

Briefing for the Citizen Participation and Public Petitions Committee on PE2090: Update the legislation granting permission for Digital Display Boards, submitted by Stephen Henson

Background

The display of advertisements, including outdoors digital advertising displays, is controlled under the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. These Regulations categorise adverts into three classes:

- **Excepted:** adverts which are not subject to control, such as adverts within buildings, displayed on vehicles or balloons.
- **Deemed consent:** adverts that are automatically deemed to have consent. This class includes functional adverts from public authorities, small scale adverts on business, educational, cultural, and other premises, temporary adverts such as estate agent boards, and small illuminated adverts within buildings.
- **Express consent:** Any advert that does not fall within the above classes normally requires an explicit grant of consent from the planning authority before it can be displayed.

Large digital advertising displays are very likely to fall into the “express consent” category, meaning that permission must be obtained before such a display can be installed and used.

Many local authorities already set limits on where digital advertising displays can be located, e.g. Glasgow City Council’s [Supplementary Planning Guidance](#) (see page 77) on outdoor advertising displays states:

“8.19 Advertising displays must not give rise to an adverse effect on public safety. Digital advertising where images change frequently can raise particular concern for traffic, cycle and pedestrian safety. The level of illumination of digital or internally illuminated signs can also have an effect on both traffic safety and amenity. For this reason the following standards apply for internally illuminated display screens:

- a) they will only be permitted where they do not contain moving or flashing content, particularly where they are considered to have a potentially significant adverse impact on pedestrian and vehicular traffic safety;

b) they must not use a slow dissolve between advertisements;

c) they will only be permitted in areas which are already busy commercial areas; and

d) the cumulative effect of such advertisements will be taken into account in assessing the impact on amenity and public safety.”

Planning authorities can also designate Areas of Special Control, subject to Scottish Ministerial approval, within which stricter standards of advertisement control apply.

Government Action

The Scottish Government has not recently considered the safety or amenity impact of digital advertising displays.

Scottish Parliament Action

To date, the Scottish Parliament has not considered this issue in any detail.

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26 April 2024

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