

DISPLAY OF ELECTION POSTERS – CODE OF PRACTICE

This Code of Practice is not, in itself legally binding, although certain points within the Code are, and these are indicated as such.

I expect all parties and candidates/agents to observe this Code to avoid complaints associated with displaying posters.

1. The consent of the owner and/or person having control of any land must be obtained to the display of any election posters thereon.
2. **Sandwell Council** as the Highway Authority does **NOT** allow the display of election material on any highway maintainable at the public expense on any street signs, traffic signals, utility equipment e.g. telegraph poles, mobile phone masts or other items of street furniture, with the **exception of street lighting columns**, subject to the requirements below. The display of advertising signs upon any structure or tree on or in a highway (which also includes footways, grassed areas and central reservations) is an offence.
Any reports of such posters being displayed should be reported to Sandwell's contact centre by calling **0121 368 1177** or by e-mailing the electoral services team via electoral_services@sandwell.gov.uk Any posters removed may be recharged to the election agents based on actual additional costs.
3. **Sandwell Council** does **NOT** permit the display of election notices on land, which it owns, except where the land/property is tenanted, and the tenant has given consent.
4. No poster should be erected at a height lower than 2.3m so not to interfere with road users.
5. **All election posters MUST be removed within 14 days after the close of poll** - this is required by law under the Town and Country Planning (Control of Advertisements) Regulations. All reports of any not removed should be reported (as mentioned in point 2) and the elections team will work with the relevant political party or candidate to have these removed forthwith.
6. No election posters shall be displayed within the curtilage of any polling place. Curtilage is defined as the grounds associated with that building, including any designated car park, access driveways, gates and railings. This also means that no vehicle within the curtilage of the polling place shall display election posters.

8. "Election Poster" means any poster or publication designed to promote the election of any candidate.
9. In view of the involvement of the Returning Officer and his staff on other matters of high priority on polling day, the decision of the Returning Officer is final, and no correspondence or communications will be entered during the election. You may, however, seek clarity on the reason for the decision following the election.
10. The Returning Officer reserves the right to remove any such posters contravening this code and Highways reserves the right to remove any poster that, in its sole opinion, is detrimental to the convenient use of the highway or safety of road users.
11. **Indemnity** - The parties, candidates and/or agents shall indemnify Sandwell Council against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of reputation and all interest, penalties and legal and other [reasonable] professional costs and expenses) suffered or incurred arising out of or in connection with:
 - (a) any claim made for actual or alleged infringement of a third party's Intellectual Property Rights arising out of, or in connection with, the display of posters;
 - (b) any claim made against Sandwell Council by a third party for death, personal injury or damage to property arising out of, or in connection with, the display of the posters, to the extent that it is attributable to the acts or omissions of the parties, candidates and/or agents its employees, agents or subcontractors.

If you have any concerns regarding the placement of posters enquiries should be directed via the contact details in point 2 of this Code.

Shokat Lal, Returning Officer, Sandwell Metropolitan Borough Council

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