.
PART 2	
ADVERTISEMENTS RELATING TO PREMISES ON WHICH THEY ARE DISPLAYED	
Class A	
Approved advertisement	<p>A. An advertisement –</p> <ul style="list-style-type: none"> (a) on land or on a non-glazed area of a building –

	<ul style="list-style-type: none"> (i) for the purpose of identification, direction or warning with respect to the land or building on which it is displayed, (ii) relating to a person, partnership or company carrying on a profession, business or trade on the land or building on which the advertisement is displayed, or (iii) relating to an institution of a religious, educational, cultural, recreational or medical or similar character, situate on the land on which the advertisement is displayed; <p>or</p> <p>(b) incorporated in a non-glazed part of a building and forming part of the fabric of the building.</p>
Advertisement not approved	<p>A.1 An advertisement is not approved by Class A if it has an area exceeding 5 square metres.</p> <p>A.2 An advertisement is not approved by Class A if that advertisement and any other advertisement on the land or building have an aggregated total area exceeding 5 square metres.</p>
Conditions	<p>A.3 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield. <p>A.4 The advertisement must not contain letters, figures, symbols, emblems or devices of a height exceeding 400 millimetres.</p> <p>A.5 The advertisement must not be displayed so that the highest part of it is –</p> <ul style="list-style-type: none"> (a) above the ground floor level, in the case of an advertisement displayed on a building; or (b) 4 metres above the ground level, in the case of an advertisement displayed other than on a building. <p>A.6 The advertisement must not be illuminated except to indicate that medical or similar services or supplies are available at the premises on which it is</p>

	displayed, when it may be illuminated in a manner reasonably required for that purpose.
Interpretation of Class A	A.7 For the purpose of Class A an advertisement is not to be taken to form part of the fabric of a building by reason only of being affixed to, or painted on, the building.
Class B	
Approved advertisement	B. An advertisement in the form of a window graphic, or vinyl applied on a window or door, in a building.
Advertisement not approved	B.1 An advertisement is not approved if it covers an aggregated total area exceeding 25% of the glazed area.
Conditions	B.2 The advertisement must not be displayed so that the highest part of it is above the ground floor level.
Class C	
Approved Advertisement	C. An advertisement in the form of a flag or banner on a car or fuel sales forecourt, garden centre or plant nursery.
Conditions	<p>C.1 The advertisement must not obstruct visibility lines at the accesses to and from the car or fuel sales forecourt, garden centre or plant nursery.</p> <p>C.2 The advertisement must not obstruct the view of a person using a road at or near a bend, corner, junction or intersection so as to be likely to cause danger to such a person.</p> <p>C.3 There must not be more than 4 advertisements under Class C placed in a car or fuel sales forecourt, garden centre or plant nursery.</p>
Class D	
Approved advertisement	D. Replacement of previously approved advertisements since 1st June 2007.
Advertisement not approved	D.1 An advertisement that is an illuminated sign, a projecting sign, a flag or a banner.
Conditions	<p>D.2 The dimension of the advertisement and the lettering or logo height must remain the same as the previously approved advertisement but the materials, colours, letters, figures, symbols, emblems or graphics used may be changed.</p> <p>D.3 The advertisement must not be displayed so that the highest part of it is –</p>

	<ul style="list-style-type: none"> (a) above the ground floor level, in the case of an advertisement displayed on a building; or (b) 4 metres above the ground level, in the case of an advertisement displayed other than on a building.
PART 3	
ADVERTISEMENTS OF A TEMPORARY NATURE	
Class A	
Approved advertisement	A. An advertisement relating to the sale or letting of the building or land on which it is displayed.
Advertisement not approved	A.1 An advertisement is not approved by Class A if it has an area exceeding 2 square metres.
Conditions	<p>A.2 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield. <p>A.3 The advertisement must not contain letters, figures, symbols, emblems or devices of a height exceeding 400 millimetres.</p> <p>A.4 The advertisement must not be displayed so that the highest part of it is –</p> <ul style="list-style-type: none"> (a) above the ground floor level, in the case of an advertisement displayed on a building, except that an advertisement relating to the sale or letting of a building higher than that height limit may be displayed above that limit at the lowest level at which it is reasonably practicable to display the advertisement; or (b) 4 metres above the ground level, in the case of an advertisement displayed other than on a building. <p>A.5 The advertisement must not be illuminated.</p> <p>A.6 The advertisement must be removed within 14 days after the building or land is sold or let, as the case may be.</p>

Class B	
Approved advertisement	<p>B. An advertisement (including an advertisement on street level hoarding and on scaffolding sheeting or netting) on land by –</p> <p>(a) an architect, a contractor or a sub-contractor or other person relating to the carrying out by them of building or similar work on the land;</p> <p>(b) the developer, owner or occupier of the land in connection with the building, ownership or occupation of the land;</p> <p>(c) any person referred to in paragraph (a) or (b), such advertisement representing the completed development.</p>
Advertisement not approved	<p>B.1 An advertisement is not approved by Class B if that advertisement and any other advertisement on the scaffolding sheeting or netting have a total aggregated area exceeding 20 square metres except where the advertisement represents the completed development.</p>
Conditions	<p>B.2 The advertisement must not be sited or displayed so as –</p> <p>(a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or</p> <p>(b) to render hazardous the use of a road or airfield.</p> <p>B.3 The advertisement must not contain letters, figures, symbols, emblems or devices of a height exceeding 400 millimetres.</p> <p>B.4 The advertisement must not be illuminated.</p> <p>B.5 The advertisement must not be displayed except while building or similar work is in progress on the land.</p>
Class C	
Approved advertisement	<p>C An advertisement announcing a local event of a parish or of a religious, educational, cultural, political, charitable or recreational character (including an advertisement relating to a temporary matter in connection with such an event).</p>
Advertisement not approved	<p>C.1 An advertisement is not approved by Class C if it has an area exceeding 2 square metres.</p>

	C.2 An advertisement is not approved by Class D if it relates to an event promoted or carried on for a commercial purpose.
Conditions	<p>C.3 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign or an aid to navigation by water or air; or (b) to render hazardous the use of a road or airfield. <p>C.4 The advertisement must not contain letters, figures, symbols, emblems or devices of a height exceeding 400 millimetres.</p> <p>C.5 The advertisement must not be displayed so that the highest part of it is –</p> <ul style="list-style-type: none"> (a) above the ground floor level, in the case of an advertisement displayed on a building; or (b) 4 metres above the ground level, in the case of an advertisement displayed other than on a building. <p>C.6 The advertisement must not be illuminated.</p> <p>C.7 The advertisement must not be displayed earlier than 28 days before the date of the event and must be removed within 14 days after its conclusion.</p>
Class D	
Approved advertisement	D. A free standing 1 sided or 2 sided advertisement stationed on a public road in front of, or within, the premises of the business it is advertising.
Advertisement not approved	<p>D.1 An advertisement is not approved by Class D if it has an area exceeding 1 square metre per side.</p> <p>D.2 An advertisement is not approved by Class D if its placement on the road has not been approved by the highway authority with responsibility for the road.</p>
Conditions	<p>D.3 The advertisement must not be sited or displayed so as –</p> <ul style="list-style-type: none"> (a) to obscure or hinder the ready interpretation of a road traffic sign; or (b) to render hazardous the use of a road.

PART 4	
ADVERTISEMENTS IN ENCLOSED AREAS	
Class A	
Approved advertisement	A. An advertisement displayed on enclosed land.
Advertisement not approved	<p>A.1 An advertisement is not approved by Class A if it readily visible –</p> <ul style="list-style-type: none"> (a) from land outside the enclosure in which it is displayed; or (b) from a part of that enclosure over which there is a public right of way or to which the public has a right of access.
Conditions	A.2 The advertisement must not be illuminated.
Interpretation of Class A	A.3 For the purpose of Class A “enclosed land” means land that is wholly or mainly enclosed by a hedge, fence, wall or similar screen or structure, but does not include a public park, public garden or other land held for the use or enjoyment of the public.
Class B	
Approved advertisement	B. An advertisement displayed within a building.
Advertisement not approved	B.1 An advertisement is not approved by Class B if it can be readily seen from outside the building.”.

SCHEDULE 2²⁴

(Article 3(5))

SITE NOTICE**NOTIFICATION OF AN APPLICATION FOR
PERMISSION TO DISPLAY AN
ADVERTISEMENT ON THIS LAND****Name and address of applicant****Details of proposed advertisement****FURTHER DETAILS OF THE PROPOSED ADVERTISEMENT**

Further details of the proposed advertisement may be viewed at the offices of the Department of the Environment at South Hill, St. Helier, at the Parish Hall of the Parish in which this land is situated or via the planning pages on www.gov.je

HOW TO PROVIDE A REPRESENTATION

Any person may, with 21 days of the first display of this notice, provide a representation in respect of the application.

It must be provided in writing to the Chief Officer c/o The Department of the Environment, States Offices, South Hill, St. Helier JE2 4US or by email to planning@gov.je

It must contain your name and details of how you can be contacted.

It may also contain such other information as you consider appropriate.

SCHEDULE 3

(Article 4(3))

CERTIFICATE OF COMPLIANCE

CERTIFICATE OF COMPLIANCE	
Name and address of person giving certificate	
Brief details of proposed advertisement	
Date site notice first displayed	
I certify that a site notice, a copy of which is attached, was displayed on the site of the proposed advertisement in such a way as to be easily visible and legible by members of the public for at least 21 days.	
Signature:	
Date:	

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Planning and Building (Display of Advertisements) (Jersey) Order 2006	R&O.68/2006	1 July 2006
Planning and Building (Miscellaneous Provisions) (Jersey) Order 2015	R&O.35/2015	19 March 2015
Planning and Building (Display of Advertisements) (Amendment) (Jersey) Order 2015	R&O.159/2015	23 December 2015

Table of Renumbered Provisions

Original	Current
13(1)	13
13(2)	Spent, omitted

Table of Endnote References

¹ Article 1	<i>amended by R&O.35/2015, R&O.159/2015</i>
² Article 2(1)	<i>amended by R&O.35/2015</i>
³ Article 2(2)	<i>amended by R&O.35/2015</i>
⁴ Article 3(2)	<i>amended by R&O.35/2015</i>
⁵ Article 3(4)	<i>amended by R&O.35/2015</i>
⁶ Article 3(6)	<i>amended by R&O.35/2015</i>
⁷ Article 4(1)	<i>amended by R&O.35/2015</i>
⁸ Article 5(1)	<i>amended by R&O.35/2015</i>
⁹ Article 5(4)	<i>amended by R&O.35/2015</i>
¹⁰ Article 5(5)	<i>amended by R&O.35/2015</i>
¹¹ Article 6(1)	<i>amended by R&O.35/2015</i>
¹² Article 6(2)	<i>amended by R&O.35/2015</i>
¹³ Article 7	<i>heading amended by R&O.35/2015</i>
¹⁴ Article 7(1)	<i>amended by R&O.35/2015</i>
¹⁵ Article 7(2)	<i>amended by R&O.35/2015</i>
¹⁶ Article 8	<i>amended by R&O.35/2015</i>
¹⁷ Article 9(2)	<i>amended by R&O.35/2015</i>
¹⁸ Article 10(2A)	<i>inserted by R&O.159/2015</i>
¹⁹ Article 10(2B)	<i>inserted by R&O.159/2015</i>
²⁰ Article 11(1)	<i>amended by R&O.35/2015</i>
²¹ Article 12(1)	<i>substituted by R&O.35/2015</i>
²² Article 12(4)	<i>amended by R&O.35/2015</i>
²³ Schedule 1	<i>substituted by R&O.159/2015</i>
²⁴ Schedule 2	<i>amended by R&O.35/2015</i>