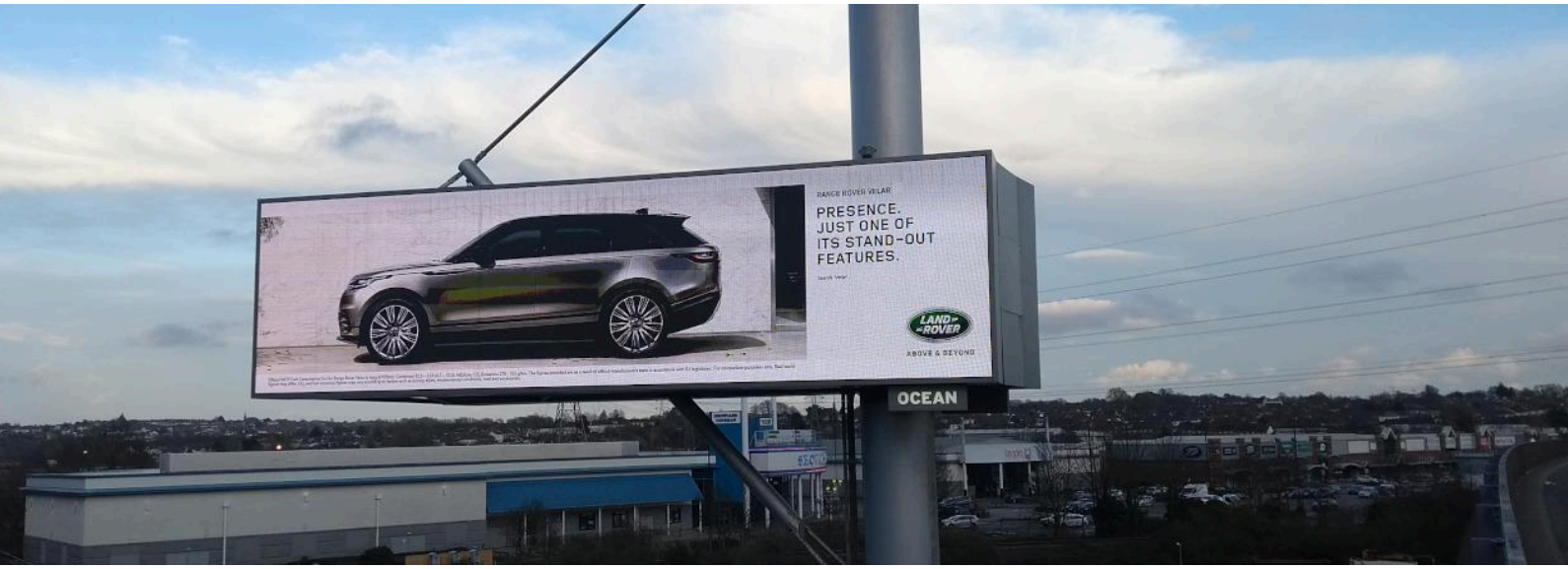


Limiting harmful outdoor advertising

Briefing for councils in England & Wales

Adfree Cities, November 2024

Adfree Cities have created this briefing to support local authorities in developing ethical advertising policies and strategies to limit the overdominance of public space advertising.

The briefing includes:

1. Powers local authorities have to limit advertising
2. Concerns raised over outdoor advertising
3. Corporate advertising and sponsorship policy recommendations
4. Planning policy options for dealing with outdoor advertising sites
5. Types of outdoor advertising
6. Frequently asked questions

Appendix: Definitions of harmful and high carbon products

Online version

1. Powers local authorities have to limit advertising

Ethical advertising policies and wider strategies present an opportunity for local authorities to further their existing health and environmental policy goals. Adopting a policy to limit harmful advertising allows for joined-up thinking across different council departments and to accelerate behaviour change towards net zero climate targets. It should be noted that restricting advertising for harmful products (e.g. tobacco or Sports Utility Vehicles (SUVs)) is not the same as banning the products themselves.

Local authorities have control of the following areas of advertising:

- The content of advertising on billboards and screens located on council-owned land covered by commercial contracts with companies such as JCDecaux and Clear Channel UK.
- Planning consent for advertising infrastructure (e.g. new digital billboards) and some advertising content.
- Passenger Transport Executives (such as Transport for London, Transport for Greater Manchester, Merseytravel, etc) have control of advertising policies on their vehicles and transport infrastructure (such as bus stops), and are accountable to local democratic bodies such as Mayors' offices.

2. Concerns raised over outdoor advertising

When residents become aware of planning applications for new advertising billboards in their area, there is usually a strong degree of opposition.[1] Large numbers of residents object to corporate advertising, preferring a visual environment which reflects the unique identity of their local area, the values of local communities and the local economy. Certain types of advertising for products which are harmful to public health and the environment are also unwelcome in cities.

- **Public health:** Some advertising content undermines local government objectives regarding public health. For example, promoting High in Fat, Salt or Sugar (HFSS) products undermines health objectives and costly programmes, such as those encouraging healthy eating or tackling obesity. Adverts for petrol and diesel private cars, especially for more polluting, larger SUVs, undermine air

[1] For example, recent planning applications for new digital advertising screens in Birmingham, Lambeth and Bristol received 267, 231 and 416 objections respectively.

quality objectives and active travel initiatives. Alcohol and gambling adverts undermine council initiatives to reduce alcohol- and gambling-related harm and addiction.

- **Environment:** Advertising promotes an unsustainable and outdated model of consumerism that is incompatible with many councils' declaration of Climate and Ecological Emergencies, including via the promotion of 'high-carbon' goods and services. For example, restricting advertisements that actively encourage us to buy large private cars or fly is a common sense policy measure that can be implemented by local councils today. It should be noted that prohibiting adverts for (e.g.) airline flights or cars is not the same as prohibiting the flights themselves, and will have no negative impact on those who need to fly or drive for work or family reasons.

  Advertising for private cars also undercuts public transport services and prevents a behavioural shift to mass transportation that forms part of many local authorities' roadmap to net zero. Find more information on the environmental impacts of advertising.

- **Energy use:** Large new digital advertising screens also require a large amount of electricity - the equivalent of 11 average UK homes. One double-sided digital bus stop advertising screen uses four times the electricity of the average British home. Therefore councils could go further than restricting the content of outdoor adverts, and move to prevent the introduction of new infrastructure - this could be done by adopting a presumption against planning applications for all new digital advertising screens, due to the high electricity use of these technologies. For example, including this in the Local Plan or equivalent.

- **Advertising billboards benefit big corporations** over local businesses - McDonald's, Unilever, Tesco, Uber and KFC are all in the top 10 companies using outdoor advertising. Local businesses are undermined and not able to compete even though they return more money back into the local economy, supporting high streets and local employment.

  For more information on the harms caused by outdoor advertising to local economies, see Adfree Cities' Local Economy briefing.

Figure 1: Billboard advertising ‘junk’ food in Birmingham.



3. Corporate Advertising and Sponsorship Policy Recommendations

Policy Recommendation 1:

Create an Advertising Policy to govern the content of advertising sites within council control (e.g. bus stops)

Councils have commercial contracts (sometimes known as Advertising Concession Agreements) with outdoor advertising companies such as Clear Channel UK or JCDecaux. It is possible for councils to limit the most harmful forms of advertising on these sites. We recommend councils exclude advertising for the following products:

- Advertising for ‘junk’ foods High in Fat, Salt or Sugar (HFSS) (see Appendix and Healthier Food Advertising Toolkit by food charity Sustain for more information)
- Advertising for high carbon products such as polluting cars, airlines and fossil fuel companies (see Low Carbon Advertising Policies - Toolkit for Local Policymakers by Badvertising for more information). This category of climate-harming advertising can be extended further to include climate-damaging food and/or red meat, holidays abroad, and fossil financiers (see Appendix).
- Advertising for gambling, payday loans and alcohol (see Bristol City Council’s Advertising and Sponsorship policy).
- Advertising for industrially farmed animal products (see the guide on meat and dairy advertising from Adfree Cities for more information).

The Greater London Authority, Transport for London, and councils including in Bristol, Sheffield and Edinburgh have all introduced similar policies recently. In the Netherlands, the Hague has become the first city in the world to exclude by law all advertising arrangements for fossil and hybrid cars, flight holidays, cruises and fossil fuel companies. Nine other Dutch cities have passed motions to ban fossil ads - the motions from Haarlem and Nijmegen also include ads for industrially-produced meat.

Policy Recommendation 2:

Requirement for advertising companies to donate 50% of their ad space to local projects

As stated above, local authorities have commercial contracts with advertising firms regarding advertising spaces on council-owned infrastructure, e.g. bus stops. Advertising companies make hundreds of thousands of pounds in revenue from these contracts which dominate public space with commercial messages by multinational corporations. Local volunteer organisations, residents and neighbourhood associations, charities, mutual aid groups etc. should have access to these *existing* advertising panels as part of the democratisation of public space; we suggest that 50% of ad space should be donated. The cost of this policy should be borne by the advertising companies, not by local authorities. This policy will need to be implemented when commercial contracts come up for renewal and re-tendering.

4. Planning policy options for dealing with outdoor advertising sites

Policy Recommendation 3:

Adopt a planning policy of *'No New Billboards'*

Planning authorities (councils) determine planning applications for new digital advertising screens. A council could adopt a presumption against planning applications for all new advertising screens, for example in the local authority's Local Plan. This would send a message to advertising companies wishing to build new screens that the local authority is not supportive.

Alternatively the council could adopt a moratorium on all new advertising screens. This would be a temporary prohibition on granting new applications and could be in place until outdated national planning policy is reformed to allow councils to consider the specific impacts of digital billboards on local communities in planning decisions.

The alternative approach is for residents to spot and respond to planning applications one at a time. This 'firefighting' strategy is not

sustainable and residents will struggle to keep up with the raft of applications being submitted. (For example, in Bristol where 86 new applications for screens were submitted at once.) Advertising firms can use their financial power and salaried staff to outpace residents who volunteer their time to object to applications.

Policy recommendation 4:

Create Areas of Special Control of Advertisements

Councils can use special powers to create areas with stricter control over outdoor advertising. Part 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 contains measures for local authorities to create 'areas of special control'. Residents who love and appreciate their neighbourhood and wish to take extra measures to protect it from new digital advertising screens should be able to argue for an Area of Special Control. It should not only be residents who live in more affluent or desirable areas who should be able to apply. We should all be able to take pride in where we live.

For more details on these Adfree Cities policy recommendations, see this webpage.

Figure 2: Neglected billboards in Norwich.



Dealing with existing billboards

It is possible for local authorities to reduce or remove outdoor advertising sites altogether. In 2015, the french city of Grenoble removed 326 advertising billboards, many of which were replaced with trees and other plants. The Mayor of Grenoble commented, "*We want a city which is less aggressive and less stressful to live in.*"

Type of existing billboard	Notes	Policy Suggestions
Large billboards on **private** land (paper or digital).	Most of these billboards already have planning permission, either because they applied originally or have been there for 10 years so have 'deemed consent'. But not all do. The content of these billboards is **not** governed by any new policy developed by a council. Some of them will be removed due to market trends away from static poster sites towards digital sites that display frequently changing adverts. The council usually receives a small amount of business rates from these billboards - but other than that the financial profits are accrued by the billboard company and advertiser. A small amount of rent goes to landowners.	Remove all billboards that do not currently have planning permission. This will likely require an increase in Planning Enforcement resources. Create 'Areas of Special Control' for advertisements which would restrict the spread of billboards.
Bus stop ad panels (paper or digital)	Councils may have an Advertising Concession Agreement (ACA) for these sites. The content of these bus stop ads could be governed by a new council policy, such as an advertising and concession agreements policy, or an update to an existing policy or contract. However, in some areas the bus stop contract is held by the regional authority. They could also bring in a policy to control the ad content over a wider area.	Include a ban on advertising for high carbon products in a new advertising policy or strategy. For more information see: Low Carbon Advertising Policies - Toolkit for Local Policymakers. For existing screens, review the Advertising Concession Agreement with a plan to reduce electricity use and light pollution by reducing their hours of operation to between 8am - 8pm. Rewrite the contract so that 50% of advertising content on **existing** ad panels are allocated to local projects, artists and charities.
Large billboards on council-owned land (paper or digital).	The content of these billboards should be governed by a new council policy, such as an advertising and concession agreements policy, or an update to an existing policy or	The council could create a plan for phasing out these billboards. While it is assumed that this incurs a revenue loss, this is difficult to quantify: avoided public

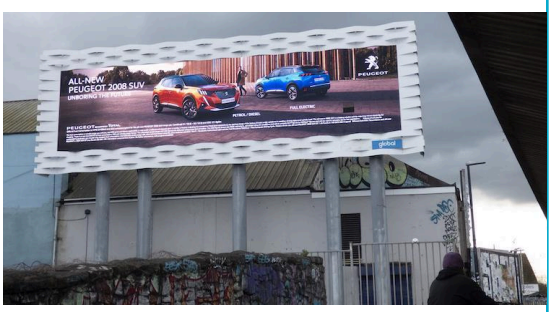
	contract.	health costs should be taken into account, along with benefits to local economies, and benefits to health, wellbeing and community. What can replace billboards? The council could work with local community groups to install new green spaces and wildlife (e.g. planting) or murals.

Figure 3: Before and after a billboard was removed next to a busy roundabout in Bristol.



5. Types of outdoor advertising

There are different types of outdoor advertising billboards. These consist of large digital advertising screens, older paper poster sites and bus stop advertising panels (digital and paper).

	
Large digital advertising screens.	Large '48 sheet' size paper poster billboards.



Stand-alone digital screens or paper ads which can be 'six sheet' size, or other dimensions (for example, 'BT Street Hub' units).



Digital screens and paper six sheets at bus stops. These are usually governed by a local authority contract, so could be controlled by an Advertising Policy.

6. Frequently Asked Questions

Do local authorities have the powers to prohibit advertising for certain products?

Yes. As the ban on unhealthy food advertising adopted by councils including Bristol, Knowsley, Barnsley, Liverpool, Peterborough, York and several London local authorities already shows, it is possible for councils to implement such measures.

Do local authorities have the powers to restrict planning consent for new billboards?

Council planning departments will be able to advise on how to restrict the use of 'deemed consent' under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 including writing to the relevant Secretary of State.

A presumption against new digital billboards, or a temporary moratorium until outdated national planning reform addresses the impacts of digital advertisements, can follow precedents from the anti-fracking goals of local councils. In 2019, mayor of Greater Manchester, Andy Burnham, introduced planning measures to create a presumption against fracking across 10 councils in Greater Manchester as part of the region's effort to become carbon neutral by 2038, although this was against national UK policy at the time.

Councils can also adjust their Local Plans or equivalent local planning framework to specify the impacts of digital billboards, and to guard against the disproportionate placement of new billboards in less affluent areas (see Bristol City Council's revised Local Plan, Policy AD1 and Lambeth Council's 2020-2035 Local Plan, Policy Q17 for useful precedents).

Can a council legally restrict advertising for high-carbon and environmentally damaging goods and services?

Legal advice commissioned by the New Weather Institute provides assurance to councils that they are within their rights to introduce Low Carbon Advertising Policies in line with anti-pollution goals. It is within local authorities' power and discretion to exclude adverts and sponsorships for high-carbon products and services from sites they control and there is a strong legislative background to do so. Therefore, councils can act with minimal legal risk and this review provides strong evidence that a policy banning high-carbon advertising is not only **lawful**, but also **proportionate** and **necessary**.

Won't the council suffer a loss in revenue by prohibiting adverts for certain products?

It is possible to replace adverts for harmful products with adverts for less damaging products. Any small drop in council revenues by excluding adverts for high carbon products such as SUVs or airlines needs to be considered against the environmental benefits of cleaner air and reduced greenhouse gas emissions (and the avoided public health costs). In Sheffield the Finance Committee report predicted little financial impact from introducing a policy.

Should Scrutiny Committees have a role in developing Advertising and Sponsorship policies?

Whilst Scrutiny Committees for some councils may not be a suitable forum (and do not exist in all local authorities), they can provide a supplementary pathway for developing advertising policies with officers. Bristol City Council's Overview and Scrutiny Committee held conversations about the council's Advertising and Sponsorship Policy which strengthened the policy before it was adopted.

Should a fossil fuel company be allowed to advertise its 'green', 'sustainable' or 'best in class' products?

No. The advertising ban must prevent companies such as Shell, Esso and BP from using advertising to appear greener than they actually are. Any advertising by a company whose principal product is fossil fuels, even if the advert is focused on a minor activity of the company, will effectively promote the whole company. Fossil fuel companies disproportionately feature their renewable products in their advertising compared to their actual renewables investments.

BP's advertising, for example, was the subject of a complaint by ClientEarth to the UK's National Contact Point under the OECD Guidelines for Multinational Enterprises. The Advertising Standards Authority in the UK also ruled against Shell for making misleading green claims in their advertising in 2022.

Could ‘high-carbon’ be defined in absolute terms rather than designating certain industries as ‘high carbon’?

Yes it could be defined in this way. For example, a council could define high carbon transport (cars, flights, etc), by its carbon intensity per passenger kilometre (gCO2e/pkm) and energy products by carbon intensity per quantity of usable energy generated (gCO2e/kWh). Or a council could define a single metric to apply to any product being advertised, e.g. carbon intensity per retail value of the product or service (gCO2e/retail£).

However, there is not yet a universally accepted definition of high, medium and low carbon intensity per £, so a council may find it difficult to persuade advertising companies to assess adverts using this metric, and therefore enforcement would be challenging.

An attempt at a ‘universal’ metric for all advertised products could also have unintended side effects. For example, carbon intensity per retail value (gCO2e/retail£) would artificially inflate the carbon intensity of lower cost products. A low cost budget flight would appear to have a higher carbon intensity per retail pound than an expensive first class flight, even though the true carbon intensity per kilometre travelled per passenger on a budget flight (gCO2e/passenger-km) is actually lower. This is because a budget flight has more passengers per aeroplane. Other attempts at universal metrics might have other unintended consequences.

Legal advice states that councils have broad scope to design a policy according to their discretion; this could use carbon intensity metrics, or, for example, since there is currently no way to fly that is low carbon, advertisements for airlines, airports and holidays abroad that necessitate air travel could be broadly excluded as ‘high-carbon’.

Policies could be designed to incorporate both categorical exclusions for the highest-carbon industries, such as fossil fuel companies, and polluting sectors that must see demand-side reduction, such as aviation, with a more fine-grained measure that would allow a sliding scale of regulation. Advertising for moderately high carbon products could be required to display a climate change warning.

Appendix: Definitions of harmful and high carbon products

Category and definition	Notes
Pay-day loans: loan advancers which meet the Financial Standards Authority's definition of 'High Cost Short Term (HCST)'	
High Fat, Salt or Sugar foods: products High in Fat, Salt or Sugar (HFSS) are identified using nutrient profiling. The Department of Health Nutrient Profiling Model (NPM) compares energy, saturated fat, total sugar and sodium against fruit, vegetables and nut content, fibre and protein. When the scores are added up, foods scoring 4 or more points, and drinks, scoring 1 or more points, are classified as 'less healthy' / HFSS and are subject to advertising restrictions. The NPM is widely used and has been subject to rigorous scientific scrutiny, extensive consultation, and review. Furthermore, the scoring system it uses balances the contribution made by beneficial nutrients that are particularly important in children's diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity.	See the Guidance Note for the Bristol City Council Advertising and Sponsorship Policy on HFSS products and find out more about the Nutrient Profiling Model. There is also more information in food charity Sustain's Healthier Food Advertising Toolkit. This includes advertisements where there is a range of food/drink featured, some of which is HFSS.
Fossil fuel companies: we define fossil fuel companies as firms that have over 80% of their investments in coal, oil and gas and / or operate as companies primarily concerned with selling fossil fuels and their derivative petrochemicals.	Carbon Underground 200 provides a useful background on issues and methodologies for defining fossil fuel companies.
Cars: exclude all advertising and promotions for petrol, diesel and hybrid vehicles and Plug-In Hybrid Electric Vehicles (PHEV).	Advertising for Battery Electric Vehicles (BEV) as distinct from PHEV could still be permitted, and in principle hydrogen fuelled vehicles. PHEVs have been shown not to yield meaningful emissions savings over conventional vehicles.

Airlines and airports: all advertising by airports and airlines which might reasonably be deemed to promote more flying.	There are no low carbon options for commercial air travel available currently or for the foreseeable future, so air travel *per se* should be treated as high carbon.
Holidays abroad: all advertising and promotions for holidays abroad that can be expected to include air travel; this can be defined as advertising and promotions for holiday 'package deals' with flights included, and those for destinations outside of the UK and Ireland.	There are no low carbon options for commercial air travel available currently or for the foreseeable future, so holidays abroad involving air travel should be treated as high carbon.
Red meat and dairy: we define red meat as beef, lamb and pork, owing to the disproportionately large contribution of ruminant animals (cows, sheep) to greenhouse gas emissions, and the role of all livestock production (especially cows, sheep and pigs) in producing GHG emissions and as a key driver of land change and deforestation for pasture and feed production. Red meat is also known to have a negative impact on public health. **Animal products:** As well as the environmental impacts of livestock production, animal welfare is an issue that deeply affects many citizens, more and more of whom are choosing to eat a plant-based diet as a result. Therefore this category could be broadened to include all animal products - this would also be easier to implement.	Rearing livestock for food is highly carbon, water and land intensive regardless of the means of production (intensive or extensive). The UK's Climate Change Committee has recommended a reduction in meat and dairy consumption by 20% by 2030 to meet net zero goals, and 35% reduction for meat by 2050. Advertising has been identified as a targeted policy intervention to help lower meat and dairy consumption in favour of plant-based alternatives. To halve global meat consumption by 2050, Europe needs to reduce its consumption by 70% in the next 10 years. At the current rate of growth, meat consumption will rise by 76% by 2050. More information about the disproportionately large environmental impacts of animal products can be found in a review of 57,000 foods in the journal *PNAS*, and an

	analysis of food products under different production systems published in the journal Science. This includes advertisements where there is a range of food featured, some of which is red meat and dairy.
Fossil fuel financiers: we define fossil fuel financiers as banks or insurers that are listed in the top 60 global banks for financing fossil fuel companies.	The Rainforest Action Network's annual *Banking on Climate Chaos* report examines commercial and investment bank financing for the fossil fuel industry. The report lists the world's 60 largest banks in order of their fossil fuel financing. Any bank financing fossil fuel companies can be defined as 'high-carbon' as the bank is providing money directly to support the fossil fuel industry.

More on defining 'high carbon' and how this might work in terms of banning high carbon goods and services in this background paper.

Adfree Cities

Adfree Cities is a network of groups across the UK who are concerned about the impacts of corporate advertising on our health, wellbeing, environment, climate, communities and the local economy. We campaign for happier, healthier cities free from the pressures of corporate outdoor advertising.