

---

## Traffic signs manual - Chapter 1 Introduction

---

### 3. Legal Aspects and Responsibilities for Signs

1.12 A full and comprehensive guide to the legal aspects of traffic signs is outside the scope of this manual. Legal matters are dealt with only briefly in this section.

1.13 Highway Authorities are responsible for ensuring correct standards of signing on their roads; only they can erect traffic signs or permit their erection. The Police also have certain responsibilities which are described later.

1.14 In England and Wales however, (excluding Scotland), it is the local authority which may not necessarily be the highway authority, which is

responsible for erecting and maintaining waiting restriction and speed limit signs and for establishing pedestrian crossings in their area.

1.15 Authorities may only use signs—including carriageway markings—of a size, colour and type prescribed or specially authorised by the Secretary of State. The prescribed signs are included in *The Traffic Signs Regulations and General Directions 1981* Statutory Instrument 1981 No 859 and *The Traffic Signs (Speed Limits) Regulations and General Directions 1969* Statutory Instrument 1969 No 1487. These Statutory Instruments may be amended from time to time.

1.16 All the prescribed signs and carriageway markings are described in subsequent chapters of this manual. If an authority wishes to use a sign not prescribed in Regulations, application should be made to the appropriate Regional Controller (R&T) giving reasons for wanting a new sign and describing it in detail, preferably with drawings and site plans. The design of such signs should conform to Worboys principles. Only in exceptional circumstances will special signs be authorised. This is essential in order to keep the number of sign types to the absolute minimum required for the safe and efficient functioning of the road system. Any appreciable diversifications or increase in sign types having only local usage and significance can cause difficulties to road users unaccustomed to the area.

1.17 Authorities are not free to use all the signs shown in this manual at will without further authorisation. They may do so generally with informative signs and warning signs, but there are a large number of signs which first require an Order to be made and some signs cannot be used without specific site approval of the Secretary of State. Subsequent chapters of this manual state where an Order or other authority is required before the sign can be used.

1.18 The use on Public highways of non-prescribed signs which have not been authorised by, or on behalf of, the Secretary of State, is illegal and Authorities who so use unauthorised signs act beyond their powers. Additionally, an unauthorised sign in the highway is an obstruction. The possible consequences of erecting or permitting the erection of obstructions may be severe and those responsible could lay themselves open to a claim for damages; for example if the obstruction is the cause of accident or of

injury in a collision or if the unauthorised sign injuriously affects a fronting property by blocking light or impairing visual amenity.

1.19 Authorities will normally erect their traffic signs within the highway boundary. If this is not possible, they can erect signs on or over land adjacent to the highway with the owners' permission. They can also, if necessary, acquire land or rights over land either by agreement or compulsorily for the accommodation of signs.

1.20 Authorities should consider requiring the removal of any object or device erected privately on land adjacent to their roads which has the apparent or express intention of guiding, warning or directing road users. In addition, private advertisements should not resemble or incorporate prescribed traffic signs or their symbols. United Kingdom signs are crown copyright and may not be reproduced without permission. In no circumstances will the Department permit the use of traffic signs on advertisements at road side locations. When prescribed traffic signs are used illegally action should be taken to secure their removal.

1.21 Certain comments on statutory requirements are also made in subsequent chapters as appropriate. References to advertisements in England and Wales are made in the Ministry of Housing and Local Government Circular No 11/62 and in Scotland in the Department of Health for Scotland Circular No 57/61 (Scotland).

1.22 The Secretary of State has overriding powers to require the removal or to remove any traffic sign or any object or device for the guidance or direction of persons using roads.