

2019-11

PROPOSED LAW ON FREESTANDING SIGNS

The President of the National Assembly, Mr. Richard Ferrand, referred to the Economic, Social and Environmental Council (ESEC) with regard to a proposed law submitted by Mr. Richard Ramos, bearing on freestanding signs in municipalities with fewer than 10,000 inhabitants located in urban units with fewer than 100,000 inhabitants.

Within the meaning of Article L. 581 3 of the Environment Code, a freestanding sign is “any inscription, form or image indicating the proximity of a building where a given activity is engaged in”. It is therefore distinct from a sign affixed to a building and relating to the activity carried out in it.

The 2010 Grenelle 2 Act restricts freestanding signs located on the outskirts of towns and villages with fewer than 10,000 inhabitants to a limited number of activities: classified or listed historical monuments open to visitors, cultural activities, and activities relating to the sale or manufacture of regional products by local companies.

It therefore significantly reduces the field of activities concerned compared with what was permitted under the Act of 29 December 1979, which, as its provisions were difficult to implement effectively, had resulted in what was often described as anarchical proliferation of free-standing signs and frequent irregularities, which

did nothing to improve landscapes and could reduce the attractiveness of the rural areas concerned.

The proposed law referred to the ESEC for opinion aims to extend authorisation of freestanding signs to cover all restaurants. It argues that the prohibition of freestanding signs advertising restaurants, which came into force in July 2015, has had “as a consequence, a reduction in their turnover of up to 25%”. However, in the absence of an impact study, figures put forward vary and a connection between the prohibition of freestanding signs and any reduction in restaurants’ turnover is yet to be established.

Nevertheless, the ESEC deems that the attractiveness of rural areas is a major challenge that needs to be met. The dynamism of their restaurants contributes significantly to their attractiveness, which is not limited to this particular activity sector. Better visibility of local economic activities in rural areas should therefore be sought.

In addition to restaurants, the problems connected with prohibition of freestanding signs at the entrances to rural municipalities also concern a whole range of businesses active in supporting their local economy (grocers, hotels, bakers, farms, arts and crafts, etc.). If the proposed law were adopted by Parliament, there would be considerable



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pressure in favour of extending it to other types of activities in rural areas.

The ESEC regards protection of landscapes as a major issue, enshrined in the 1993

Landscape Act and the 2000 European Convention on Landscape. If the proposed law were adopted, it would go against the principle of non-regression with regard to landscape protection.

Although advertising contributes to the visibility of businesses and their offers, its forms have evolved considerably in the wake of technological developments and changes in regulatory frameworks. The 1979 Act was adopted in pre-digital times and new practices and tools have been developed since 2015.

The digital revolution has transformed the very notion of visibility and advertising. For most economic activities, it is more effective to be visible on the Internet than on traditional information mediums. The tourism sector in general, and the catering sector in particular, are among the most affected by this evolution. Once again, the required infrastructures (access to very high-speed internet and 4G telephony) must be available and their uses mastered. The ESEC repeats its call (already made in recently delivered Opinions) for the acceleration and finalisation with operators of the investment plan to resolve the problem of “white areas” through provision of access to telephony networks in accordance with the best available technologies (landlines, satellite, 3G, 4G and soon 5G mobile). It also calls for integration of training in the use of digital technology for professionals, employees and employers (men and women alike) and tourism companies into a national training plan including a component on general optimisation of digital technology and a component on training in use of digital tools specifically targeting tourism sector employees and in line with the positions they hold.

As the ESEC sees it, any changes to be made must enable reconciliation of landscape protection with visibility of restaurants and other local commercial activities in rural municipalities.

TO ENSURE THAT THIS IS THE CASE, THE ESEC MAKES THE FOLLOWING RECOMMENDATIONS:

- The ESEC recommends that an impact study be carried out in order to assess the evolution of turnovers recorded by restaurants in rural municipalities, and to what extent a connection may be established with the prohibition of freestanding signs for restaurants after July 2015.
- The ESEC is not in favour of challenging prohibition of freestanding signs. It considers that the situation of restaurants and other economic activities in rural areas should be taken into account. It recommends that all stakeholders should be involved in giving thought to ways of facilitating the development of innovative tools for improvement of local economic dynamics (catering, hoteling, shops, etc.) while preserving the environmental assets of municipalities with fewer than 10,000 inhabitants.
- The ESEC recommends that the Signalisation d'Information Locale (SIL – Local Information Signage) system be improved so as to increase its effectiveness to the advantage of local economic attractiveness. During the transition phase to universal access to broadband, it is essential to find rapid effective alternative solutions to implement that have no negative impact on territories. One avenue worth exploring would be standardisation of SIL across the territory, with colour codes and pictograms, so as to provide consumers with clear information without visual polluting local environments.
- The ESEC asks that strong measures be taken with regard to access to very high speed broadband and mobile phone cover, training, assistance and publicity with a view to facilitating assimilation of digital usages by restaurants and local economic activities located in municipalities with fewer than 10,000 inhabitants.