

# *Advertising and trading*

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# 1 What will the Regulations do?

## 1.1

### The London 2012 Olympic and Paralympic Games

On 27 July 2012 the eyes of the world will be on London, as the Olympic Games of the 30th Olympiad and thereafter the 16th Paralympic Games begin. The London 2012 Olympic and Paralympic Games (the 'Games') are a wonderful sporting, economic and legacy opportunity for London and other sites around the UK.

The London Olympic Games and Paralympic Games Act 2006 (the 'Act') established the Olympic Delivery Authority (ODA), the public sector body responsible for the delivery of the venues and infrastructure required for the Games and for publicising and enforcing Regulations made under the Act. The ODA budget is drawn mainly from the public sector. The ODA is funded by the Department for Culture, Media and Sport, the Greater London Authority, the London Development Agency and the Olympic Lottery Distributor.

The London Organising Committee of the Olympic Games and Paralympic Games Limited (LOCOG) is the private sector company responsible for preparing and staging the Games. Its budget is mainly raised from the private sector, including the International Olympic Committee (IOC). LOCOG generates its own income from sales of tickets, merchandise and, most importantly, a domestic sponsorship programme.

## 1.2

### Regulating advertising and trading

The Act requires the ODA and LOCOG, along with their delivery partners, to ensure the Games are delivered as smoothly as possible and in line with the Host City Contract, which is the binding agreement between the IOC, the Greater London Authority and the British Olympic Association. The UK, Scottish and Welsh Governments promised to respect commitments made to the International Olympic Committee (IOC) in the Host City

Contract (which included obligations as to the regulation of advertising and trading) and to take all necessary measures to ensure that London 2012 fulfils its obligations. Therefore advertising and trading is being regulated in areas close to the venues (Event Zones) while the events are being held (Event Period) to achieve three aims:

- to ensure all Olympic and Paralympic events have a consistent celebratory look and feel;
- to prevent 'ambush marketing' within the vicinity of the venues; and
- to ensure people can easily access the venues.

'Ambush marketing' describes activities undertaken by commercial bodies not sponsoring an event which nevertheless suggest that they or their products are associated with the event or which seek to exploit the interest in the event for commercial purposes by exposing their brands to spectators at the event and/or broadcast viewers.

This control is brought into effect by the making of the following regulations:

- The London Olympic Games and Paralympic Games (Advertising and Trading) (England) Regulations 2011
- The London Olympic Games and Paralympic Games (Advertising and Trading) (Scotland) Regulations 2011
- The London Olympic Games and Paralympic Games (Advertising and Trading) (Wales) Regulations 2011 together (the 'Regulations').

These Regulations are all very similar with the same aims and vary only to take into account of the responsibilities of the devolved administrations.

## 2 Why are the Regulations being introduced?

Sponsors of the London 2012 Olympic and Paralympic Games provide a vital source of funding, without which the UK would not be able to host the Games. Sponsors have exclusive rights to associate their brands with the Games and the Regulations prevent 'ambush marketing' by non-sponsor organisations. The Regulations also prevent unauthorised trading near the Games venues. The control measures not only help protect the investment of sponsors, but are also designed to ensure a welcoming environment for spectators.

In addition, trading will be assessed to ensure the safety and security of the public visiting the venues. While the aim is to permit traders to operate business as usual, there will be a need to limit the number of traders in open spaces near venues to ensure the free flow of spectators.

You can find out more about Games sponsors on [www.london2012.com/about-us/the-people-delivering-the-games/london-2012-olympic-games-partners.php](http://www.london2012.com/about-us/the-people-delivering-the-games/london-2012-olympic-games-partners.php)

### 3 Where and when do the Regulations apply?

#### 3.1 Event Zones

Event Zones are areas within which advertising and trading is subject to control by the Regulations. The Event Zones are set out in a series of detailed maps. These can be viewed online at the London 2012 website at [www.london2012.com/eventzonemaps](http://www.london2012.com/eventzonemaps)

In addition, a full set of printed maps is held for inspection at the offices of the Department for Culture, Media and Sport and at the offices of the ODA. In addition, the map for the Hampden Park zone can be viewed at Glasgow City Council Offices or at the offices of the Scottish Ministers, Edinburgh, and the map for the Millennium Stadium zone in Cardiff will be held at the offices of Cardiff Council. Anyone wishing to receive a printed copy of the map of a particular zone should contact the ODA.

Controls within the Event Zones will apply during the Event Periods – the times that the venues are being used for Olympic or Paralympic events with, in many cases, the day before the event (or a few days before at the Olympic Park) also being covered.

Within the Event Zones during the Event Periods, a person wishing to engage in advertising activities, subject to certain exceptions, will require a specific prior authorisation from LOCOG. Anyone wishing to trade in an open public place within

the Event Zones during the Event Periods, subject to certain exceptions, will require a specific authorisation from the ODA. The authorisation process will ensure that only advertising and trading which is consistent with the aims of the Regulations is permitted.

Where an event runs along a road route, such as the Road Cycling events or the Marathon events, the Event Zone includes the road route itself and the pavement on each side of the road or if there is no pavement, the area two metres either side of the road.

#### 3.2 Event Periods

The periods during which these Event Zones have effect are termed the Event Periods and the applicable dates are also stated on each map. Regardless of the timing of the competitions each Event Period starts at the beginning of the first day of the Period and concludes at the end of the last day of the Period.

The Event Periods are determined by when the particular venue is being used for Olympic or Paralympic events. In many cases the day before the event is also included and at the main Olympic Park the nature of the preparations means that a few days in advance are included. The Event Periods generally close at the end of the last day that an event in that venue is held.

The Event Periods are listed in the Regulations and reproduced at Section 8 of this Detailed Notice.

## 4 Who do the Regulations affect?

### A Advertising

#### 4.1 To whom do the Regulations apply?

The Regulations apply to all those who are directly or indirectly responsible for advertising activity. This includes people who actually engage in advertising activity or who arrange for it to take place. It also includes people who are responsible for goods, services or businesses that are advertised (such as directors or managers of businesses whose products are advertised) and people who own, occupy or manage land (whether directly or indirectly, such as through a company) on which advertising activity takes place.

There is a statutory defence for people who are unaware of the advertising taking place or who have taken reasonable steps to prevent it taking place – see Subsection 4.4 below.

#### 4.2 What sort of advertising activity is covered by the Regulations?

The aim of the Regulations is to promote a fun atmosphere around the Games, to prevent ambush marketing and to keep litter and congestion in key spectator areas to a minimum. To achieve these aims advertising activity is defined widely to capture imaginative forms of marketing but a number of exceptions allow for businesses in the Event Zones to operate from their premises as normal and permit advertising which is not in conflict with the aims of the Regulations.

In the Regulations the phrase 'advertising activity' has been given a very broad meaning to include displaying an advertisement or distributing or providing promotional material. This could include:

- displaying, projecting or exhibiting any kind of advertisement which includes the display of a logo or business name, whether it is of a commercial or non-commercial nature;
- distributing or providing a document or article for the purposes of promotion, advertisement, announcement or direction;
- carrying or holding an advertisement or something on which an advertisement is displayed;
- displaying an advertisement on an animal or something an animal is carrying;
- wearing a costume that is an advertisement or clothing on which an advertisement is displayed as part of an ambush marketing campaign<sup>1</sup>;
- displaying an advertisement on a person's body eg: body paint.

For these purposes, 'advertisement' has a meaning based on, but is broader than, that in the current planning legislation<sup>2</sup> and includes 'any word, letter, image (including logos and other forms of branding), mark, sound, light, model, sign, placard, board, notice, screen, awning, blind, flag, device, costume or representation, whether illuminated or not, which is in the nature of, and employed wholly or partly for the purposes of, promotion, advertisement, announcement or direction'.

#### 4.3 What sort of advertising activity is permitted without further authorisation?

The Regulations provide many exceptions, including exceptions to allow businesses to operate as normal from their premises with advertising that does not conflict with the aims of the Regulations. There are also other exceptions relating to various specific forms of advertising which do not conflict with the aims of

<sup>1</sup> The Regulations define an ambush marketing campaign as a campaign (whether of one or many acts) intended specifically to advertise goods or services or a person who provides goods or services in an Event Zone during an Event Period.

<sup>2</sup> Town and Country Planning Act 1990 (under which the existing legislation for Wales and England was made) or under the Town and Country Planning Act (Scotland) 1997 for Scotland.

the Regulations. All of the exceptions are explained in more detail in this section and in Annexes 1–3.

#### a) Exception for demonstrations and related activities

There is an exception to the prohibition of advertising activity for demonstrations and related activity. This includes any activity intended to demonstrate support for, or opposition to, the views or actions of a person or body. It also includes activity intended to publicise a belief, cause or campaign; or to mark or commemorate an event. Examples would be carrying placards during a protest march, displaying posters promoting a particular religious belief, or distributing flyers in support of a political party.

The exception does not include activity that promotes or advertises a product or service, or a person or body that provides a good or service, unless the body is a 'not-for-profit' body. A not-for-profit body is a body that is required to use its funds for charitable or public purposes and is prohibited from distributing its assets to members (other than for charitable or public purposes).

#### b) Exceptions relating to Advertising Clothing and Possessions

The Regulations do not apply to individuals wearing an advertising costume or clothing bearing an advertisement or carrying personal property bearing an advertisement unless they are knowingly participating in an ambush marketing campaign. Likewise, the Regulations do not apply to individuals displaying an advertisement on their body unless they are knowingly participating in an ambush marketing campaign.

However, others involved in an ambush marketing campaign – for example, those who distribute clothing bearing an advertisement specifically to advertise in an Event Zone – will remain liable.

The Regulations define an ambush marketing campaign as a campaign (whether of one or many acts) intended specifically to advertise goods or services or a person who

provides goods or services in an Event Zone during an Event Period.

A particular example would be a person in an Event Zone who is handed a T-shirt that advertises a product produced by a company other than a London 2012 sponsor. (Note that 'advertisement' includes the display of a commercial name or logo, without any additional messaging.) The person will be able to rely on the exception if they do not know, or have reasonable cause to believe, that by wearing the T-shirt they are participating in a campaign intended to advertise the product in the Event Zone. However, once they become aware, or have reasonable cause to believe, that they are part of such a campaign they will become liable under the Regulations.

This exception does not prevent others involved in the ambush marketing campaign from remaining liable under the Regulations. For example, a person handing out the T-shirts would not be able to rely on this exception. Nor would such a person be able to say that they should not be held liable because the person wearing the T-shirt is not liable.

#### c) Exceptions Modelled on Town and Country Planning Controls

The Regulations include a large number of exceptions to the prohibition of advertising activity which are based on existing legislation.

For Event Zones in England the exceptions are modelled on the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended (the '2007 Planning Regulations').

For the Millennium Stadium Event Zone in Wales the exceptions are modelled on the Town and Country Planning (Control of Advertisements) Regulations 1992 (the '1992 Planning Regulations').

For the Hampden Park Event Zone in Scotland the exceptions are modelled on the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (the '1984 Planning Regulations').

These are collectively referred to as the 'Planning Regulations', and consist of a variety of different Regulations and Classes of advertisement (together referred to as 'Classes').

The exceptions are modelled on the Planning Regulations as follows:

- a) Certain exceptions modelled on the Classes of advertisement that are exempt from the requirement for consent under the Planning Regulations.
- b) Other exceptions modelled on the Classes of advertisement that benefit from 'deemed consent' under the Planning Regulations.

Although not all of Classes of exempt and deemed consent advertisements under the Planning Regulations apply under the Regulations, many do.

Classes 4 to 6 in England and Wales for example apply unmodified (illuminated advertisements on business premises (Class 4), other advertisements on business premises (Class 5) and an advertisement on the forecourt of business premises (Class 6).

Further, some Classes are modified for the purposes of the Regulations.

For full details of all of the exceptions under the Regulations that are modelled on the 2007 Planning Regulations (applicable to England) please see Annex 1.

For full details of all of the exceptions under the Regulations that are modelled on the 1992 Planning Regulations (applicable to Wales) please see Annex 2.

For full details of all of the exceptions under the Regulations that are modelled on the 1984 Planning Regulations (applicable to Scotland) please see Annex 3.



**Permitted:** Branded clothing which is not part of an ambush marketing campaign



**Not permitted:** Arranging for advertising activity to take place in an event zone



Please note that the following advertising activity to which the 2007, 1992 and 1984 Planning Regulations normally offer an exception or deemed consent is not permitted or is prohibited in some circumstances (as indicated in the second column of the table below) in Event Zones during Event Periods:

Class of Advertisement (by reference to the relevant class within the Planning Regulations)	Position under the Regulations
<p>1. An advertisement <b>displayed on enclosed land</b> and not readily visible from outside (Class A in England) (Class B in Wales) (Reg. 3(1)(d)) in Scotland)</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception but advertisements displayed in a railway station (including its yards), a bus station (including its forecourt) or any enclosed land (including a sports stadium or other building) in which a Games event is to take place are prohibited unless authorised by LOCOG.</p>
<p>2. An advertisement <b>incorporated in the fabric of a building</b> (Class C In England) (Class D in Wales)</p> <p>In Scotland (Reg 3(1)(c)), an advertisement incorporated in, and forming part of the fabric of, a building</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception but where the advertisement was not in existence on the day that the Regulations come into force (ie: the date in 2011 when the Regulations as a whole came into force, not the date of the Event Periods), the exception will not apply.</p>
<p>3. Advertisements <b>displayed inside a building</b> (Class I in England) (Class J in Wales) (not illuminated or with no part of the advertisement within 1 metre of any external door, window or other opening, through which it is visible from outside the building)</p> <p>In Scotland (Reg 3(1)(a) and Reg 3(2)), an advertisement displayed within a building (not illuminated or with no part of the advertisement within 1 metre of any external door, window or other opening, through which it is visible from outside the building or an advertisement displayed within any building used principally for the display of advertisements).</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception but where they are displayed in a railway station, a bus station or a sports stadium or other building in which a Games event is taking place or to take place they are prohibited unless authorised by LOCOG (but see the exception for businesses within stations or buildings hosting a Games event at d) on page 12).</p> <p>In Scotland, this Class generally benefits from an exception. If an advertisement is not exempted from the 1984 Planning Regulations by virtue of Reg 3(2) of those Regulations, it may qualify for an exception under the Regulations (see Class V at point 10 in this table, d) on page 12 and Annex 3).</p>
<p>4. Advertisements by <b>planning authorities</b> (Class 1B in England and Wales) (Class I(2) in Scotland)</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception; but advertisements that are not wholly for the purpose of announcement or direction in relation to planning authority functions or are not required for the performance of those functions are prohibited unless authorised by LOCOG.</p>

Class of Advertisement (by reference to the relevant class within the Planning Regulations)	Position under the Regulations
<p>5. Advertisements for <b>local events or activity of a religious, educational, cultural, political, social or recreational</b>, purpose or charitable events (Class 3D in England and Wales)</p> <p>In Scotland, Class III(4) advertisements announcing any local event of a religious, educational, cultural, social or recreational character and advertisements relating to any temporary matter in connection with an event or a local activity of such a character.</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception but temporary advertisements advertising any local event or activity announcing events or activities of a religious, educational, cultural, political (in England and Wales only), social or recreational, character are not permitted (unless authorised by LOCOG) where they promote or advertise a good, service or commercial supplier of goods or services for example, by carrying the brand of a commercial sponsor of the event.</p>
<p>6. Advertisements announcing the visit of a <b>travelling circus, fair or similar travelling entertainment</b>. (Class 3F in England and Wales)</p> <p>In Scotland, there is no equivalent Class of advertisement (which benefits from deemed consent).</p>	<p>Under the Regulations this type of advertisement is prohibited.</p>
<p>7. Flag advertisement at <b>house building sites</b>. (Class 7B in England and Wales)</p> <p>In Scotland, there is no equivalent Class of advertisement.</p>	<p>Under the Regulations this type of advertisement generally benefits from an exception but flags on a residential development site that do not relate to the development or to a person carrying out the development or an aspect of the development are prohibited.</p>
<p>8. Advertisements on <b>hoardings enclosing</b>, either wholly or partly, land on which <b>building operations</b> are taking or are about to take place, if those operations are in accordance with a grant of planning permission (other than outline permission) for development primarily for commercial, industrial or business purposes (Class 8 in England and Wales)</p> <p>In Scotland (Class III(6)), advertisements on hoardings enclosing, either wholly or in part, land on which building operations are taking or are about to take place and which is designated in any development plan for the time being in force primarily for commercial, industrial or business purposes.</p>	<p>Under the Regulations this type of advertisement is prohibited.</p>

Class of Advertisement (by reference to the relevant class within the Planning Regulations)	Position under the Regulations
<p>9. Advertisements on <b>highway structures</b>. (Class 9 in England and Wales)</p> <p>In Scotland, there is no equivalent Class of advertisement.</p>	Under the Regulations this type of advertisement is prohibited.
<p>10. Advertisements <b>inside buildings</b>. (Class 12 in England and Wales) (Class V in Scotland) other than an advertisement falling under the Classes listed under point 3 in this table above and in relation to England only, advertisements displayed on the glazed surface inside a telephone kiosk (England)</p>	Under the Regulations this type of advertisement generally benefits from an exception but advertisements displayed inside a railway station, a bus station or a sports stadium or other building in which a Games event is taking place are prohibited. (But see the exception for businesses within stations or buildings hosting a Games event at d) below.)
<p>11. Advertisements displayed on the same site for the <b>preceding ten years</b> without express consent. (Class 13 in England)</p> <p>In Wales, advertisements displayed on a site on <b>1 April 1974</b> without express consent and used continually for the display of advertisements since that date (Class 13 in Wales)</p> <p>In Scotland there is no equivalent Class of advertisement.</p>	Under the Regulations this type of advertisement is prohibited.
<p>12. Advertisements displayed <b>after expiry of express consent</b>. (Class 14 in England and Wales) (Reg 19 in Scotland)</p>	Under the Regulations this type of advertisement is prohibited.
<p>13. Advertisements on <b>balloons</b>. (Class 15 in England) (Class A in Wales)</p> <p>In Scotland (Reg 3(1)(e) or Reg 3(3)), advertisements displayed on, or consisting of a balloon.</p>	Under the Regulations this type of advertisement is prohibited.
<p>14. Advertisements on <b>telephone kiosks</b>. (Class 16 in England)</p> <p>In Scotland and Wales, there is no equivalent Class of advertisement.</p> <p>See point 10 in this table above on advertisements displayed inside telephone kiosks.</p>	Under the Regulations this type of advertisement is prohibited.

Class of Advertisement (by reference to the relevant class within the Planning Regulations)	Position under the Regulations
15. In Scotland, an advertisement mentioned in Reg 13(1) and (3), which relates to advertisements on sites used for the display of advertisements on <b>16 August 1948</b> .	Under the Regulations this type of advertisement is prohibited.

Therefore, the above types of advertisement must be removed or not displayed during the Games in an Event Zone unless they benefit from another exception or are authorised by LOCOG under the process detailed in section 5.

#### d) Exception for businesses within stations or buildings hosting Games events

A special exception applies to 'exempt business advertisements' within a railway station, a bus station or a sports stadium or other building in which a Games event is taking place or is to take place. An 'exempt business advertisement' is an advertisement displayed on business premises within these types of buildings. The advertisement must only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and Games venues (such as cafes and book shops) are permitted. This effectively mirrors the situation for advertisements displayed externally, although those advertisements are subject to size and other conditions (see Classes 4 to 6 below in Annexes 1 and 2 and Classes IV and V in Annex 3).

#### e) Other exceptions

There are several 'miscellaneous' exceptions to the prohibition on advertising activity in the Regulations.

#### Memorials and railway signals

There is an exception for advertisements that are memorials or railway signals.

#### Newspapers

There is an exception for the distribution or provision of a current newspaper or periodical.

This does not include a newspaper or periodical that is specifically intended to advertise a product, service or supplier in an Event Zone.

Any receptacle from which the newspaper or periodical is distributed (such as a booth or stand) must not cause undue interference or inconvenience to persons using the street.

#### Mobile phones

There is an exception for displaying an advertisement on a hand held mobile phone or other hand held communications device, unless the advertiser intends the advertisement to be displayed, by means of the device, to the public at large (rather than only to the individual using the device). An example could be a number of people holding up an advert on a tablet.

#### Advertising associated with Authorised Trading

There is an exception for any advertising activity carried out in accordance with a condition attached to an authorisation for trading in an open public place granted by the ODA.

### Aircraft

There are exceptions for certain non-illuminated advertisements displayed on the body of an aeroplane or helicopter.

### Street furniture

Finally, there is an exception for an advertisement displayed on street furniture. The advertisement may not be illuminated, and may only bear the name, contact details or device (or any one or combination of these things) of the manufacturer, owner or operator of the street furniture. The advertisement may not be displayed as part of a campaign specifically intended to advertise within an Event Zone during the relevant Event Period (an 'ambush marketing campaign').

#### 4.4 What if I have tried but not been able to stop the advertisement?

Section 21(2) of the 2006 Act provides a defence for any person charged with an offence of contravening the advertising Regulations. Such a person will avoid liability if he or she proves that the contravention occurred:

- without his or her knowledge; or
- despite his or her taking all reasonable steps to prevent it from occurring or (where he or she became aware of it after its commencement) from continuing.

Therefore, for example, a landowner on whose land advertising activity takes place will be able to avoid liability if they prove that the activity occurred without their knowledge. Likewise, the manager of a company whose products are advertised will avoid liability if they prove that they took all reasonable steps to prevent the advertising activity from occurring.

#### 4.5 Do I need an authorisation?

Unless one of the exceptions applies, if you wish to engage in advertising activity within an Event Zone during the relevant Event Period you will need to apply for prior authorisation from LOCOG and meet LOCOG's criteria for authorisation (see section 5A below).

It is particularly important to note that the Regulations do not replace the legal requirements that apply at all other times. Even if an exception applies or authorisation has been granted by LOCOG, you must ensure that, during the Event Periods at the time of the advertising activity, you hold any other kind of authority or permission required for that advertising activity.

#### 4.6 What happens if advertising activity isn't excepted and hasn't been authorised?

Any advertising activity that is not in an excepted category and is not authorised by LOCOG must not take place and in the case of existing advertising, must be removed or properly obscured.

## B

### Trading

#### 4.7 What sort of trading activity is covered by the Regulations?

The range of trading that is covered by the Regulations is widely defined.

First, the Regulations apply to trading activity in all open public places within the Event Zones. This includes the highway and any private or public land to which the public have access. It does not include areas in a permanent building unless the building is designed or generally used as a car park.

Secondly, the wide range of trading activities covered includes:

- selling any article for example, trading from a pitch, mobile trading or trading from a marquee;
- supplying a service for example, providing tables, chairs etc. on public land adjacent to cafes and restaurants;
- collecting money for charitable or other purposes in any way;
- providing public entertainment for gain or reward (for example busking).

For these purposes ‘selling’ an article or ‘supplying’ a service includes offering to sell or supply or exposing an article for sale. Consequently a person will be treated as trading if they are displaying goods for sale, even if they do not actually sell any goods.

An activity amounts to trading whether or not gain or reward accrues to the person actually carrying out the trading activity. This means, for example, that charitable collecting or other forms of trading activity undertaken by unpaid volunteers is covered by the Regulations even though the volunteers do not obtain any financial benefit from it.

In addition, the following matters will be disregarded when determining whether a particular activity amounts to trading activity for the purposes of the Regulations:

- The fact that one of the parties was not in an open public place when the sale took place, for example, serving from an open window to customers in the street.

- The fact that sale was completed elsewhere than in a public open place, for example where goods are offered in the street but the customer goes into a shop to pay the money.
- The fact that an article sold or service provided is different from those offered, for example where goods are offered in the street but the customer buys something different from the trader’s shop.

As with the provisions relating to advertising activity, the trading Regulations apply to all those who are directly or indirectly responsible for trading. This includes people who engage in trading activity or arrange for it to take place. It also includes people who are responsible for businesses that trade (such as owners, directors or managers of trading businesses) and people who own, occupy or manage land (whether directly or indirectly) on which trading takes place.

#### 4.8 What exceptions exist for trading?

As with the provisions relating to advertising, a number of specific exceptions for trading are contained within the Regulations.

The following forms of trading are treated as exceptions under the Regulations and therefore allowed:

- Selling a current newspaper or periodical. Any receptacle from which the newspaper or periodical is sold (such as a booth or stand) must not cause undue interference or inconvenience to persons using the street.
- Trading activity undertaken by or authorised by LOCOG on enclosed land on which a Games event is taking place (or is to take place) ie: within the venues themselves.
- Selling or delivering an article to someone in premises adjoining the highway, for example, a rounds person selling milk to households within the Event Zone.

- Providing various motor vehicle-related services on private land generally used for those purposes. For example, selling cars from a car sale yard, operating an established car wash business, and providing vehicle parking services in a building or on land designed or generally used for parking.
- Providing a public sanitary convenience.
- Providing a permanent telephone kiosk (but note should be taken of the advertising requirements in respect of telephone kiosks in England. See subsection A above).
- Trading as a walking tour operator.
- Supplying public transport services including services primarily for the benefit of tourists.
- Trading on **private land** adjacent to shops, cafés and related premises, and petrol stations, provided that the trading forms part of the usual business of the shop, café, etc.

The Regulations include a general defence for people who are

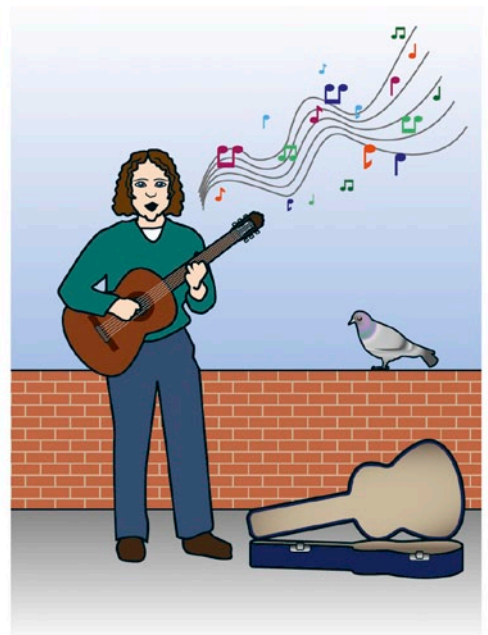
responsible for a trading business or who own, occupy or manage land on which trading activity takes place who can prove that the trading took place without their knowledge or that they took all reasonable steps to prevent it taking place or to prevent it continuing.

It should be remembered that trading within a permanent building is not caught by the Regulations.

#### 4.9 Do I need any other licences or permissions to trade?

It is particularly important to note that the Regulations do not replace the legal requirements that apply at all other times. Even if an exception applies or authorisation has been granted by the ODA you must ensure that, during the Event Periods at the time of trading, you hold any other kind of licence, consent, certificate, permission, or authority granted by a landowner, local authority or any other person that is necessary for you to trade.

These will be prerequisites for your application to the ODA.



**Not permitted:** Busking – application for authorisation required

The following are likely prerequisites that may apply:

Category of trader	Requirements
<b>Street trader</b>	Relevant local authority licence.
<b>Provider of the service of 'Tables and Chairs' on the highway</b>	<p>Relevant permit from the local authority under the Highways Act 1980 in England and Wales.</p> <p>In Scotland, the relevant permit must be sought from the local roads authority under the Roads (Scotland) Act 1984.</p>
<b>Charity collector</b>	Public Collection Permit under the relevant Charity Legislation. In Scotland, a Public Charitable Collections Permission must be sought under the Civic Government (Scotland) Act 1982, however this is likely to undergo reform in mid 2012.
<b>Pedlar</b>	<p>Pedlar's Certificate under the Pedlars Act 1871.</p> <p>However it should be noted that in respect of the local authorities in London:</p> <p>City of London: The City of London (Various Powers Act) 1987 does not provide an exception for pedlars from holding a street trading licence in any circumstances.</p> <p>City of Westminster: The City of Westminster Act 1999 provides an exception for pedlars from street trading licensing only in respect of trading by means of visits from house to house.</p> <p>The other London boroughs: The London Local Authorities Act 1990 similarly only provides exceptions for pedlars who trade by visits from house to house.</p> <p>City of Newcastle: The City of Newcastle upon Tyne Act 2000 also only provides exceptions for pedlars who trade by visits from house to house.</p>
<b>Trader in the Royal Parks</b>	Permission under the Royal Parks Regulations, made under Section 2 of the Parks Regulation (Amendment) Act 1926.



Category of trader	Requirements
Trader on private land	Written agreement from the land owner or lawful occupier.
Supplier of alcohol	Premises Licence or Temporary Event Notice under the Licensing Act 2003 or where appropriate the Scottish equivalent under the Licensing (Scotland) Act 2005.
Entertainer	Premises Licence or Temporary Event Notice under the Licensing Act 2003 or where appropriate the Scottish equivalent under the Civic Government (Scotland) Act 1982.
Supplier of food	Food registration with the appropriate local authority.

#### 4.10 I'm providing entertainment not trading, how does it apply to me?

The provision of public entertainment for gain or reward is included in the definition of trading. This includes busking and any other form or musical or theatrical entertainment in return for which someone is receiving payment or other reward.

#### 4.11 Do I need an authorisation?

If you wish to undertake any trading activities in an open public place that are not covered by an exception within an Event Zone and during any Event Period then you need to apply for an ODA authorisation.

#### 4.12 Can I sell whatever I choose?

If you are authorised to trade by the ODA it will aim to replicate the terms and conditions of any other licence or permission you hold. You should note that the ODA is unable to increase or extend the terms of such licences or permissions (such as to permit the sale of additional goods) for trading during the Event Periods.



**Not permitted:** Trading in temporary buildings – application for authorisation required

## 5 Applications for authorisation

### A Advertising

#### 5.1 How do I apply?

LOCOG will work with its sponsors, licensees and other partners with which it has existing relationships to authorise their advertising as appropriate through its established processes, and will advise those groups directly of the processes for obtaining authorisation.

For all other applicants, LOCOG will operate a public application process. Note that provided that at least one of the parties to the advertising activity obtains authorisation from LOCOG to undertake a particular advertisement in a particular place, the other parties involved in the production or appearance of that advertisement will not require separate or explicit authorisation by LOCOG. It is however up to each person involved in advertising activity to ensure that an authorisation from LOCOG for the activity has been granted to at least one of the parties involved.



**Not permitted:** Distribution of flyers and/or giveaways

The public application process opens in November 2011 and runs until 29 February 2012. Applications must be made on the LOCOG application form. This form can be downloaded from [www.london2012.com/advertisingandtradingapplications](http://www.london2012.com/advertisingandtradingapplications) and can be submitted electronically to [advertisingauthorisations@london2012.com](mailto:advertisingauthorisations@london2012.com) or sent by post to:

LOCOG  
Brand Protection/Legal Department  
One Churchill Place  
London E14 5LN

Hard copies of the form can also be requested from LOCOG via these addresses.

To apply you must have all other necessary consents and permissions to advertise as proposed. LOCOG will require details of where, when and how you propose to advertise as well as the content of the advertisement.

Note that only official London 2012 sponsors, licensees and other partners are permitted to make any reference to, or suggest any association with the Games in advertising, whether or not this is in an Event Zone during the Event Periods. Please visit [www.london2012.com/brandprotection](http://www.london2012.com/brandprotection) to read more about the protection of the Olympic and Paralympic brands and the restrictions on creating an association with the Games, whether or not in an Event Zone.

#### 5.2 How much does it cost?

An application to LOCOG for authorisation is free of any charge.

#### 5.3 How is the application decided?

In determining an application for authorisation, LOCOG must have regard to the Host City Contract which was signed when London's bid to hold the Games was successful. Authorisation therefore will depend upon LOCOG's obligations under the Host City Contract to protect the rights of its sponsors and Games bodies, and will also be conditional upon the

holding of any other necessary licence, permission or authority being held and that advertisements must not hinder security or safety or impair the visual amenity of the site.

LOCOG will retain absolute discretion as to whether or not to grant an authorisation. To achieve the purpose of the Regulations, the following criteria will be applied by LOCOG in considering whether to exercise its discretion to authorise advertising in the Event Zones during the Event Periods:

- a) Advertising should fall into one of the following categories:
  - i) advertising of a London 2012 sponsor or merchandise licensee promoting goods or services in accordance with their sponsorship/licensee agreement with LOCOG, the International Olympic Committee or International Paralympic Committee;
  - ii) the display of official Look of the Games collateral (ie: decorative Games-related street dressing) by an entity approved by LOCOG;
  - iii) advertising undertaken by London 2012 non-commercial delivery partners and Games bodies in connection with the Games (for example local authority, Government department, Cultural Olympiad partner or other entity granted rights to use the London 2012 brand by LOCOG, National Olympic Committees and National Paralympic Committees);
  - iv) advertising undertaken on outdoor media sites in relation to which LOCOG has a contractual relationship with the owner of the site and for which LOCOG has agreed with the owner that a certain class of

advertisers (including those described at (i) to (iii) above and others which do not conflict with the aims of the Regulations) may advertise; or

- v) permanent or customary advertising which is not specifically excepted by the Regulations but which does not suggest that the brand advertised is associated with the Games and does not seek to gain advantage for the brand advertised by reason of its proximity to a Games venue. (Examples may include some large permanent illuminated signage on the forecourt of petrol stations, illuminated signage for films advertised outside a cinema, or proportionate advertising on hoardings surrounding a construction site which relates to the development it surrounds.)

LOCOG is unlikely to authorise applications which do not fall into the above categories, but retains the discretion to do so in cases which are not inconsistent with LOCOG's obligations under the Host City Contract.

- b) Advertising should not adversely affect the image and presentation of the Games.
- c) During the Olympic Games, to uphold the IOC's 'clean venue' rules, advertising which is visible from the field of play, whether the advertising is by sponsors or third parties, will not be permitted and therefore LOCOG will not be able to authorise any such advertising. This does not apply to road races in the same way. If the advertising is in the form of a giveaway item, it will not be authorised if the item is likely to be taken by spectators into a venue so that it is visible from the field of play.

#### 5.4 When will I know the decision?

LOCOG will aim to notify applicants with a decision on applications within 21 days subject to the correct documentation being received and any complex issues to be considered. Decisions will be made after the Regulations are brought into force.

Authorisations may be granted in principle subject to other information, such as the content of the proposed advertisement, being submitted for approval to LOCOG at a later date.

A flow chart of the application process is shown at section 10.

#### 5.5 Is the decision final?

If you are dissatisfied with LOCOG's decision in relation to your application you have the right to ask for the decision to be reviewed by the ODA. Any review must be applied for within 21 days of the decision being notified to you. The Review Application will ask for brief details of the grounds of appeal to be outlined.

Reviews will be undertaken by an officer at the ODA and when conducting a review the ODA must make its decision within 21 days of receipt of the request. It will notify the applicant as quickly as possible. The ODA's review decision is final.

The purpose of the review is solely to decide whether the original criteria and authorisation procedure was applied correctly. Accordingly, an original decision that is a reasonable and possible outcome will be upheld (even if a different decision is possible on application of the criteria). The review is not a 'de novo' consideration of the application or a full appeal.



**Permitted:** Advertising on vehicles where the primary purpose is not to advertise, ie: taxis, buses



**Not permitted:** Vehicles principally used for advertising, ie: mobile advertising hoardings

## **B**

### **Trading**

#### **5.6 How do I apply?**

In parallel with the advertising authorisation application process the application process for trading authorisations opens in November 2011 and runs until 29 February 2012. Applications must be made on the designated ODA form which can be completed online at [www.london2012.com/advertisingandtradingapplications](http://www.london2012.com/advertisingandtradingapplications)

Alternatively you can download the form from the website and print it out for completion by hand and submission by post to the address below or email to [tradingauthorisations@london2012.com](mailto:tradingauthorisations@london2012.com). The ODA will post an application form to you if you prefer. With the application form the ODA will require other documents relating to the prerequisites listed in the table above.

Applications by post should be sent to:  
Olympic Delivery Authority  
Advertising and Trading Team  
Mailpoint: 5a  
23rd Floor,  
One Churchill Place  
London E14 5LN

#### **5.7 How much does it cost?**

An application to the ODA for authorisation is free of any charge.

#### **5.8 How is the application decided?**

When making decisions to authorise traders the ODA will specifically undertake to ensure that public safety and security is paramount. The Games will attract an unprecedented number of people to the Event Zones and the ODA will work with key agencies to understand the number and the management of people before granting authorisation to traders. Allocating and controlling space within the Event Zone will be vital to ensuring the free flow of people and protecting their safety and security. Consequently traders that request a fixed pitch within the zone will be prioritised over mobile traders. This gives those managing the flow of people at Games time clarity in identifying which space

will be used and where there may be blockages to pathways.

The ODA will assess traders on a case by case basis and will work closely with local authorities, The Royal Parks, the police and other public agencies that provide current permissions to traders to ensure the criteria below is fully considered as part of the application for authorisation at Games time.

The ODA will authorise a trader if:

- A. they can demonstrate that they have or will have (and proof can be provided to this effect) all other necessary prerequisite licences, consents, certificates, permissions or authorities. The burden is on the trader to show that they hold:
  - any necessary authorisation to trade on public land (ie: local authority street trading licence);
  - any necessary authorisation to trade on private land;
  - all necessary documentation, or proof of permission, relevant to the type of trading activity they are undertaking. This may include, but is not limited to, a Premises Licence, or Temporary Event Notice under the Licensing Act 2003 for the proposed dates or having the appropriate food registration.
- B. the location of their proposed trading activity will not, or is not likely to, jeopardise public safety or public security (for example, by causing an obstruction in access routes to and from Games venues). The burden is on the ODA to:
  - consider the proposed location of the trader in the light of the venue, the transport hubs (including temporary) and the routes between the two;
  - consider entrances, exits, or queuing areas and likely number of people on the pavements and to take into account the potential for obstruction or congestion in pedestrian areas;
  - also take into account any other issues relating to public safety and security before granting authorisation.

In the event of competing applications for one Event Zone and where the consideration of criteria A and B are equally favourable but places are limited, the ODA will employ a set of considerations to ensure a fair decision. These are outlined in criterion C below:

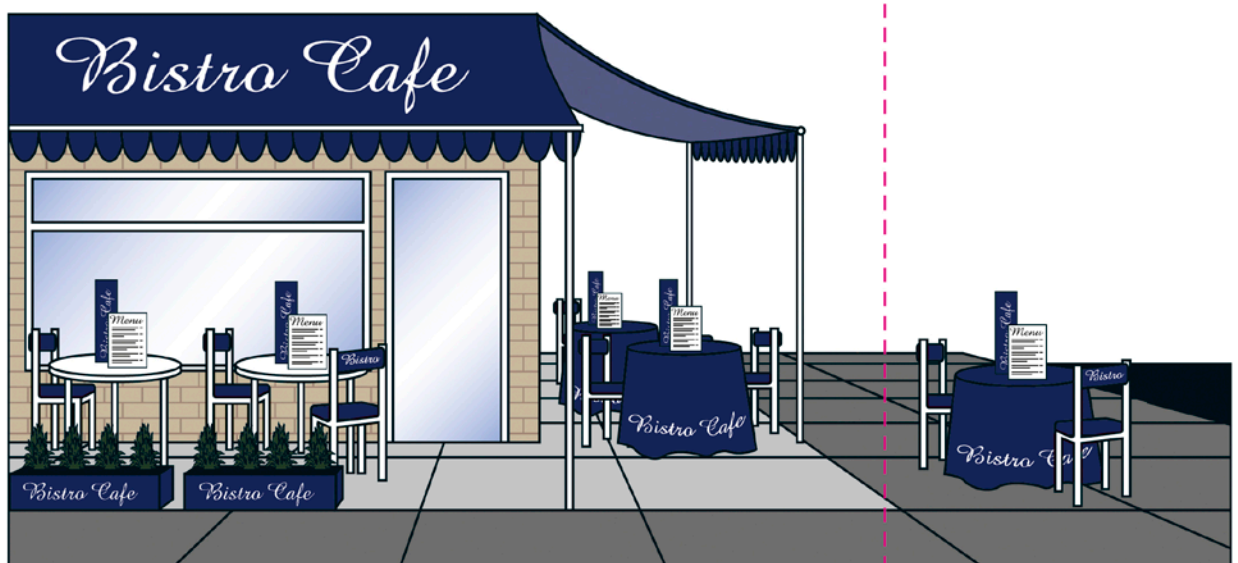
- C. the ODA will consider such issues as:
- whether an early application should be favoured over a later application;
  - whether trading days could be shared between multiple traders; or
  - any other issues which the ODA considers relevant.

In making its decision the ODA will obtain any relevant information from local authorities and the police as to congestion/obstruction of the identified public space as well as information from LOCOG as to the anticipated flow of people at Games time. In that context the ODA will consider whether there is a risk to public safety and security in issuing the authorisation.

The ODA has absolute discretion when determining applications and considering applications on their individual merits and therefore will take into account criterion D below:

- D. any other matters which may be considered relevant by the ODA to a particular application and in line with ensuring public safety and public security and easy access to venues.

Any trading authorisation granted by the ODA will be subject to terms and conditions which may be different from, or possibly be more onerous than, the terms and conditions of any other licence/certificate held by the person in respect of trading (for example, a local authority street trading licence). Criterion D will also be particularly relevant when considering individual conditions which may be attached to the grant of an authorisation.



**Permitted:** Trading on business forecourt

**Not permitted:** Trading on public highway – application for authorisation required



### 5.9 When will applicants know the decision?

The ODA will aim to notify applicants with a decision on applications within 21 days subject to the correct documentation being received and any complex issues to be considered. No decisions will be made until after the Regulations have been passed. If you are in the process of applying for any other licences, consents, permits or other authorisations required for your trading activity, your authorisation from the ODA will not be granted until these other authorisations are granted and you have provided the relevant documentation to the ODA.

If an applicant is successful they will be notified but authorisation documentation will not be issued until a later date. If the decision is to refuse, the ODA will outline its reasons for this.

A flow chart of the application process is shown at section 10.

### 5.10 Is the decision final?

If you are dissatisfied with the ODA's decision in relation to your application you have the right to ask for the decision to be reviewed by

the ODA. Any review must be applied for within 21 days of the decision being notified to you. The Review Application will ask for brief details of the grounds of appeal to be outlined.

Reviews will be undertaken by a separate officer at the ODA from that making the original decision. When conducting a review the ODA must make its decision within 21 days of receipt of the request. It will notify the applicant as quickly as possible. The ODA's review decision is final.

As with the reviews on advertising decisions, the purpose of the review is solely to decide whether the original criteria and authorisation procedure was applied correctly. Accordingly, an original decision that is a reasonable and possible outcome will be upheld (even if a different decision is possible on application of the criteria). The review is not a 'de novo' consideration of the application or a full appeal.

A flow chart of the review process is shown at section 10.



**Not permitted:** Outdoor trading – application for authorisation required

## 6 Further assistance

### 6.1 Traders

ODA has decided<sup>3</sup> to assist traders to comply with or avoid breaches of the Regulations by offering financial assistance to help them identify and use acceptable alternatives (ie: alternative trading locations).

To be eligible for such assistance a trader must have been habitually trading within an Event Zone at a fixed designated location since 30 May 2011, the date on which the Government's consultation on the Regulations closed. A person will have been 'habitually trading' where they have undertaken a pattern of regular and frequent trading. In this way the ODA will assist traders who are most affected by a refusal to allow them to trade.

Financial assistance is applicable in the following circumstances:

- Trader's location is within an Event Zone and they have been refused authorisation by the ODA to trade at Games time.
- Trader can show they have been trading at a fixed designated location since 30 May 2011.
- The entirety of the trader's business comprises trading affected by the refusal of authorisation, ie: the affected trading must not form only an incidental part of the trader's business for example, the provision of tables and chairs on land adjacent to the trader's premises or where the Games have provided an additional

opportunity that would not have otherwise been available.

- Trader's permitted number of days trading is reduced by the refusal of authorisation ie: financial assistance will only be paid if the refusal of authorisation prevents the trader from trading on days when they would, but for the 2012 Games, have been able and entitled to trade; financial assistance will not be paid if the refusal of authorisation prevents the trader from trading on days when they would not have been able or entitled to trade in any event.

Documentary evidence will be required and must accompany an application for financial assistance.

Any financial assistance will be offered and accepted on the terms that the assistance is discretionary and ex gratia. Assistance will be considered only where no alternative location can be found or none is available within a reasonable distance of the trader's location.

Traders whose applications for ODA authorisations are not granted will be able to apply for financial assistance within 21 days of being advised of refusal or, if they have applied for a review, within 21 days of a negative review decision.

Financial assistance will focus on acceptable alternative trading locations. Assistance will not compensate loss of profit or earnings and therefore will not be based on earnings, turnover or any other business measure.

The level of financial assistance is **a fixed daily amount** of £200 in England and Wales, and £150 in Scotland<sup>4</sup>. This is per trading pitch per day and takes into account:

<sup>3</sup> The ODA is required under s29(1)(b) of the 2006 Act 2006 to work with persons likely to be prevented by the Trading Regulations from carrying out their habitual trading activities in attempting to identify acceptable alternatives. The ODA is permitted under s29(3)(b) to give assistance (which may include financial assistance) in complying with or avoiding breaches of the Regulations. The ODA has decided that, because of its duty in s29(1)(b) of the Act it will provide financial assistance to habitual traders to assist them to identify and use acceptable alternatives (i.e. an alternative trading location).

<sup>4</sup> Annual Licence (consent/permission) fees are significantly lower in Scotland than they are in England & Wales.



- the pro-rata refund of the trader's annual licence (consent/permission) fee;
- possible additional licence (consent/permission) fee;
- storage charges for stock and stall; and
- vehicle hire.

Any payment will be made by the ODA to the trader as soon as possible by way of the ODA's standard payment process.

If a trader is dissatisfied with the ODA's decision to grant financial assistance then s/he has the right to ask for the decision to be reviewed by the ODA. Any review must be applied for within 21 days of the decision being notified. The Review Application will request details about the grounds of appeal. The review will be undertaken in the same manner as described above in section 5.

A flow chart of the financial assistance application process is shown at section 10.

## 6.2 Advertisers

The ODA has a discretionary power in s29(3)(b) to give assistance (which may include financial assistance) to those affected by the advertising Regulations. However, unlike under the trading provisions, the ODA is not required to work with such people to identify acceptable alternatives.

In the most part, companies that engage in outdoor advertising activity do so as part of a wider business model and are not reliant on advertising to generate all of their income. Similarly, companies whose business is selling outdoor advertising space will tend to own or sell a number of locations beyond the small Event Zones that are regulated. The majority of existing (and some new/ bespoke) advertising sites in areas covered by the Regulations were offered by the outdoor media space owners to Games sponsors via an auction process, initiated by LOCOG in 2011. The remaining unsold space in Event Zones may still be sold to Games sponsors, and LOCOG will

consider applications from the outdoor media space owners in relation to advertisements of an agreed category of advertisers whose businesses do not conflict with the London 2012 sponsors' products and services and whose adverts will not undermine the purposes of the Regulations. In practice therefore it is reasonable to expect any impact of the Regulations on people who sell advertising space to be mitigated largely by sales to sponsors and/or these other advertisers.

As a result of the different position of advertisers and traders and the different statutory framework, ODA has decided that it will not offer financial assistance to people to comply with or avoid breaches of the advertising Regulations if space remains unsold through the authorisation process. ODA will however work with such people to assist them to avoid breaching the Regulations.



**Not permitted:** Charity collection – application for authorisation required

## 7 How will the Regulations be enforced?

### 7.1 Enforcement of the Regulations during the Games

Within the Event Zones during the Event Periods staff specifically designated by the ODA will undertake enforcement of the advertising and trading requirements. ODA designated enforcement officers will be experienced local authority officers fully trained in the detailed provisions of the Regulations and the ODA's enforcement policy in advance of the Games period. The police may also enforce the Regulations and in Scotland have powers to retain goods.

The ODA's enforcement policy is to initially promote compliance through information, advice and cooperation. The ODA will however use enforcement powers in instances of deliberate, targeted ambush marketing or persistent and intentional disregard of ODA advice.

Where any enforcement action is taken, this will be carried out in a manner that complies with the requirements of the relevant legislation and codes of practice including that applicable to the collection of: evidence and investigatory powers; human rights; equal opportunities, anti-harassment; and health and safety.

### 7.2 Compensation for enforcement action

The enforcement powers applicable during the Event Periods include powers (under section 22 and 28 of the Act) for ODA enforcement officers and police officers to enter land or premises for the enforcement of the Regulations relating to advertising and trading. Where such powers are exercised a person whose property is damaged in the course of the exercise (or purported exercise) of those entry powers may be entitled to compensation.

However, a person whom the ODA or the police believe to be responsible for a contravention of the Regulations is not entitled to compensation.



**Not permitted:** Advertising wrap on buildings

## 8 Event Zones and Event Periods

<b>England</b>	
<b>Event Zone</b>	<b>Event Periods (NB in all cases the day begins at 00.01 and runs to 23.59)</b>
City of Coventry Stadium zone	a) 24 July 2012 – 3 August 2012 b) 8–9 August 2012
Earls Court zone	27 July 2012 – 12 August 2012
Eton Dorney zone	a) 27 July 2012 – 11 August 2012 b) 30 August 2012 – 3 September 2012
ExCeL zone	a) 27 July 2012 – 12 August 2012 b) 29 August 2012 – 8 September 2012
Greenwich Park zone	a) 27 July 2012 – 12 August 2012 b) 29th August 2012 – 4 September 2012
Hadleigh Farm zone	10–12 August 2012
Horse Guards Parade zone	27 July 2012 – 9 August 2012
Hyde Park zone	8–10 August 2012
Lee Valley White Water zone	28 July 2012 – 2 August 2012
Lord's Cricket Ground zone	26 July 2012 – 3 August 2012
North Greenwich Arena zone	a) 27 July 2012 – 12 August 2012 b) 29 August 2012 – 8 September 2012
Old Trafford zone	a) 25–26 July 2012 b) 28 July 2012 – 1 August 2012 c) 3–7 August 2012
Olympic Marathon zone	a) 5 August 2012 b) 12 August 2012
Olympic Park zone	a) 23 July 2012 – 13 August 2012 b) 28 August 2012 – 9 September 2012
Olympic Race Walk zone	a) 4 August 2012 b) 11 August 2012
Olympic Road Cycling zone	28–29 July 2012
Olympic time trial zone	1 August 2012
Olympic Triathlon zone	a) 4 August 2012 b) 7 August 2012
Paralympic Marathon zone	9 September 2012
Paralympic Road Cycling zone	5–8 September 2012
The Royal Artillery Barracks zone	a) 27 July 2012 – 6 August 2012 b) 29 August 2012 – 6 September 2012
St James' Park Stadium zone	a) 25–26 July 2012 b) 28 July 2012 – 4 August 2012
Wembley zone	27 July 2012 – 12 August 2012
Weymouth and Portland zone	a) 28 July 2012 – 12 August 2010 b) 31 August 2012 – 7 September 2012
Wimbledon zone	27 July 2012 – 6 August 2012
<b>Wales</b>	
Millennium Stadium zone	a) 24–28 July 2012 b) 30 July 2012 – 4 August 2012 c) 9–10 August 2012
<b>Scotland</b>	
Hampden Park zone	a) 24–28 July 2012 b) 31 July 2012 – 3 August 2012

## 9 Maps

You can find all of the Event Zone maps on the London 2012 website at [www.london2012.com/eventzonemaps](http://www.london2012.com/eventzonemaps)



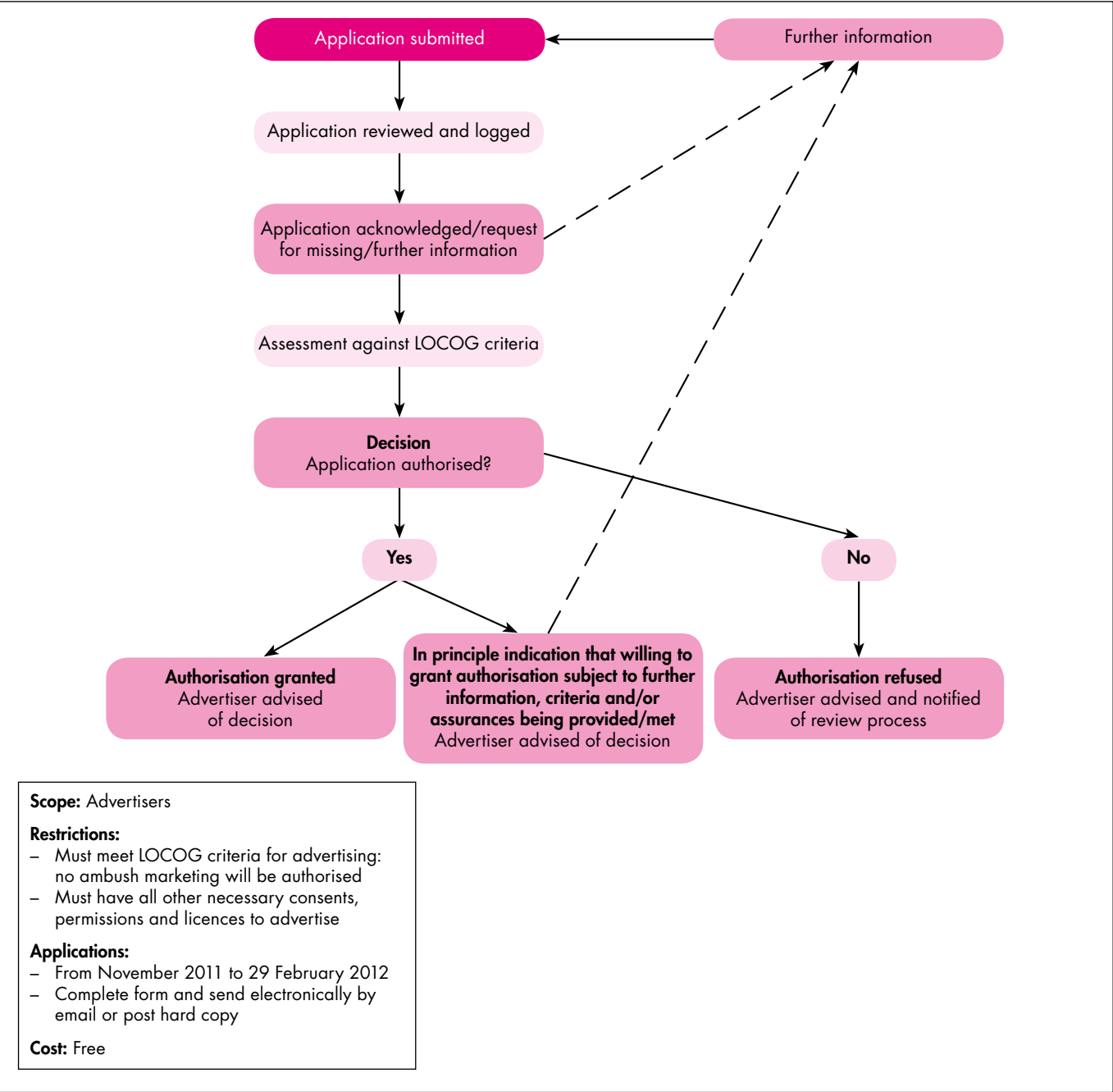
**Permitted:** Distribution or sale of current newspaper or periodical



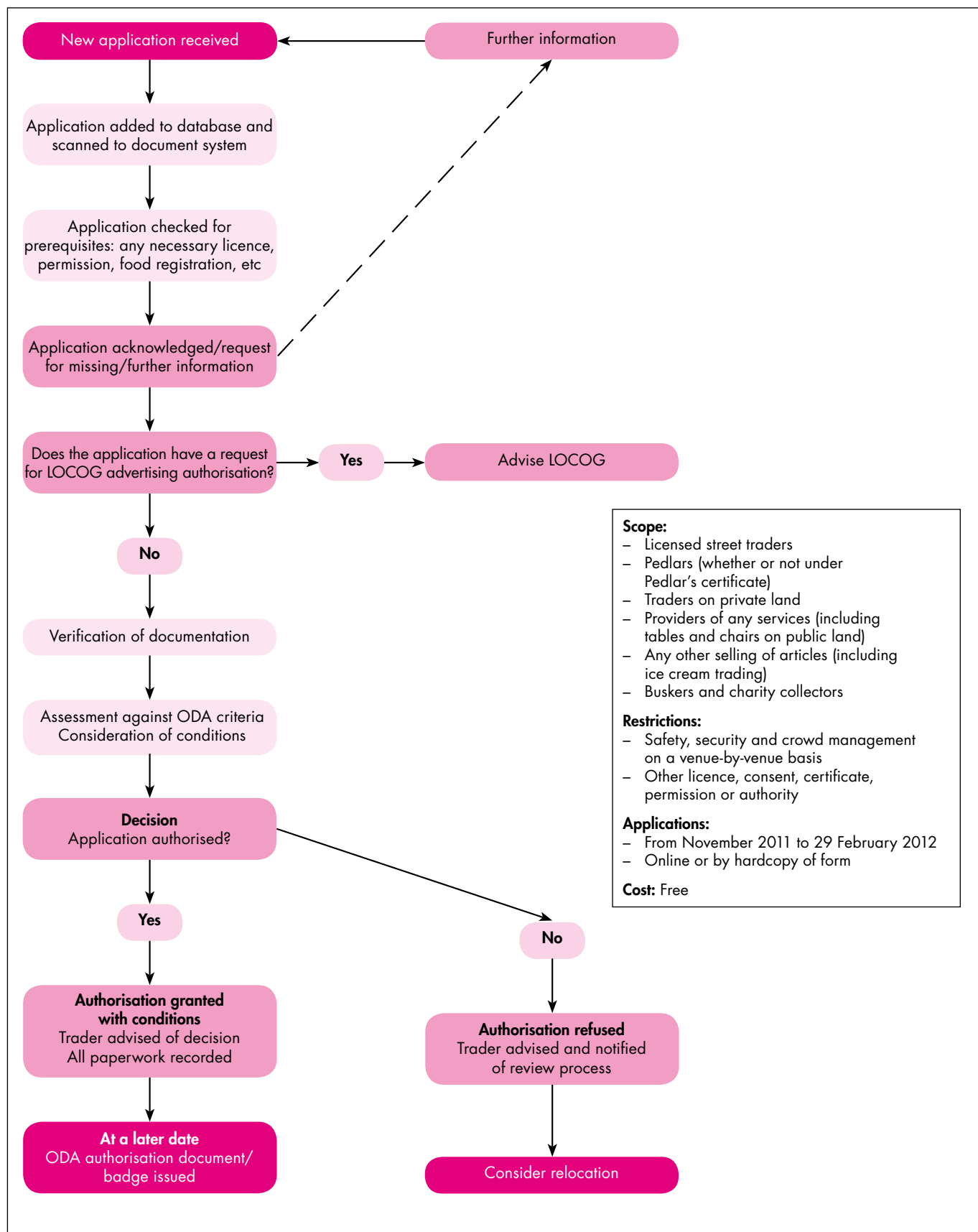
**Not permitted:** Distribution or sale of direct advertising/marketing publication

# 10 Process flowcharts

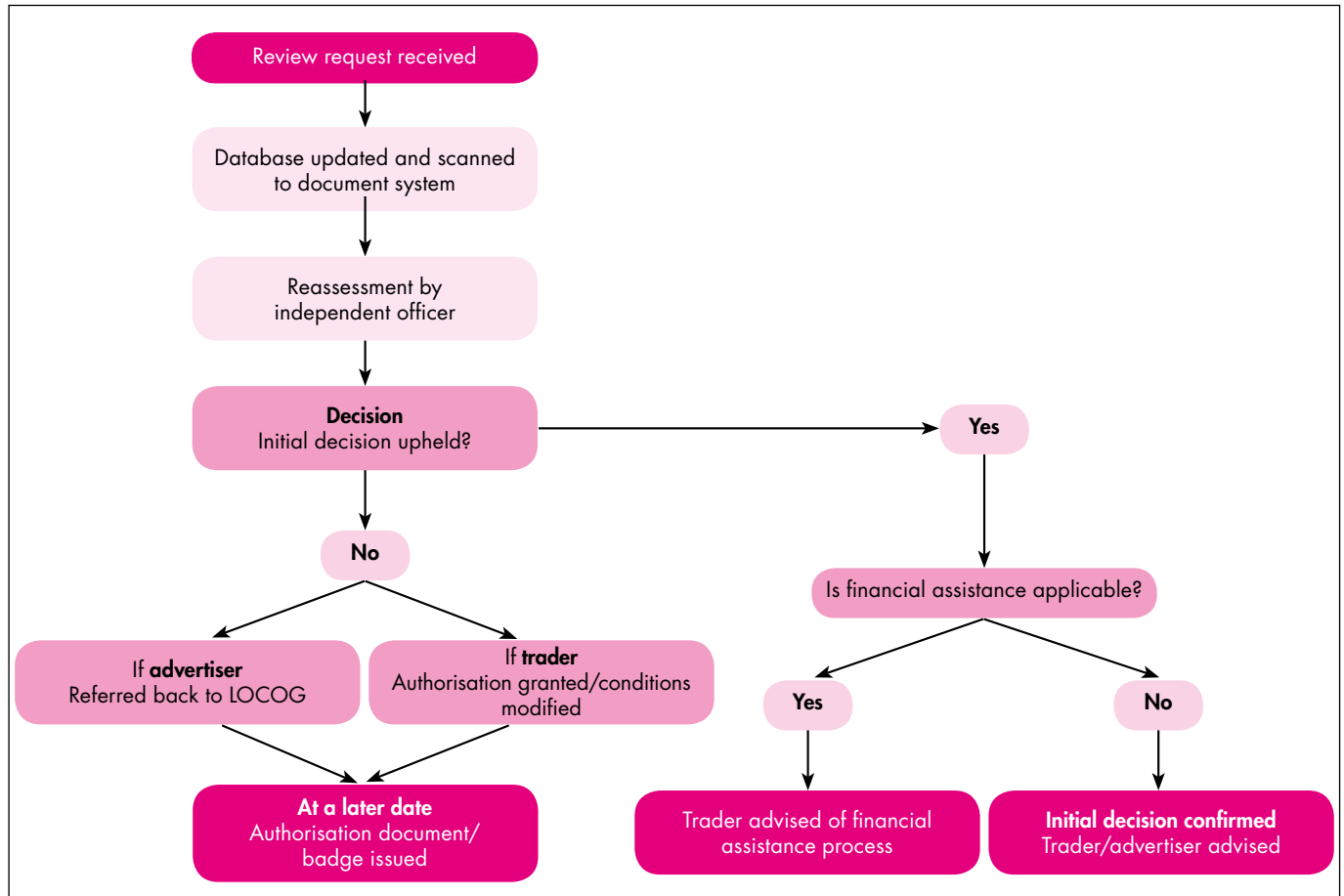
Flowchart 1: Advertising authorisation application process – LOCOG



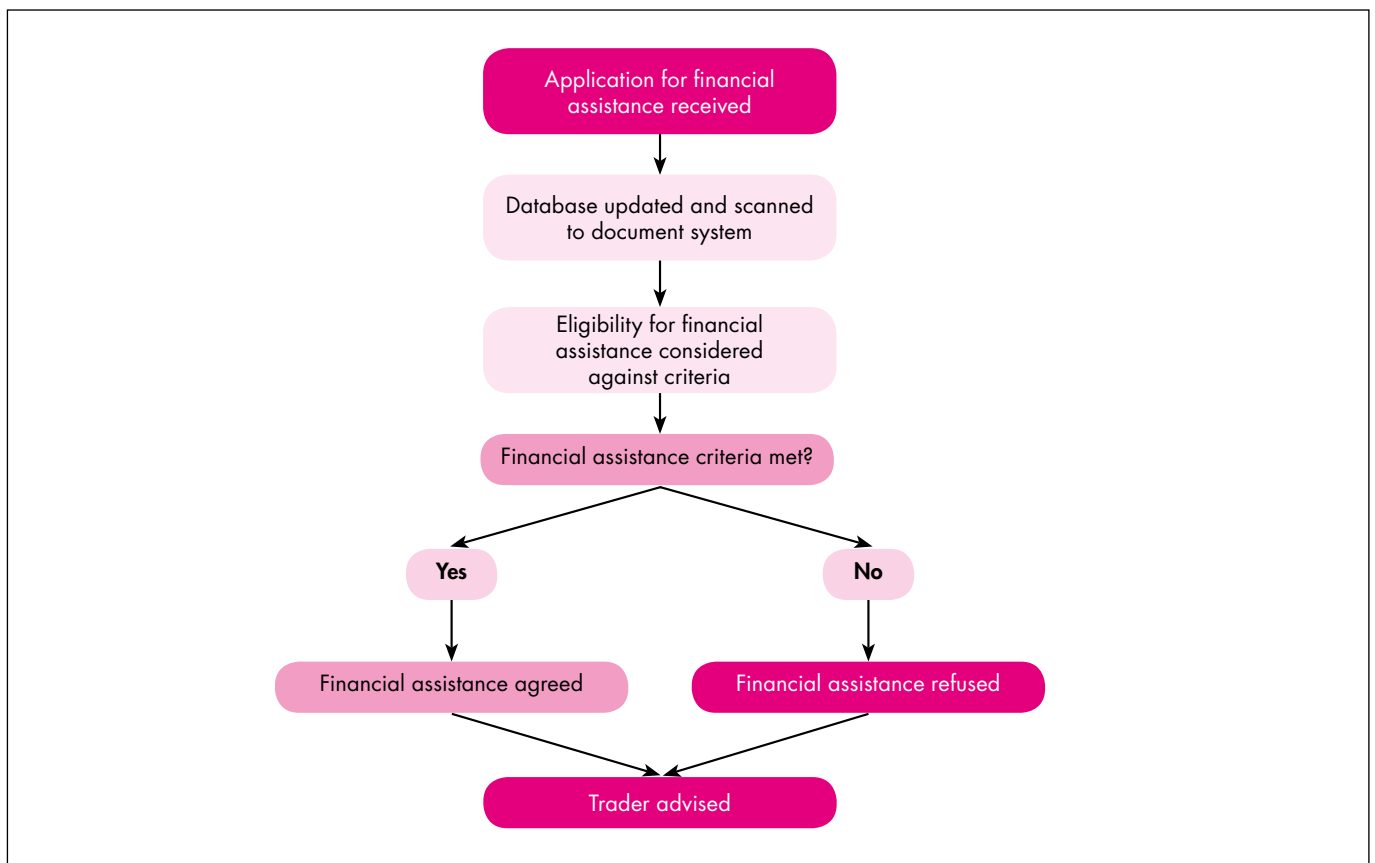
Flowchart 2: Trader authorisation application process – ODA



Flowchart 3: Authorisation  
application review process – ODA



Flowchart 4: Financial assistance  
application process – ODA



## 11 Further information

This Detailed Notice has been produced to help answer any questions you may have about the Advertising and Trading Regulations. It provides full lists of the Event Zones and Event Periods and provides illustrated examples of how the Advertising and Trading Regulations work.

This document may be viewed on the London 2102 website at [www.london2012.com/advertisingandtrading](http://www.london2012.com/advertisingandtrading), where you can also find maps and the Regulations.

If you find that this Detailed Notice has not answered your questions, then you can contact the ODA at [advertisingandtradingenquiries@london2012.com](mailto:advertisingandtradingenquiries@london2012.com)



**Permitted:** Advertising on business forecourt, subject to existing law

**Not permitted:** Advertising on public highway



## Annex 1 England

### Advertising exceptions for the Event Zones in England based on the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended. 'The 2007 Planning Regulations'

The following exceptions are based on Classes of exempt or 'deemed consent' advertisements in the 2007 Planning Regulations. Under the Advertising and Trading Regulations, displaying an advertisement within any of these exceptions in the Event Zones in England during Event Periods is permitted.

It is important to note that, for the purposes of the advertising and trading Regulations, **some of the Classes set out in the 2007 Planning Regulations are modified or excluded altogether.** Where an exception in the advertising and trading Regulations is based on a Class in the 2007 Planning Regulations we have indicated whether this has been modified or not below. At the end of this annex there is also a list of Classes from the 2007 Planning Regulations which do not benefit from an exception for the purposes of the advertising and trading Regulations.

The following information describes exceptions as they apply in the advertising and trading Regulations. In considering how the advertising and trading Regulations will affect you or your business, you should refer to the information set out below and not to the 2007 Planning Regulations themselves or any explanatory material for those Regulations.

#### 1.1 Exceptions based on the Classes in Schedule 1 to the 2007 Planning Regulations

Exception based on Class A [modified]:

- An advertisement displayed on enclosed land that is not readily visible from outside the enclosure or from any part of it in respect of which the public has a right of access

This exception does not apply where the enclosed land is a railway station (including its yards), a bus station (including its forecourt) or enclosed land in which a Games event is to take place (including a sports

stadium or other building). It also does not apply to advertisements displayed in public parks, public gardens or open space used by the public.

This exception includes an advertisement displayed in a shopping mall or arcade, but not in an historic shopping arcade which is a group of buildings of which more than 50 per cent are listed buildings or within a conservation area, and where at least 75 per cent of the ground floor of more than 50 per cent of the buildings in the group is used predominantly for retail purposes.

Exception based on Class B [unmodified]:

- An advertisement displayed on or in any vehicle normally employed as a moving vehicle

In addition to the commonplace bus and taxi advertising this includes advertisements displayed on boats (any vessel on any inland waterway or in coastal waters), trains, aeroplanes and bicycles.

This exception does not apply to advertisements displayed on vehicles used principally for the display of advertisements for example stationary vehicles, mobile billboards, or trailers in fields or lay-bys used for advertising purposes.

Exception based on Class C [modified]:

- An advertisement incorporated in the fabric of a building<sup>5</sup> (eg: incised stonework lettering)

This exception does not apply to an advertisement incorporated into the fabric of a building that is used principally for the display of advertisements. Nor does it apply to advertisements fixed to, or painted on, a building or displayed on hoardings or similar structures. Finally, the exception does not apply to advertisements that were not in existence on the date that the advertising and trading Regulations came into force.

5 'Building' means a permanent building but excludes a telephone kiosk.

Exception based on Class D  
[unmodified]:

- An advertisement on an article for sale (or on the container in or from which an article is sold)

This exception applies only to advertisements which refer to the article (including a gas or liquid) for sale. The advertisement may not be illuminated and may not exceed 0.1 square metres in area.

Exception based on Class E  
[unmodified]:

- Election advertisements

This exception permits the display of advertisements relating specifically to a pending Parliamentary, European Parliament or local government election, or to a referendum. The advertisement must be removed within 14 days after the close of the poll.

Exception based on Class F  
[unmodified]:

- An advertisement required by law or by Parliamentary Standing Orders

This exception applies to advertisements required by Standing Orders of either House of Parliament or by any enactment or a condition attaching to a statutory function.

Exception based on Class G  
[unmodified]:

- Traffic signs

This applies to a traffic sign, as defined in section 64(1) of the Road Traffic Regulation Act 1984.

Exception based on Class H  
[unmodified]:

- Flags

This exception applies to the national flag of any country, the European Union flag, the Commonwealth flag, and the flag of the United Nations. It also covers the flag of any English county and the flag of any saint as long as it is flown in the county with which the saint is associated. Nothing may be added to the design of the flag, nor may any additional advertising material be flown from the flagstaff.

Exception based on Class I  
[modified]:

- Advertisements inside a building<sup>6</sup>

This exception applies to an advertisement displayed inside a building which is not within one metre of any external door, window, or other opening through which it is visible from outside. The advertisement must not be illuminated.

The exception does not apply to an advertisement displayed within a railway station (including its yards), a bus station (including its forecourt) or a building in which a Games event is to take place (including a sports stadium or other building) unless the advertisement is an 'exempt business advertisement'. An 'exempt business advertisement' is an advertisement displayed on business premises that are within a building. The advertisement must only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and venues (such as cafes and book shops) are permitted.

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6 'Building' means a permanent building but excludes a telephone kiosk.

## 1.2

### Exceptions based on the Classes in Schedule 3 to the 2007 Planning Regulations<sup>7</sup>

#### Exceptions based on Class 1:

Functional advertisements of government departments and their agencies, local authorities, statutory undertakers and public transport undertakers.

#### Exception based on Class 1A [unmodified]

##### – Advertisements by government and transport bodies

This exception includes government departments and agencies of government departments so that their functional advertisements are treated in the same way as those of local authorities, giving information or directions about the services they provide. Statutory undertakers and public transport undertakers (including Transport for London) may display functional advertisements required for the operation of their services. Illumination is only allowed where it is reasonably required for the purpose of the advertisement (eg: where it is necessary to enable information or directions to be read in hours of darkness). A condition limits the size of advertisements within this exception to 1.55 square metres in area.

#### Exception based on Class 1B [modified]

##### – Advertisements by local planning authorities

This exception allows local planning authorities to display their functional advertisements on land in their local authority area. Conditions apply to areas of special control designated under the 2007 Planning Regulations where the functional advertisement may be displayed only if the local planning authority could have granted express consent for its display. The exception applies only to advertisements that are wholly for

the purpose of announcement or direction in relation to the planning authority's functions and which are reasonably required for the performance of those functions.

#### Exceptions based on Class 2:

Miscellaneous advertisements relating to the premises on which they are displayed.

#### Exception based on Class 2A [unmodified]

##### – Notice or signs of identification or warning

This exception permits notices or signs to be displayed on buildings or land as means of identification, direction or warning. These include the number or name of a house, a sign saying 'please shut the gate', and a warning notice saying 'beware of the dog'. The conditions and limitations are that illumination is not permitted and the overall size limit is 0.3 square metres. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of 'special control'.

#### Exception based on Class 2B [unmodified]

##### – Company names, or names of people trading on premises

This exception permits notices or signs to be displayed on any premises in order to advertise the fact that a person, partnership or company is carrying out a profession, business or trade at those premises.

<sup>7</sup> Under the 2007 Planning Regulations, a local authority may apply to the Secretary of State for a direction limiting the application of a Schedule 3 Class within its area. Such directions are **not** relevant to the advertising and trading Regulations – they do not affect the application of an exception under those Regulations. However, where a direction has been made an advertiser may need to obtain the express consent of a local authority under the 2007 Planning Regulations to display an advertisement in its area.

Illumination is not permitted unless the advertisement states that medical or pharmaceutical services or supplies are available on the premises. These include doctors' surgeries, dental practices, chiropodists, chiropractors, opticians, osteopaths, physiotherapists and veterinary services. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness) and no moving parts or flashing lights are permitted. The level of illumination is limited to 600 candela per square metre (where the illuminated area does not exceed 10 square metres) or 300 candela per square metre in any other case. In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account.

Only one advertisement may be displayed per person, partnership or company, but if there is more than one entrance to the premises on different road frontages, one advertisement per person may be displayed at each entrance on two different frontages. The overall size limit is 0.3 square metres per advertisement. The height above ground level at which advertisements may be displayed is limited so that no part of an advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### Exception based on Class 2C [unmodified]

##### – Religious, cultural, educational or residential notices

This exception permits advertisements relating to institutions of religious, educational, cultural, recreational or medical or similar character; or to any hotel, inn or public house, block of flats, club, boarding house, hostel or bed and breakfast establishment, at the premises where it is displayed.

Illumination is not permitted unless the advertisement states that medical or pharmaceutical services or supplies are available on the premises. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness) and no moving parts or flashing lights are permitted. The level of illumination is limited to 600 candela per square metre (where the illuminated area does not exceed 10 square metres) or 300 candela per square metre in any other case. In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account.

The other conditions and limitations are that the overall size limit is 1.2 square metres but if there is more than one entrance to the premises on different road frontages, one advertisement of up to 1.2 square metres may be displayed at each entrance on two different frontages. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### Exceptions based on Class 3: Miscellaneous temporary advertisements

These exceptions apply to a wide variety of notices and signs which are used to publicise a forthcoming event, or to advertise a short-term use of the advertisement site. There are six separate categories. If an advertisement relates to a sale (other than advertisements falling within the exception based on Class 3A) or event (other than advertisements falling within the exception based on Class 3F), it must not be displayed more than 28 days before the sale or event begins and must be removed

within 14 days after it ends. In areas of special control designated under the 2007 Planning Regulations there are stricter limits to the height above ground level at which advertisements may be displayed and on the size of characters or symbols on the advertisement.

**Exception based on Class 3A  
[unmodified]**

**– Notices and signs displayed by  
estate agents and similar agencies**

This exception permits the display of a single board or two joined boards to be displayed (usually by estate surveyors, chartered surveyors, auctioneers and valuers), advertising that the residential, agricultural, industrial or commercial land or premises on which they are displayed are for sale or to let, or that the land on which they are displayed is to be sold or let for development for residential, agricultural, industrial or commercial use. Illumination is not permitted. Where the advertisement consists of more than a single board or two joined boards only the first advertisement to be displayed will benefit from the exception.

Size limits apply. If the sale or letting is for agricultural, industrial or commercial use or development, the advertisement board must not exceed 2 square metres, unless two boards are joined together to form a single advertisement, in which case a total surface area of 2.3 square metres is permitted. If the sale or letting is for residential use or development, the advertisement board must not exceed 0.5 square metres, or a total area of 0.6 square metres for two joined boards. No advertisement board is allowed to extend outwards from the wall of a building by more than 1 metre. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations, or where the sale or letting is for only part of a building, the lowest level of that part of the building on which display of the advertisement board is

reasonably practicable. The size of characters or symbols on the board is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

The only permitted additions to the board(s) are statements saying that the sale or letting has been agreed or that land or premises have been sold or let, subject to contract. Boards must be removed no later than 14 days after the sale has been completed or the tenancy has been granted.

**Exception based on Class 3B  
[unmodified]**

**– Advertisements announcing sales  
of goods or livestock on premises  
not normally used for commercial  
purposes**

This exception permits advertisements announcing the sale of goods or livestock on land or premises which are not normally used for goods or livestock sales. Advertisements within this category include those advertising an auction of house contents at the house, and a sale of livestock on farm premises. Illumination is not permitted. Only one advertisement is allowed at any one time. Where more than one advertisement is displayed at the same time only the first will benefit from the exception. Size limits apply. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the sale is due to begin and must be removed not later than 14 days after it ends or, if it is cancelled or postponed, after it was due to begin.

**Exception based on Class 3C  
[unmodified]**

**– Advertisements of builders and engineers at the site they are working**

This exception permits firms or individuals who are carrying out building, engineering or construction work to advertise the fact at the site only for as long as the work is being carried out. The land must not normally be used, whether at regular intervals or otherwise for building, engineering or construction work.

One person, partnership, or company (whether incorporated or not) may display their own advertisement board provided it does not exceed 3 square metres, if displayed more than 10 metres from a highway, or 2 square metres in any other case. But if all those engaged on the contract rely on a single advertisement board, it can have a total area of three square metres, plus a further 0.6 square metres for each additional firm or person mentioned on the board, if displayed more than 10 metres from a highway; or 2 square metres, plus a further 0.4 square metres for each additional firm etc. in any other case. Additionally, if the development project is known by a particular name, the size of the advertisement board may be increased by a further 20 per cent to enable the name to be displayed.

Only one advertisement is permitted to be displayed at any one time on each road frontage to the site of each separate development project (and where more than one advertisement is displayed only the first to be displayed will benefit from the exception). However, where a board is already being displayed (so that it is impracticable or inconvenient to add another name to it) any other individual, firm or contractor working at the site may display a separate board for up to three months. Such a board cannot be larger than 0.5 square metres on each road frontage to the site of the project.

Illumination is not permitted. The height above ground level at which

the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

**Exception based on Class 3D  
[modified]**

**– Advertisements for local events or activity of a religious, educational, cultural, political, social or recreational, purpose or charitable events (Class 3D)**

This exception permits temporary advertisements advertising any local event or activity being held for charitable purposes. The event or activity may be religious, educational, cultural, political, social or recreational, but cannot be an event or activity promoted or carried on for any commercial purpose. Advertisements covered by this exception include those for a church bazaar, a fete for parent-teacher association, a sponsored marathon in aid of charity, an amateur sports event, but not any sporting event organised for commercial purposes. The advertisement may not promote or advertise a good, service or commercial supplier of goods or services for example, by carrying the brand of a commercial sponsor of the event.

Illumination is not permitted. Size limits apply. No advertisement may exceed 0.6 square metres in area. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the event or activity is due to begin and must be removed not later than 14 days after it ends.



**Exception based on Class 3E  
[unmodified]**

**– Advertisements for agricultural demonstrations where they are to take place**

This exception permits temporary advertisements advertising that a demonstration of agricultural methods or processes is taking place on the land where the advertisements are being displayed. The advertisements may not be displayed on any land for more than six months in any period of 12 months. Illumination is not permitted. Size limits apply. The maximum area of all the displayed advertisements must not exceed 1.2 square metres and no individual advertisement is to exceed 0.4 square metres. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the demonstration is due to begin and must be removed not later than 14 days after it ends.

**Exceptions based on Class 4:  
Illuminated advertisements on business premises**

These exceptions allow advertisements on business premises to be displayed with either internally illuminated letters or characters on an unilluminated background or lit by 'halo illumination'. 'Halo illumination' means that the background (rather than the letters or characters) is illuminated by a light source that is not directly visible from any angle. The level of illumination is limited to 600 candela per square metre (where the illuminated area does not exceed 10 square metres) or 300 candela per square metre in any other case. In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account.

Intermittent light sources, flashing lights, moving parts or features, exposed cold cathode tubing, or animation are not allowed. The use of retroreflective material which reflects light from vehicles' headlights is not allowed. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness). Advertisements within these exceptions are not allowed in conservation areas designated under the Planning (Listed Buildings and Conservation Areas) Act 1990, areas of outstanding natural beauty designated under the Countryside and Rights of Way Act 2000, National Parks or the Broads.

**Exception based on Class 4A  
[unmodified]**

**– Internally lit signs overlooking a car park of a retail park**

This exception permits internally or 'halo' illuminated advertisements on premises within a retail park but only on a frontage which faces or overlooks a communal car park within the boundaries of the retail park. The advertisement must refer wholly to the business or name or qualification of the person carrying on the business, or the goods sold or services provided on the premises. Only one advertisement parallel to the wall and one projecting at right angles from the wall are allowed.

Size limits apply to advertisements projecting from the wall. No such advertisement may exceed 1 square metre in area. The distance the sign can project from the wall of a building is limited to no more than 1 metre and it may not be more than 1.5 metres high.

The height above ground level at which any advertisement (whether parallel to or projecting from a wall) may be displayed is subject to conditions. The lowest part of the advertisement must be at least 2.5 metres above ground level. But no part of the advertisement may be more than either 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed,

whichever is the lower. The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height.

**Exception based on Class 4B  
[unmodified]**

- Internally lit signs relating wholly to the business within the building to which they are attached

This exception permits illuminated advertisements on business premises (other than those within the exception based on Class 4A) provided they refer wholly to the business or name or qualification of the person carrying on the business, or the goods sold or services provided on the premises. Only one advertisement parallel to the wall and one projecting at right angles from the wall are allowed.

Size limits apply to advertisements projecting from the wall. The surface of any such advertisement may not exceed 0.75 square metres in area. The distance the sign can project from the wall of a building is limited to no more than 1 metre, or two thirds of the width of any footway or pavement below (whichever is the lesser). It may not be more than 1 metre high and may not project over any road.

The lowest part of any advertisement (whether parallel to or projecting from a wall) must be at least 2.5 metres above ground level. But no part of the advertisement may be more than either 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

No surface of the advertisement may be more than one sixth of the frontage on which it is displayed. This is measured up to a height of 4.6 metres from ground level, or one fifth of the frontage measured to the top of the advertisement (whichever is the lesser).

The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height.

Advertisements on shops may only be displayed on a wall containing a shop window.

As well as illumination by internal or 'halo' means, the advertisement may be illuminated by a built-up box containing the light source. In this case the distance between the face of the advertisement and any wall parallel to which it is displayed at the point where it is fixed is limited to no more than 0.25 metres. This is also the limit for the distance between the two faces of an advertisement projecting from a wall.

**Exception based on Class 5:  
[unmodified]**

- Other advertisements on business premises

This exception allows specific advertisements which are not covered by the exceptions based on Class 4 to be displayed on business premises. It permits a wide variety of notices, signs and other advertisements to draw attention to the business carried out on the premises, any commercial services, goods for sale, or any other services available at the business premises where the advertisement is being displayed. It also allows the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises, to be displayed. There is no limit to the number of advertisements which may be displayed but there are maximum size limits for each advertisement in an area of special control designated under the 2007 Planning Regulations and for those in other areas.

'Business premises' means any building (being a permanent building excluding a telephone kiosk) in which a professional, commercial or industrial undertaking is being carried on, or any commercial services are being provided for the public. Examples of business premises include: office buildings; banks and building societies; shops, supermarkets and hypermarkets; theatres, cinemas and night clubs; bingo halls and amusement arcades; vehicle showrooms and garages;



privately owned factories and works; restaurants and cafés. It does not include a building designed for use as one or more separate dwellings unless that building has normally been used in the preceding 10 years for any professional, commercial or industrial business or for providing services to the public or any association; or the building has been adapted by the construction of a shop front. It also does not include a building used as a religious, educational, cultural, recreational or medical institution; any forecourt or other land forming part of the curtilage of a building; or any fence, wall or similar structure unless it forms part of the fabric of a building.

This exception is not intended to permit all forms of outdoor advertising on any business premises. It only permits advertisements relating to the goods or services available at the particular premises or the supplier operating from those premises. This means advertisements which refer to the business or other activity on the premises; the goods for sale or the services available; and/or the name and qualifications of the firm or person providing the goods or services on the premises.

If the business premises are a shop, no advertisement may be displayed except on a wall containing a shop window. In an area of special control designated under the 2007 Planning Regulations there are size and height restrictions. The space occupied by the advertisement may not exceed one tenth of the area of the face of the building on which it is displayed up to a height of 3.6 metres from ground level. Even if the advertisement is not displayed flat against the face of the building its overall area is calculated as though it were. The advertisement may not be displayed higher than 3.6 metres above ground level or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is lower. No character or symbol on the advertisement may be more than 0.75 metres in height, or 0.3 metres in an area of special control.

Illumination is not permitted unless the advertisement is for medical, pharmaceutical or veterinary services available on the premises, or medical or veterinary supplies which are available there. The premises include doctors' or dental surgeries, chiropractors, osteopaths, opticians and veterinary services. Illumination is by static means – intermittent light sources, flashing lights, moving parts or features, exposed cold cathode tubing, or animation are not allowed. The use of retroreflective material which reflects light from vehicles' headlights is not allowed. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness). The level of illumination is limited to 600 candela per square metre (where the illuminated area does not exceed 10 square metres) or 300 candela per square metre in any other case. In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account.

Where an advertisement consists of a single placard or poster, the maximum size is 1.554 square metres.

Outside an area of special control, the height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be higher than 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is lower. The size of characters or symbols on the advertisement may be no more than 0.75 metres in height.

**Exception based on Class 6:  
[unmodified]**

**– An advertisement on a forecourt  
of business premises**

This exception gives further permission to business premises with a forecourt (or more than one) to display the type of advertisement permitted by the exception based on Class 5. It allows notices, signs and other advertisements to draw attention to the business carried out on the premises, any commercial services, goods for sale, or any other services available at the business premises. It also allows the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises, to be displayed.

The 'forecourt' of a building, or part of a building, is an area of land, whether it is enclosed or not, within the curtilage of the building or part of it, to which the public may have access with the permission of the owner. It includes any fence, wall, screen or other structure that defines the boundaries of that area. A forecourt would include: the enclosed area in front of a newsagent's shop; the area at a petrol filling station where pumps are situated; a terrace in front of a restaurant or café. Forecourt does not include the area of pavement in front of business premises which forms part of the highway.

A condition limits the maximum area for all advertisements on forecourts to 4.6 square metres, but no single advertisement can exceed 1.55 square metres. Therefore a building which has two or more frontages with forecourts may display an advertisement on each forecourt, as long as no individual advertisement is more than 1.55 square metres and the maximum area of all the advertisements on the forecourts does not exceed 4.6 square metres. This allows a non-illuminated 'four sheet' display but not a 'six sheet' display.

Illumination is not permitted. The height above ground level at which the advertisement may be displayed is limited so that no part of the

advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 2007 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

**Exceptions based on Class 7:  
Flag advertisements**

These exceptions permit some flag advertisements in addition to those flags permitted by the exception based on Class H – see above.

**Exception based on Class 7A  
[unmodified]**

**– Flag advertisements with the name  
or logo of the occupier of the  
building**

This exception permits an advertisement in the form of a flag to be flown on a single flagstaff projecting vertically from the roof of a building. There is no height limit.

The flag may only have on it the name or device (such as the emblem or trademark) of the company or person occupying the building, or refer to a specific event of a limited duration taking place in the building. In the latter case the flag may only be flown for the duration of this event. This exception does not cover flags that advertise goods or products. The size of characters or symbols on the flag is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control designated under the 2007 Planning Regulations.

**Exception based on Class 7B  
[modified]**

**– Flag advertisement at house  
building sites where new houses  
remain for sale**

This exception permits the display of flag advertisements flown from a single vertical flagstaff at residential, or predominantly residential, development sites. Flags may be flown during construction works and for as long as at least one of the new houses or flats remains available for sale, up to the date which is one year after building operations have been substantially completed.

The flags must relate to the development or to a person carrying out the development or an aspect of it. They may not be flown in any conservation area designated under the Planning (Listed Buildings and Conservation Areas) Act 1990, area of outstanding natural beauty designated under the Countryside and Rights of Way Act 2000, National Park, the Broads or an area of special control designated under the 2007 Planning Regulations.

The number of flag advertisements is limited by the total number of houses and/or flats constructed or to be constructed. Up to 10 houses/flats means that only one flag may be flown. Between 10 and 100 houses/flats means that two flags may be flown. More than 100 houses/flats means that three flags may be flown.

However, there is a condition making special provision for developments that are carried out in phases. This allows the land on which the different phases are being undertaken to be treated separately for the purposes of the exception, even though all of the land is subject to one planning permission. Likewise, there is a condition for developments carried out by different people, each undertaking part of the development on discrete parts of the land. The discrete parts of land can be treated separately for the purposes of this exception.

The maximum size of each flag is limited to 2 square metres. No part of the flagstaff may be more than 4.6 metres above ground level.

#### Exception based on Class 10: [unmodified]

##### – Advertisements for Neighbourhood Watch and similar schemes

This exception enables an advertisement displayed on or near highway land (but not in the window of a building) to give notice that a Closed Circuit Television (CCTV), neighbourhood watch or similar scheme, jointly established by a local committee and the police authority, is in operation in the area. This includes Home Watch, Crime Watch, Farm Watch and Industrial Watch set up jointly with the police authority. These CCTV signs are associated with CCTV schemes for general crime prevention purposes, not for traffic offences which are covered by road traffic legislation. The CCTV signs are often fitted to lampposts.

At least 14 days before any sign is put up, the local planning authority must be notified in writing where it is to be displayed and assured that it is properly authorised by the police, and where it is displayed on highway land, that the consent of the highway authority has been given. If the police or highway authority withdraw their approval or the scheme ceases to operate, the signs must be removed within 14 days. Illumination is not permitted.

Size limits apply. No advertisement may exceed 0.2 square metres. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be higher than 3.6 metres above ground level. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control designated under the 2007 Planning Regulations.

Exception based on Class 11:  
[unmodified]

– Temporary directional  
advertisements for house  
building sites

This exception permits temporary directional signs, on a single flat surface, telling potential house buyers and other visitors how to reach a site where new residential development is taking place. At least 14 days before any sign is put up, the local planning authority must be notified in writing where it is to be displayed and from what date. No sign may continue to be displayed after development of the house building site is completed, or for more than two years in total.

The sign must not look like a traffic sign. The sign must be on land adjacent to but not on highway land, so that the sign is reasonably visible to an approaching driver, but may not be within 50 metres of a traffic sign which is intended to be seen by anyone approaching from the same direction. No sign may be more than two miles from the main entrance for the development site. Illumination and retroflective material are not permitted.

Size limits apply. No advertisement may exceed 0.15 square metres. No character or symbol on the advertisement may be less than 0.04 metres high or more than 0.25 metres high. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be higher than 4.6 metres above ground level or 3.6 metres in an area of special control designated under the 2007 Planning Regulations.

Exception based on Class 12:  
[modified]

– Advertisements inside buildings

This exception permits advertisements which do not fall within the exception based on Class 1 (see above) to be displayed inside a building<sup>8</sup>. This exception includes: advertisements which are illuminated, for example, a sign in the window of a chemist's shop; and advertisements within one metre of any window or other external opening through which they can be seen from outside the building.

The exception does not apply to an advertisement displayed within a railway station (including its yards), a bus station (including its forecourt) or a building in which a Games event is to take place (including a sports stadium or other building) unless the advertisement is an 'exempt business advertisement'. An 'exempt business advertisement' is an advertisement displayed on business premises that are within a building. The advertisement must only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and venues (such as cafes and book shops) are permitted.

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8 'Building' means a permanent building but excludes a telephone kiosk.

Exception based on Class 17:  
[unmodified]

– Advertisements on a charging  
point for electric vehicles

This exception permits advertisements displayed on a charging point for electric vehicles. An advertisement may only be displayed by the person who installed the charging point, supplies electricity to it, or does both of those things.

Unless the person who installed the point is different from the person who supplies electricity to it, only one advertisement may be displayed. If the person who installed the point is different from the person who supplies electricity to it, a maximum of two advertisements are permitted. The advertisement must only display the person's name, their device or both. Where two advertisements are displayed, they are to be placed, so far as is reasonably practicable, so as to face in opposite directions.

Illumination is not permitted and no advertisement may exceed 70 square centimetres in area.

Requirements Relating to all  
Advertisements Falling within any  
of the above exceptions:

- 1 No advertisement may be displayed without the permission of the owner of the site or any other person entitled to grant permission.
- 2 No advertisement may be sited or displayed so as to:
  - a) endanger persons using any highway, railway, waterway, dock, harbour or civil or military aerodrome;
  - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- 3 Any advertisement displayed, and any site used for the display of advertisements, must be maintained in a condition that does not impair the visual amenity of the site.
- 4 Any structure or hoarding erected or used principally for the display of advertisements must be maintained in a condition that does not endanger the public.
- 5 Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Note that, for the purposes of the advertising and trading Regulations, there are no exceptions based on Classes 3F, 8, 9, 13, 14, 15, or 16 in Schedule 3 to the 2007 Planning Regulation. That means that if you want to display an advertisement in one of those Classes within an Event Zone during an Event Period you will need authorisation from LOCOG.

If you wish to view the full text of any of the Regulations please follow this link [www.london2012.com/advertisingandtrading](http://www.london2012.com/advertisingandtrading)

## Annex 2 Wales

### Advertising exceptions within the Millennium Stadium Event Zone, Cardiff. Based on the Town and Country Planning (Control of Advertisements) Regulations 1992. 'The 1992 Planning Regulations'

The following exceptions are based on Classes of exempt or 'deemed consent' advertisements in the 1992 Planning Regulations. Under the Advertising and Trading Regulations, displaying an advertisement within any of these exceptions in the Millennium Stadium Event Zone during the Event Period is permitted.

It is important to note that, for the purposes of the advertising and trading Regulations, **some of the Classes set out in the 1992 Planning Regulations are modified or excluded altogether.** Where an exception in the advertising and trading Regulations is based on a Class in the 1992 Planning Regulations we have indicated whether this has been modified or not below. At the end of this annex there is also a list of Classes from the 1992 Planning Regulations which do not benefit from an exception for the purposes of the advertising and trading Regulations.

The following information describes exceptions as they apply in the advertising and trading Regulations. In considering how the advertising and trading Regulations will affect you or your business, you should refer to the information set out below and not to the 1992 Planning Regulations themselves or any explanatory material for those Regulations.

#### 1.1

#### Exceptions based on the Classes in Schedule 2 to the 1992 Planning Regulations

Exception based on Class B [modified]:

- An advertisement displayed on enclosed land that is not readily visible from outside the enclosure or from any part of it in respect of which the public has a right of access

This exception does not apply where the enclosed land is a railway station (including its yards), a bus station (including its forecourt) or enclosed land in which a Games event is to take place (including a sports stadium or other building). It also does not apply to advertisements displayed in public parks, public gardens or open space used by the public.

Exception based on Class C [unmodified]:

- An advertisement displayed on or in any vehicle normally employed as a moving vehicle

In addition to the commonplace bus and taxi advertising this includes advertisements displayed on boats (any vessel on any inland waterway or in coastal waters), trains, aeroplanes and bicycles.

This exception does not apply to advertisements displayed on vehicles used principally for the display of advertisements eg: stationary vehicles, mobile billboards, or trailers in fields or lay-bys used for advertising purposes.

Exception based on Class D  
[modified]:

- An advertisement incorporated in the fabric of a building<sup>9</sup> (eg: incised stonework lettering)

This exception does not apply to an advertisement incorporated into the fabric of a building that is used principally for the display of advertisements. Nor does it apply to advertisements fixed to, or painted on, a building or displayed on hoardings or similar structures. Finally, the exception does not apply to advertisements that were not in existence on the date that the advertising and trading Regulations came into force.

Exception based on Class E  
[unmodified]:

- An advertisement displayed on an article for sale or on the container in, or from which, an article is sold

This exception applies only to advertisements which refer to the article (including a gas or liquid) for sale. The advertisement may not be illuminated and may not exceed 0.1 square metres in area.

Exception based on Class F  
[unmodified]:

- Election advertisements

This exception permits the display of advertisements relating specifically to a pending Parliamentary, European Parliament or local government election. The advertisement must be removed within 14 days after the close of the poll.

Exception based on Class G  
[unmodified]:

- An advertisement required by law or by Parliamentary Standing Orders

This exception applies to advertisements required by Standing Orders of either House of Parliament or by any enactment or a condition attaching to a statutory function.

Exception based on Class H  
[unmodified]:

- Traffic signs

This applies to a traffic sign, as defined in section 64(1) of the Road Traffic Regulation Act 1984.

Exception based on Class I  
[unmodified]:

- Flags

This exception applies to the national flag of any country. Nothing may be added to the design of the flag, nor may any additional advertising material be flown from the flagstaff.

Exception based on Class J  
[modified]:

- Advertisements inside a building<sup>9</sup>

This exception applies to an advertisement displayed inside a building which is not within one metre of any external door, window, or other opening through which it is visible from outside. The advertisement must not be illuminated.

The exception does not apply to an advertisement displayed within a railway station (including its yards), a bus station (including its forecourt) or a building in which a Games event is to take place (including a sports stadium or other building) unless the advertisement is an 'exempt business advertisement'. An 'exempt business advertisement' is an advertisement displayed on business premises that are within a building. The advertisement must only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and venues (such as cafes and book shops) are permitted.

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<sup>9</sup> 'Building' means a permanent building but excludes a telephone kiosk.



## 2.2

### Exceptions based on the Classes in Schedule 3<sup>10</sup> to the 1992 Planning Regulations

Exceptions based on Class 1:

Functional advertisements of local authorities, statutory undertakers and public transport undertakers

Exception based on Class 1A [unmodified]

- Advertisements by local authorities and public transport undertakers

This exception includes functional advertisements of local authorities, giving information or directions about the services they provide. Statutory undertakers and public transport undertakers may display functional advertisements required for the operation of their services.

Illumination is only allowed where it is reasonably required for the purpose of the advertisement (eg: where it is necessary to enable information or directions to be read in hours of darkness).

Exception based on Class 1B [modified]

- Advertisements by local planning authorities

This exception allows local planning authorities to display their functional advertisements on land in their local authority area. Conditions apply to areas of special control designated under the 1992 Planning Regulations where the functional advertisement may be displayed only if the local planning authority could have granted express consent for its display. The exception applies only to advertisements that are wholly for the purpose of announcement or direction in relation to the planning authority's functions and which are reasonably required for the performance of those functions.

Exceptions based on Class 2:

Miscellaneous advertisements

relating to the premises on which they are displayed. Exception based on Class 2A [unmodified]

- Notice or signs of identification or warning

This exception permits notices or signs to be displayed on buildings or land as means of identification, direction or warning. These include the number or name of a house, a sign saying 'please shut the gate', and a warning notice saying 'beware of the dog'. The conditions and limitations are that illumination is not permitted and the overall size limit is 0.3 square metres. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of 'special control'.

Exception based on Class 2B [unmodified]

- Company names, or names of people trading on premises

This exception permits notices or signs to be displayed on any premises in order to advertise the fact that a person, partnership or company is carrying out a profession, business or trade at those premises.

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<sup>10</sup> Under the 1992 Planning Regulations, a local authority may apply to the Welsh Ministers for a direction limiting the application of a Schedule 3 Class within its area. Such directions are not relevant to the advertising and trading Regulations – they do not affect the application of an exception under those Regulations. However, where a direction has been made an advertiser may need to obtain the express consent of a local authority under the 1992 Planning Regulations to display an advertisement in its area.



Illumination is not permitted unless the advertisement states that medical or pharmaceutical services or supplies are available on the premises. These include doctors' surgeries, dental practices, chiropodists, chiropractors, opticians, osteopaths, physiotherapists and veterinary services. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness).

Only one advertisement may be displayed per person, partnership or company, but if there is more than one entrance to the premises on different road frontages, one advertisement per person may be displayed at each entrance on two different frontages. The overall size limit is 0.3 square metres per advertisement. The height above ground level at which advertisements may be displayed is limited so that no part of an advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### Exception based on Class 2C [unmodified]

##### – Religious, cultural, educational or residential notices

This exception permits advertisements relating to institutions of religious, educational, cultural, recreational or medical or similar character; or to any hotel, inn or public house, block of flats, club, boarding house, hostel or bed and breakfast establishment, at the premises where it is displayed.

Illumination is not permitted unless the advertisement states that medical or pharmaceutical services or supplies are available on the premises. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness).

The other conditions and limitations are that the overall size limit is 1.2 square metres but if there is more than one entrance to the premises on different road frontages, one advertisement of up to 1.2 square metres may be displayed at each entrance on two different frontages. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### Exceptions based on Class 3: Miscellaneous temporary advertisements

These exceptions apply to a wide variety of notices and signs which are used to publicise a forthcoming event, or to advertise a short-term use of the advertisement site. There are six separate categories. If an advertisement relates to a sale (other than advertisements falling within the exception based on Class 3A) or event (other than advertisements falling within the exception based on Class 3F), it must not be displayed more than 28 days before the sale or event begins and must be removed within 14 days after it ends. In areas of special control designated under the 1992 Planning Regulations there are stricter limits to the height above ground level at which advertisements may be displayed and on the size of characters or symbols on the advertisement.

#### Exception based on Class 3A [unmodified]

##### – Notices and signs displayed by estate agents and similar agencies

This exception permits the display of a single board or two joined boards to be displayed (usually by estate surveyors, chartered surveyors, auctioneers and valuers), advertising that the residential, agricultural, industrial or commercial land or premises on which they are displayed are for sale or to let, or that the land on which they are

displayed is to be sold or let for development for residential, agricultural, industrial or commercial use. Illumination is not permitted. Where the advertisement consists of more than a single board or two joined boards only the first advertisement to be displayed will benefit from the exception.

Size limits apply. If the sale or letting is for agricultural, industrial or commercial use or development, the advertisement board must not exceed 2 square metres, unless two boards are joined together to form a single advertisement, in which case a total surface area of 2.3 square metres is permitted. If the sale or letting is for residential use or development, the advertisement board must not exceed 0.5 square metres, or a total area of 0.6 square metres for two joined boards. No advertisement board is allowed to extend outwards from the wall of a building by more than 1 metre. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations, or where the sale or letting is for only part of a building, the lowest level of that part of the building on which display of the advertisement board is reasonably practicable. The size of characters or symbols on the board is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

The only permitted additions to the board(s) are statements saying that the sale or letting has been agreed or that land or premises have been sold or let, subject to contract. Boards must be removed no later than 14 days after the sale has been completed or the tenancy has been granted.

#### Exception based on Class 3B [unmodified]

- Advertisements announcing sales of goods or livestock on premises not normally used for commercial purposes

This exception permits advertisements announcing the sale of goods or livestock on land or premises which are not normally used for goods or livestock sales. Advertisements within this category include those advertising an auction of house contents at the house, and a sale of livestock on farm premises. Illumination is not permitted. Only one advertisement is allowed at any one time. Where more than one advertisement is displayed at the same time only the first will benefit from the exception. Size limits apply. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the sale is due to begin and must be removed not later than 14 days after it ends or, if it is cancelled or postponed, after it was due to begin.

**Exception based on Class 3C  
[unmodified]**

**– Advertisements of builders and engineers at the site they are working**

This exception permits firms or individuals who are carrying out building, engineering or construction work to advertise the fact at the site only for as long as the work is being carried out. The land must not normally be used, whether at regular intervals or otherwise for building, engineering or construction work.

One person, partnership, or company (whether incorporated or not) may display their own advertisement board provided it does not exceed 3 square metres, if displayed more than 10 metres from a highway, or 2 square metres in any other case. But if all those engaged on the contract rely on a single advertisement board, it can have a total area of three square metres, plus a further 0.6 square metres for each additional firm or person mentioned on the board, if displayed more than 10 metres from a highway; or 2 square metres, plus a further 0.4 square metres for each additional firm etc. in any other case. Additionally, if the development project is known by a particular name, the size of the advertisement board may be increased by a further 20 per cent to enable the name to be displayed.

Only one advertisement is permitted to be displayed at any one time on each road frontage to the site of each separate development project (and where more than one advertisement is displayed only the first to be displayed will benefit from the exception). However, where a board is already being displayed (so that it is impracticable or inconvenient to add another name to it) any other individual, firm or contractor working at the site may display a separate board for up to three months. Such a board cannot be larger than 0.5 square metres on each road frontage to the site of the project.

Illumination is not permitted. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

**Exception based on Class 3D  
[modified]**

**– Advertisements for local events or activity of a religious, educational, cultural, political, social or recreational, purpose or charitable events (Class 3D)**

This exception permits temporary advertisements advertising any local event or activity being held for charitable purposes. The event or activity may be religious, educational, cultural, political, social or recreational, but cannot be an event or activity promoted or carried on for any commercial purpose. Advertisements covered by this exception include those for a church bazaar, a fete for parent-teacher association, a sponsored marathon in aid of charity, an amateur sports event, but not any sporting event organised for commercial purposes. The advertisement may not promote or advertise a good, service or commercial supplier of goods or services for example, by carrying the brand of a commercial sponsor of the event.

Illumination is not permitted. Size limits apply. No advertisement may exceed 0.6 square metres in area. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the event or activity is due to begin and must be removed not later than 14 days after it ends.

#### Exception based on Class 3E [unmodified]

##### – Advertisements for agricultural demonstrations where they are to take place

This exception permits temporary advertisements advertising that a demonstration of agricultural methods or processes is taking place on the land where the advertisements are being displayed. The advertisements may not be displayed on any land for more than six months in any period of 12 months. Illumination is not permitted. Size limits apply. The maximum area of all the displayed advertisements must not exceed 1.2 square metres and no individual advertisement is to exceed 0.4 square metres. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992

Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control. The advertisement must not be displayed more than 28 days before the demonstration is due to begin and must be removed not later than 14 days after it ends.

#### Exceptions based on Class 4: Illuminated advertisements on business premises

These exceptions allow advertisements on business premises to be displayed with either internally illuminated letters or characters on an unilluminated background or lit by 'halo illumination'. 'Halo illumination' means that the background (rather than the letters or characters) is illuminated by a light source that is not directly visible from any angle. The level of illumination permitted depends on the area of advertisement that is illuminated, as shown in the following table below.

In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account. Intermittent light sources, flashing lights, moving parts or features, exposed cold cathode tubing, or animation are not allowed. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness).

Area of advertisement illuminated	Limit of luminance (candela per square metre)
No more than 0.5 square metres	1,000
No more than 2 square metres	800
No more than 10 square metres	600
Over 10 square metres	400

Exception based on Class 4A  
[unmodified]

- Internally lit signs overlooking a car park of a retail park

This exception permits internally or 'halo' illuminated advertisements on premises within a retail park but only on a frontage which faces or overlooks a communal car park within the boundaries of the retail park. The advertisement must refer wholly to the business or name or qualification of the person carrying on the business, or the goods sold or services provided on the premises. Only one advertisement parallel to the wall and one projecting at right angles from the wall are allowed.

Size limits apply to advertisements projecting from the wall. No such advertisement may exceed 1 square metre in area. The distance the sign can project from the wall of a building is limited to no more than 1 metre and it may not be more than 1.5 metres high.

The height above ground level at which any advertisement (whether parallel to or projecting from a wall) may be displayed is subject to conditions. The lowest part of the advertisement must be at least 2.5 metres above ground level. But no part of the advertisement may be more than either 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower. The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height.

Exception based on Class 4B  
[unmodified]

- Internally lit signs relating wholly to the business within the building to which they are attached

This exception permits illuminated advertisements on business premises (other than those within the exception based on Class 4A) provided they refer wholly to the business or name or qualification of the person carrying on the business, or the goods sold or services provided on the premises. Only one advertisement parallel to the wall and one projecting at right angles from the wall are allowed.

Size limits apply to advertisements projecting from the wall. The surface of any such advertisement may not exceed 0.75 square metres in area. The distance the sign can project from the wall of a building is limited to no more than 1 metre, or two thirds of the width of any footway or pavement below (whichever is the lesser). It may not be more than 1 metre high and may not project over any road.

The lowest part of any advertisement (whether parallel to or projecting from a wall) must be at least 2.5 metres above ground level. But no part of the advertisement may be more than either 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is the lower.

No surface of the advertisement may be more than one sixth of the frontage on which it is displayed. This is measured up to a height of 4.6 metres from ground level, or one fifth of the frontage measured to the top of the advertisement (whichever is the lesser).

The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height.

Advertisements on shops may only be displayed on a wall containing a shop window.

As well as illumination by internal or 'halo' means, the advertisement may be illuminated by a built-up box containing the light source. In this case the distance between the face of the advertisement and any wall parallel to which it is displayed at the point where it is fixed is limited to no more than 0.25 metres. This is also the limit for the distance between the two faces of an advertisement projecting from a wall.

The exception applies to advertisements displayed in conservation areas designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 where express consent was granted before the London Olympic Games and Paralympic Games (Advertising and Trading) (Wales) Regulations 2011 came into force<sup>11</sup>.

**Exception based on Class 5:  
[unmodified]  
– Other advertisements on business premises**

This exception allows specific advertisements which are not covered by the exceptions based on Class 4 to be displayed on business premises. It permits a wide variety of notices, signs and other advertisements to draw attention to the business carried out on the premises, any commercial services, goods for sale, or any other services available at the business premises where the advertisement is being displayed. It also allows the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises, to be displayed.

There is no limit to the number of advertisements which may be displayed but there are maximum

size limits for each advertisement in an area of special control designated under the 1992 Planning Regulations and for those in other areas.

'Business premises' means any building in which a professional, commercial or industrial undertaking is being carried on, or any commercial services are being provided for the public. Examples of business premises include: office buildings; banks and building societies; shops, supermarkets and hypermarkets; theatres, cinemas and night clubs; bingo halls and amusement arcades; vehicle showrooms and garages; privately owned factories and works; restaurants and cafés. It does not include a building designed for use as one or more separate dwellings. It also does not include a building used as a religious, educational, cultural, recreational or medical institution; any forecourt or other land forming part of the curtilage of a building; or any fence, wall or similar structure unless it forms part of the fabric of a building.

This exception is not intended to permit all forms of outdoor advertising on any business premises. It only permits advertisements relating to the goods or services available at the particular premises or the supplier operating from those premises. This means advertisements which refer to the business or other activity on the premises; the goods for sale or the services available; and/or the name and qualifications

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<sup>11</sup> Provided that the advertisement complies with the conditions and limitations specified in paragraphs (2) to (11) of Class 4B in Part 1 of Schedule 3 to the 1992 Planning Regulations.

of the firm or person providing the goods or services on the premises.

If the business premises are a shop, no advertisement may be displayed except on a wall containing a shop window. In an area of special control designated under the 1992 Planning Regulations there are size and height restrictions. The space occupied by the advertisement may not exceed one tenth of the area of the face of the building on which it is displayed up to a height of 3.6 metres from ground level. Even if the advertisement is not displayed flat against the face of the building its overall area is calculated as though it were. The advertisement may not be displayed higher than 3.6 metres above ground level or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is lower. No character or symbol on the advertisement may be more than 0.75 metres in height, or 0.3 metres in an area of special control.

Illumination is not permitted unless the advertisement is for medical, pharmaceutical or veterinary services available on the premises, or medical or veterinary supplies which are available there. The premises include doctors' or dental surgeries, chiropractors, osteopaths, opticians and veterinary services. Illumination is only allowed where it is reasonably required to fulfil the purpose of the advertisement (eg: if it is necessary to enable the information to be read in hours of darkness). In calculating the area each advertisement (or each side in the case of a double-sided advertisement) is to be taken separately and no unilluminated part is to be taken into account.

Outside an area of special control, the height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be higher than 4.6 metres above ground level, or the bottom level of any first floor window in the wall on which the advertisement is displayed, whichever is lower. The size of characters or symbols on the

advertisement may be no more than 0.75 metres in height.

#### Exception based on Class 6: [unmodified]

##### – An advertisement on a forecourt of business premises

This exception gives further permission to business premises with a forecourt (or more than one) to display the type of advertisement permitted by the exception based on Class 5. It allows notices, signs and other advertisements to draw attention to the business carried out on the premises, any commercial services, goods for sale, or any other services available at the business premises. It also allows the name or qualifications of the person carrying on the business, or supplying the goods or services, on those premises, to be displayed.

The 'forecourt' of a building, or part of a building, is an area of land, whether it is enclosed or not, within the curtilage of the building or part of it, to which the public may have access with the permission of the owner. It includes any fence, wall, screen or other structure that defines the boundaries of that area. A forecourt would include: the enclosed area in front of a newsagent's shop; the area at a petrol filling station where pumps are situated; a terrace in front of a restaurant or café. Forecourt does not include the area of pavement in front of business premises which forms part of the highway.

A condition limits the maximum area for all advertisements on forecourts to 4.5 square metres. Therefore a building which has two or more frontages with forecourts may display an advertisement on each forecourt, as long as the maximum area of all the advertisements on the forecourts does not exceed 4.5 square metres.



This allows a non-illuminated 'four sheet' display but not a 'six sheet' display.

Illumination is not permitted. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1992 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### Exceptions based on Class 7: Flag advertisements

These exceptions permit some flag advertisements in addition to those flags permitted by the exception based on Class 1 – see above.

#### Exception based on Class 7A [unmodified]

- Flag advertisements with the name or logo of the occupier of the building

This exception permits an advertisement in the form of a flag to be flown on a single flagstaff projecting vertically from the roof of a building. There is no height limit.

The flag may only have on it the name or device (such as the emblem or trademark) of the company or person occupying the building, or refer to a specific event of a limited duration taking place in the building. In the latter case the flag may only be flown for the duration of this event. This exception does not cover flags that advertise goods or products. The size of characters or symbols on the flag is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control designated under the 1992 Planning Regulations.

#### Exception based on Class 7B [modified]

- Flag advertisement at house building sites where new houses remain for sale

This exception permits the display of flag advertisements flown from a single vertical flagstaff at residential, or predominantly residential, development sites. Flags may be flown during construction works and for as long as at least one of the new houses or flats remains available for sale, up to the date which is one year after building operations have been substantially completed.

The flags must relate to the development or to a person carrying out the development or an aspect of it. They may not be flown in any conservation area designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 or an area of special control designated under the 1992 Planning Regulations.

The number of flag advertisements is limited by the total number of houses and/or flats constructed or to be constructed. Up to 10 houses/flats means that only one flag may be flown. Between 10 and 100 houses/flats means that two flags may be flown. More than 100 houses/flats means that three flags may be flown.

However, there is a condition making special provision for developments that are carried out in phases. This allows the land on which the different phases are being undertaken to be treated separately for the purposes of the exception, even though all of the land is subject to one planning permission. Likewise, there is a condition for developments carried out by different people, each undertaking part of the development on discrete parts of the land. The discrete parts of land can be treated separately for the purposes of this exception.

The maximum size of each flag is limited to 2 square metres. No part of the flagstaff may be more than 4.6 metres above ground level.



Exception based on Class 10:  
[unmodified]

– Advertisements for  
Neighbourhood Watch  
and similar schemes

This exception enables an advertisement displayed on or near highway land (but not in the window of a building) to give notice that a Closed Circuit Television (CCTV), neighbourhood watch or similar scheme, jointly established by a local committee and the police authority, is in operation in the area. This includes Home Watch, Crime Watch, Farm Watch and Industrial Watch set up jointly with the police authority. These CCTV signs are associated with CCTV schemes for general crime prevention purposes, not for traffic offences which are covered by road traffic legislation. The CCTV signs are often fitted to lampposts.

At least 14 days before any sign is put up, the local planning authority must be notified in writing where it is to be displayed and assured that it is properly authorised by the police, and where it is displayed on highway land, that the consent of the highway authority has been given. If the police or highway authority withdraw their approval or the scheme ceases to operate, the signs must be removed within 14 days. Illumination is not permitted.

Size limits apply. No advertisement may exceed 0.2 square metres. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be higher than 3.6 metres above ground level. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control designated under the 1992 Planning Regulations.

Exception based on Class 11:  
[unmodified]

– Temporary directional  
advertisements for house building  
sites

This exception permits temporary directional signs, on a single flat surface, telling potential house buyers and other visitors how to reach a site where new residential development is taking place. At least 14 days before any sign is put up, the local planning authority must be notified in writing where it is to be displayed and from what date. No sign may continue to be displayed after development of the house building site is completed, or for more than two years in total.

The sign must not look like a traffic sign. The sign must be on land adjacent to but not on highway land, so that the sign is reasonably visible to an approaching driver, but may not be within 50 metres of a traffic sign which is intended to be seen by anyone approaching from the same direction. No sign may be more than two miles from the main entrance for the development site. Illumination and retroflective material are not permitted.

Size limits apply. No advertisement may exceed 0.15 square metres. No character or symbol on the advertisement may be less than 0.04 metres high or more than 0.25 metres high. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be higher than 4.6 metres above ground level or 3.6 metres in an area of special control designated under the 1992 Planning Regulations.

Exception based on Class 12:  
[modified]

– Advertisements inside buildings<sup>12</sup>

This exception permits advertisements which do not fall within the exception based on Class J (see above) to be displayed inside a building. This exception includes: advertisements which are illuminated, for example, a sign in the window of a chemist's shop; and advertisements within one metre of any window or other external opening through which they can be seen from outside the building.

The exception does not apply to an advertisement displayed within a railway station (including its yards), a bus station (including its forecourt) or a building in which a Games event is to take place (including a sports stadium or other building) unless the advertisement is an 'exempt business advertisement'. An 'exempt business advertisement' is an advertisement displayed on business premises that are within a building. The advertisement must only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and venues (such as cafes and book shops) are permitted.

Requirements Relating to all.  
Advertisements Falling within any  
of the above exceptions:

- 1 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
- 2 Any structure or hoarding erected or used principally for the display of advertisements must be maintained in a condition that does not endanger the public.
- 3 Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement may be sited or displayed so as to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air or so as to render hazardous the use of any highway, railway, waterway, or civil or military aerodrome.

Note that, for the purposes of the advertising and trading Regulations, there are no exceptions based on Class A in Schedule 2 or Classes 3F, 8, 9, 13, or 14 in Schedule 3 to the 1992 Planning Regulations. That means that if you want to display an advertisement in one of those Classes within the Event Zone during an Event Period you will need authorisation from LOCOG.

If you wish to view the full text of any of the Regulations please follow this link [www.london2012.com/advertisingandtrading](http://www.london2012.com/advertisingandtrading)

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<sup>12</sup> 'Building' means a permanent building but excludes a telephone kiosk.

## Annex 3 Scotland

### Advertising exceptions within the Hampden Park Event Zone based on the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. 'The 1984 Planning Regulations'

The following exceptions are based on Classes of exempt or 'deemed consent' advertisements in the 1984 Planning Regulations. Under the Advertising and Trading Regulations, displaying an advertisement within any of these exceptions in the Hampden Park Event Zone during the Event Period is permitted.

It is important to note that, for the purposes of the advertising and trading Regulations, **some of the Classes set out in the 1984 Planning Regulations are modified or excluded altogether.** Where an exception in the advertising and trading Regulations is based on a Class or regulation in the 1984 Planning Regulations we have indicated whether this has been modified or not below. At the end of this annex there is also a list of Classes from the 1984 Planning Regulations which do not benefit from an exception for the purposes of the advertising and trading Regulations.

The following information describes exceptions as they apply in the advertising and trading Regulations. In considering how the advertising and trading Regulations will affect you or your business, you should refer to the information set out below and not to the 1984 Planning Regulations themselves or any explanatory material for those Regulations.

#### 3.1

##### Exceptions based on Regulation 3(1) of the 1984 Planning Regulations

Exception based on Regulation 3(1) (a) and Regulation 3(2) [unmodified]:  
– Advertisements within a building<sup>13</sup>

This exception applies to an advertisement displayed within a building. Carved out from this exception is the display of an advertisement within a building so as to be visible from outside that building if that advertisement is: (a) illuminated; or (b) displayed within any building used principally for the

display of advertisements; or (c) an advertisement any part of which is within a distance of one metre from any external door, window, or other opening through which the advertisement is visible from outside the building.

Exception based on Regulation 3(1) (b) [unmodified]:

- An advertisement displayed on or in a vehicle normally employed as a moving vehicle on any road or railway or displayed on or in a vessel normally employed as a moving vessel on any inland waterway

In addition to the commonplace bus and taxi advertising this includes advertisements displayed on boats (any vessel on any inland waterway or in coastal waters), trains, aeroplanes and bicycles.

This exception does not apply to advertisements displayed on vehicles used principally for the display of advertisements eg: stationary vehicles, mobile billboards, or trailers in fields or lay-bys used for advertising purposes.

Exception based on Regulation 3(1) (c) [modified]:

- An advertisement incorporated in, and forming part of the fabric of, a building

This exception does not apply to an advertisement incorporated into the fabric of a building (for example, incised stonework lettering) that is used principally for the display of advertisements. Nor does it apply to advertisements fixed to, or painted on, a building or displayed on hoardings or similar structures. Finally, the exception does not apply to advertisements that were not in existence on the date that the advertising and trading Regulations came into force.

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<sup>13</sup> 'Building' includes any structure or erection and any part of a building

Exception based on Regulation 3(1)(d) [modified]:

- An advertisement displayed on enclosed land, and not readily visible from the land outside that enclosure or from any part of such enclosure over which there is a public right of way or to which there is a public right of access

'Enclosed land' means land which is wholly or for the most part enclosed with any hedge, fence, wall or similar screen or structure, but does not include any public park, public garden or other land held for the use or enjoyment of the public, or any railway line.

This exception does not apply where the enclosed land is a railway station (including its yards), a bus station (including its forecourt, whether enclosed or not) or enclosed land in which a Games event is to take place (including a sports stadium or other building).

Exception based on Regulation 3(1)(f) [unmodified]:

- An advertisement displayed on an article for sale or on the package or other container in which an article is sold, or displayed on the pump, dispenser or other container from which an article, gas or liquid is sold

This exception applies only to advertisements which refer to the article, gas or liquid for sale. The advertisement may not be illuminated and may not exceed 0.1 square metres in area.

### 3.2

#### Exceptions based on the Classes in Schedule 4 to the 1984 Planning Regulations<sup>14</sup>

These Classes of advertisements received 'deemed consent' under Regulation 10 and Schedule 4 of the 1984 Planning Regulations.

Exceptions based on Class I:

Functional advertisements of local authorities, community councils, statutory undertakers, the Crown, and public transport undertakers.

Exception based on Class I(1) [unmodified]:

- Advertisements by the Crown, local authorities, and other public bodies

This exception relates to advertisements relating to any function or operation of a local authority, community council, statutory undertaker, the Crown or public transport undertaker which are reasonably required in order to secure the safe or efficient performance of those functions or operations. However, the exception only applies where such advertisements cannot be displayed in such a manner under the provisions of the 1984 Planning Regulations under any other specified Class.

This exception includes government departments and agencies of government departments so that their functional advertisements are treated in the same way as those of local authorities, giving information or directions about the services they provide. Statutory undertakers and public transport undertakers may display functional advertisements required for the operation of their services.

Illumination is permissible for purposes of warning.

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<sup>14</sup> Under the 1984 Planning Regulations, a local authority may apply to the Scottish Ministers for a direction limiting the application of a Schedule 4 Class within its area. Such directions are not relevant to the advertising and trading Regulations – they do not affect the application of an exception under those Regulations. However, where a direction has been made an advertiser may need to obtain the express consent of a local authority under the 1984 Planning Regulations to display an advertisement in its area.

Exception based on Class I(2)  
[modified]

- Advertisements by local planning authorities within their areas

This exception allows local planning authorities to display their functional advertisements on land in respect of which they are the planning authority.

The Regulations provide that this exception does not apply if the advertisement is not displayed wholly for the purpose of announcement or direction in relation to the functions of the planning authority by which it is displayed; and is not reasonably required to be displayed for the safe or efficient performance of those functions.

Exceptions based on Class II:  
Miscellaneous advertisements  
relating to land on which they are  
displayed.

Exception based on Class II(1)  
[unmodified]

- Advertisements for the purpose of identification, direction or warning with respect to the land or building on which they are displayed

This exception permits notices or signs to be displayed on buildings or land as means of identification, direction or warning with respect to the land or building on which they are displayed. These include the number or name of a house, a sign saying 'please shut the gate', and a warning notice saying 'beware of the dog'.

Illumination is permitted for the purposes of warning.

Size limitations apply. The overall size limit of each advertisement is 0.2 square metres. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of 'special control'.

Exception based on Class II(2)  
[unmodified]

- Advertisements relating to any person, partnership or company separately carrying on a profession, business, or trade at the premises where any such advertisement is displayed

This exception permits notices or signs to be displayed on any premises in order to advertise the fact that a person, partnership or company is carrying out a profession, business or trade at those premises.

Illumination is not permitted unless the advertisement states that medical services or supplies are available on the premises. These include doctors' surgeries, dental practices, chiropodists, chiropractors, opticians, osteopaths, and physiotherapists.

Only one advertisement may be displayed per person, partnership or company, but if there is more than one entrance to the premises on different road frontages, one advertisement at each of two such entrances may be displayed. The overall size limit is 0.3 square metres per advertisement. The height above ground level at which advertisements may be displayed is limited so that no part of an advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

Exception based on Class II(3)  
[unmodified]

- Religious, educational, cultural, recreational or medical institutions or to advertisements relating to hotels, inns, etc

This exception permits advertisements relating to institutions of religious, educational, cultural, recreational or medical or similar character; or to any hotel, inn or public house, block of flats, club, boarding house or hostel situated on the land on which any such advertisement is displayed.

Illumination is not permitted unless the advertisement states that medical services or supplies are available on the premises.

The maximum area for each advertisement is 1.2 square metres. The exception is limited to one advertisement in respect of each person, partnership or company or in the case of premises with entrances on different road frontages one advertisement at each of two such entrances. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

Exceptions based on Class III:  
Certain advertisements of a temporary nature

Exception based on Class III(1)  
[unmodified]

- Advertisements relating to the availability for sale or letting of the land on which they are displayed

This exception permits the display of a single board or two joined boards to be displayed (usually by estate surveyors, chartered surveyors, auctioneers and valuers), advertising that the land or premises on which they are displayed are for sale or to let.

Size limits apply. The advertisement board must not exceed 2 square metres, unless two boards are joined together to form a single advertisement, in which case a total surface area of 2.3 square metres is permitted. No advertisement board is allowed to extend outwards from the wall of a building by more than 1 metre. The height above ground level at which the advertisement may be displayed is limited to the lowest level at which it is reasonably practicable to display the advertisement. The size

of characters or symbols on the board is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

When the sale is due to start on a specified date the advertisement is not to be displayed earlier than 28 days before that date. Advertisements must be removed no later than 14 days after the conclusion of the sale or letting.

Exception based on Class III(2)  
[unmodified]

- Advertisements announcing a sale of goods or livestock, and displayed on the land where such goods or livestock are situated or where such a sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding such sales

This exception permits advertisements announcing the sale of goods or livestock on land or premises which are not normally used (at regular intervals or otherwise) for goods or livestock sales. Advertisements within this category include those advertising an auction of house contents at the house, and a sale of livestock on farm premises.

Only one advertisement is allowed at any one time, which must not exceed 1.2 square metres.

The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

When the sale is due to start on a specified date the advertisement is not to be displayed earlier than 28 days before that date. Advertisements must be removed no later than 14 days after the conclusion of the sale or letting.

Exception based on Class III(3)  
[unmodified]:

- Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of carrying out such work

This exception permits firms or individuals who are carrying out building, engineering or construction work to advertise the fact on the land only for as long as the work is being carried out. The land must not normally be used, whether at regular intervals or otherwise for building, engineering, construction or similar work.

The advertisement can only be displayed while such works are in progress.

There is a limit of one advertisement in respect of each contractor or sub-contractor carrying out the works. There is a limit of one advertisement not exceeding two square metres on each road frontage of the land in respect of each contractor or sub-contractor carrying out such work.

The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

Exception based on Class III(4)  
[modified]

- Advertisements announcing any local event of a religious, educational, cultural, social or recreational character and advertisements relating to any temporary matter in connection with an event or a local activity of such a character, not in either case being an event or a local activity promoted or carried on for commercial purposes

This exception permits temporary advertisements advertising any local event or activity being held for any of the above purposes. The event or activity may be religious, educational, cultural, social or recreational, but cannot be an event or activity promoted or carried on for any commercial purpose.

Advertisements covered by this exception include those for a church bazaar, a fete for parent-teacher association, a sponsored marathon in aid of charity, an amateur sports event, but not any sporting event organised for commercial purposes.

The exception does not apply if the advertisement promotes or advertises a good or service; or a person or body (excluding a not-for-profit body) that provides a good or service.

Size limits apply. No advertisement may exceed 0.6 square metres in area. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

The advertisement must not be displayed more than 28 days before the event or activity is due to begin and must be removed not later than 14 days after it ends.



Exception based on Class III(5)  
[unmodified]:

- Advertisements relating to any demonstration of agricultural methods or processes on the land on which they are displayed

This exception permits temporary advertisements advertising that a demonstration of agricultural methods or processes is taking place on the land where the advertisements are being displayed. The advertisements may not be displayed on any land for more than six months in any period of 12 months. The advertisement must not be displayed more than 28 days before the demonstration is due to begin and must be removed not later than 14 days after it ends.

Size limits apply. The maximum area of all the displayed advertisements must not exceed 1.2 square metres, and no individual advertisement is to exceed 0.4 square metres. The height above ground level at which it may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

Exception based on Class III(6)  
[modified]

- Advertisements for building operations

This exception is excluded by the Regulations. It normally permits temporary advertisements on hoardings enclosing, either wholly or in part, land on which building operations are taking or are about to take place and which is designated in any development plan for the time being in force primarily for commercial, industrial or business purposes.

Exception based on Class III(7)  
[unmodified]

- Particular statutory advertisements

This exception relates to advertisements displayed under (a) section 21(2)(b), 36(2)(b) or 107(8)(c) of the Title Conditions (Scotland) Act 2003; (b) paragraph 3A(c) of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947; and (c) paragraph 2(1B)(c) of Schedule 5 to the Forestry Act 1967.

Size limits apply. The height above ground level at which such advertisements may be displayed is limited so that no part of the advertisement may be more than 2 metres above ground level. The size of characters or symbols on the advertisement is limited to no more than 1cm in height.

Exception based on Class IV:  
[unmodified]

- Advertisements on business premises

This exception allows specific advertisements to be displayed on business premises.

‘Business premises’ means any building or part of a building (but not the forecourt or other land forming part of the curtilage of the building) normally used for the carrying on of any professional, commercial or industrial undertaking, or for the provision by any organisation of services for payment, and includes public restaurants, licenced premises and places of public entertainment. In the case of any building used principally for residential purposes only that part of the building normally used for the carrying on of such undertakings or the provision of any such services can be treated as business premises.

Advertisements displayed on business premises wholly with reference to certain matters (Class IV(1))

This exception relates to advertisements displayed on business premises wholly with reference to all or any of the following matters: the business or other activity carried on from the premises, the goods sold or services provided from the premises,

and the name and qualification of the person carrying on such business or activity or manufacturing or supplying such goods or services on those premises.

If the business premises are a shop, no advertisement may be displayed on the wall of a shop unless the wall contains a shop window.

The aggregate of such advertisements on any external face of the building in an area of special control is not to exceed one-twelfth of the area of that face up to a height of 3.6 metres; the area occupied by any such advertisements is to be computed as if the advertisement were displayed flat against the face of the building.

The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than the height of the bottom of the first floor level of the building or wall on which the advertisement displayed or, if lower, 4.6 metres above ground level (or 3.6 metres in an area of special control designated under the 1984 Planning Regulations). The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### **An advertisement on a forecourt of business premises (Class IV(2))**

This exception relates to advertisements displayed on any forecourt of business premises wholly with reference to all or any of the matters specified in Class IV(1) above, namely: the business or other activity carried on from the premises, the goods sold or services provided from the premises, and the name and qualification of the person carrying on such business or activity or manufacturing or supplying such goods or services on those premises.

‘Forecourt’ includes any fence, wall or a similar screen or structure enclosing a forecourt and not forming part of the fabric of a building constituting business premises.

The aggregate area of such advertisements on any forecourt is not to exceed 4.5 square metres and where a building has a forecourt on two or more frontages it shall be treated as having a separate forecourt on each of these frontages. The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations. The size of characters or symbols on the advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in an area of special control.

#### **Exception based on Class V [modified]:**

##### **– Advertisements within Buildings**

This exception relates to advertisements displayed within any building and not exempted from these Regulations by virtue of Regulations 3(1)(a) and 3(2) mentioned above. In other words, where an advertisement displayed within a building does not meet the requirements of the Regulations, it may qualify for the exception under Class V.

The exception does not apply to an advertisement displayed within a railway station (including its yards), a bus station (including its forecourt) or a building in which a Games event is to take place (including a sports stadium or other building); unless the advertisement is an ‘exempt business advertisement’. An ‘exempt business advertisement’ is an advertisement displayed on business premises that are within a building, and only refer to the business carried on, or goods or services provided, on the premises, or the name or qualifications of the person carrying on the business or providing the goods or services. This means that standard shop and business signs and advertisements on separate identifiable business premises within stations and venues (such as cafes and book shops) are permitted.

Such advertisements can be illuminated or non-illuminated; however illuminated signs must not incorporate any moving feature or animation.

Size limits apply. The surface of any one advertisement may not exceed 250 square centimetres in area.

Any group of such advertisements is not to total more than one-tenth of the area of the door or window within which they are displayed.

The height above ground level at which the advertisement may be displayed is limited so that no part of the advertisement may be more than 4.6 metres above ground level, or 3.6 metres in an area of special control designated under the 1984 Planning Regulations.

The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height, or 0.3 metres in areas of special control.

#### Exceptions based on Class VI: Illuminated advertisements [unmodified]:

This exception allows illuminated advertisements to be displayed on business premises wholly with reference to all or any of the certain matters. These matters are as follows: a business or other activity carried on from the business premises; goods sold or services provided from the premises; and the name or names and qualifications of the person or persons carrying on such a business, activity or providing such goods or services on those premises.

The illumination must relate to each individual character of the advertisement. The background of the advertisement must not be illuminated.

The exception does not extend to business premises located in a conservation area or an area of special control as designated under the 1984 Planning Regulations.

No more than one such advertisement can be displayed on any external face of the business premises. The advertisement is to be displayed only on the external face of the business premises and parallel to that face.

Size limits apply. The lowest part of the advertisement must be at least 2.5 metres above ground level. No part of the advertisement may be more than either 4.6 metres above ground level. The size of characters or symbols on any advertisement is limited to no more than 0.75 metres in height.

The advertisement is not to incorporate any moving feature or animation or be illuminated intermittently. The advertisement is not to be displayed on any wall which does not contain a shop window. Any part of such an advertisement is not to project more than 0.25 metres from the wall. Switches, wires or other electrical installations necessary for the purpose of illumination are to be concealed as far as is reasonably practicable.

### 3.3 Standard Conditions Relating to all Advertisements Falling within any of the above exceptions

- 1 All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the planning authority.
- 2 Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the planning authority.
- 3 Where any advertisement is required under these Regulations to be removed the removal thereof shall be carried out to the reasonable satisfaction of the planning authority.

- 4 Before an advertisement is displayed on land the permission of the owner of that land or other person entitled to grant permission shall be obtained.
  - 5 Advertisements shall not be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any road, railway, waterway (including any coastal waters) or airfield.
- Regulations 3(1)(e): an advertisement displayed on, or which consists of, a balloon flown at a height of more than 60 metres above ground level.
  - Regulation 3(3): the display of an advertisement on, or which consists of, a balloon on a site which is not within an area of special control, a conservation area, or such other area as the Scottish Ministers may from time to time by direction designate for the purpose of conserving the natural beauty and amenity of the countryside.

Note that, for the purposes of the advertising and trading Regulations, there are no exceptions based on the following Regulations and Classes from the 1984 Planning Regulations. This means that if you want to display any other kind of advertisement in the 1984 Planning Regulations within an Event Zones during an Event Period you will need authorisation from LOCOG.

- Regulation 13: advertisements on sites used for the display of advertisements on 16th August 1948
- Regulation 19: display of advertisements after the expiration of express consent

If you wish to view the full text of any of the Regulations please follow this link [www.london2012.com/advertisingandtrading](http://www.london2012.com/advertisingandtrading)

**Olympic Delivery Authority**

23rd floor, One Churchill Place  
Canary Wharf, London E14 5LN  
Reception +44 (020) 3 2012 000  
Fax +44 (020) 3 2012 001  
london2012.com

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