
Report To:	The Inverclyde Council	Date:	20 February 2014
Report By:	Acting Corporate Director Environment, Regeneration & Resources	Report No:	SL/LA/1137/14
Contact Officer:	Sharon Lang	Contact No:	01475 712112
Subject:	Prohibition of Election Posters on Council Property - Motion by Councillor Mcllwee		

1.0 PURPOSE

- 1.1 The purpose of this report is to ask the Council to consider a motion by Councillor Mcllwee, countersigned by Councillor Brennan, which has been submitted in accordance with Standing Order 22. A copy of the motion is attached as **appendix 1**.

2.0 SUMMARY

- 2.1 The motion proposes the prohibition of election posters on Council property, including lighting columns, roadside verges and street furniture with immediate effect.

3.0 RECOMMENDATION

- 3.1 The Council is asked to consider the motion by Councillor Mcllwee.

Sharon Lang
Legal & Democratic Services

4.0 BACKGROUND

- 4.1 The Council's current policy was promulgated following a report by the then Director of Transportation & Roads in August 1996 and a copy of the original report is attached as **appendix 2**.
- 4.2 Although this policy has been considered by officers on numerous occasions since 1996, no changes to the policy have been introduced. The current guidelines which are issued to candidates and agents in advance of any election are attached as **appendix 3**.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications arising from this report.

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments

Legal

- 5.2 There are no legal implications arising from any change of policy.

Human Resources

- 5.3 The current policy in general terms complies with Health & Safety Best Practice.

Equalities

- 5.4 There are no equalities implications arising from this report.

Repopulation

- 5.5 There are no repopulation implications arising from this report.

6.0 CONSULTATIONS

Roads

- 6.1 The Head of Environmental & Commercial Services advises that the proliferation of election posters in the run up to any election process is distracting to motorists and pedestrians alike and also generates a sense of clutter throughout the roads network. In addition, because the Council's policy differs from that of the Trunks Road Authority, there is an inconsistent approach across Inverclyde.

He also advises that after an election has taken place, those who have displayed posters on street furniture are often slow to remove these, placing a burden on the Roads Service.

It should be noted also that the majority of Authorities throughout Scotland no longer allow the display of election posters on lighting columns and street furniture.

Returning Officer

- 6.2 The Returning Officer confirms that he supports the comments made by the Head of Environmental & Commercial Services and indicates that the current policy leads to friction amongst those who are involved in the election process and can result in complaints from members of the public who are unhappy about posters being displayed in their street.

7.0 LIST OF BACKGROUND PAPERS

- 7.1 None

Prohibition of election posters on Council property

This Council rightly places great emphasis on health and safety amongst its employees, many of whom work at heights and use ladders. It is therefore inconsistent that we either personally take part in, or are party to, the erection of election posters on Council lighting columns and street furniture, and their subsequent removal, without normally adopting any of the procedures we would expect Council employees to use.

It is noted that the display of election posters is already banned within a number of local authorities across Scotland. It is also noted that the display of election posters is banned on trunk roads under the control of Transport Scotland.

Therefore, we propose that in the interests of health and safety, this Council revokes, with immediate effect, its consent under the Roads (Scotland) Act 1984, to allow the display of election posters on property, including lighting columns, roadside verges and street furniture, in the direct ownership of the Council.

Moved by:

Seconded by:

Report to: Transportation and Roads Committee
Report from: Director of Transportation and Roads

SUBJECT: Attachment of Notices, Signs etc. on Lighting Columns

1 Purpose of Report

1.1 To seek the Committees approval of a proposed policy in respect of the above, for the local road network.

In addition, subject to the approval of the Scottish Office, this policy would apply to those sections of the A8 and A78 Trunk routes which the Council has a responsibility for as a member of the Local Authority Consortia.

2 Background

2.1 Signs which may be attached to lighting columns purchased since April 1989 shall have a maximum area of 1m² and be mounted with a maximum clearance height from ground level of 3m.

In the case of other signs, and other street furniture, the columns must be specifically designed to accept the applied loads or where existing have appropriate design checks

2.2 All traffic signs complying with the Traffic Signs Regulations and General Directions 1981 or any other sign which has been specifically authorised by the Secretary of State may be fixed on lighting columns. In the case of some signs, such as bus stops and seasonal signs to tourist information centres, the Department may give permission for other agencies to carry out the work provided that the standard of workmanship is satisfactory.

2.3 Under section 97(c) of the Civic Government (Scotland) Act 1982, Council has powers to affix street nameplates to lighting columns.

2.4 Subject to approval the motoring organisations may erect temporary traffic signs within the following guidelines:

- a) No advertising should be allowed
- b) Where the event is being staged in a public building, the building rather than the event should be signposted, with signs being removed immediately after the event.

2.5 Subject to the approval of the Director, any conditions which he may stipulate, and the guidelines detailed in item 2.1, the following items may be attached to lighting columns.

Bus timetable information

Litter baskets

Floral baskets and displays

Festive decorations and non commercial banners.

2.6 Where equipment which is not the property of the Council is attached to lighting columns, the council shall be fully indemnified against all third party claims arising.

2.7 For the duration of an Election Campaign the Council will not object to the fixing of Election posters to items of street furniture such as lighting columns and direction signs, on the understanding that written notification will be provided beforehand.

The posters must not be attached to street furniture using glue or any other form of adhesive, they should be backed by some form of card of adequate stiffness and tied with string.

The mounting height of the card must be not less than 2.1m above ground level

Care must also be taken when placing these posters, that there is no inconvenience to the travelling public in terms of obscuring signs which are essential for the direction of traffic and safety.

Posters must not, in any circumstances, be attached to any traffic signal post or control box, or to street furniture in central reservations and pedestrian refuge islands.

Only one poster per Party, or two posters back to back per Party is allowed on each item of street furniture.

All posters must be removed by the Party within 48 hours of the completion of the campaign

2.8 Public notice of traffic orders are acceptable provided they are pasted on hardboard backing and tied to the lighting column.

2.9 Unauthorised signs etc. will be removed, after notification, with all costs incurred being recharged.

3 Recommendation

3.1 That the Committee approve the proposed policy with respect to fixing of notices & signs etc. to lighting columns.

Ronald Small

Director of Transportation and Roads

22 August 1996

INVERCLYDE COUNCIL

SCOTTISH PARLIAMENTARY ELECTION 2011 – GREENOCK AND INVERCLYDE CONSTITUENCY POSTERS ON STREET FURNITURE ROADS (SCOTLAND) ACT 1984

For the duration of the Election Campaign, the Council will not object to the fixing of Election Posters to items of street furniture such as lighting columns. This is on the understanding that written permission is obtained beforehand from the Head of Environmental & Commercial Services and the following conditions adhered to: - (Failure to do this constitutes an **offence** under Section 100 of the Roads Scotland Act 1984.)

- Should permission be granted, it will be so granted on the understanding that those concerned agree to indemnify the Council against any third party claims arising from the attachment of their poster to street furniture;
- The contact name of the person responsible for the posters is provided;
- Posters must not be attached to street furniture using glue or any other form of adhesive, they should be backed by some form of card of adequate stiffness and tied with string or plastic tie wraps;
- On lighting columns, the mounting height of the card must not be less than 2.1m above ground level;
- **Posters must not, in any circumstances, be attached to any traffic or direction sign, traffic signal post or control box or to street furniture in central reservations, roundabouts and pedestrian refuge islands;**
- Only one Poster per Party, or two posters back to back per Party, is allowed on each item of street furniture;
- Should the Roads Service consider the siting of any particular Poster a problem, the applicant is obliged to remove it on request;
- The Posters should not exceed 1m² set at a minimum height of 2.1 m and a maximum height of 3m;
- All Posters must be removed by the Party **within 48 hours of the day of the election;**
- Failure to remove within the timescale will result in them being removed and costs being levied upon the relevant organisation; and
- Unauthorised signs etc. will be removed, after notification, and again all costs incurred will be recharged.

Please note that this guidance does not apply to election material on Trunk Roads. Transport Scotland has a policy which precludes the placing of Election Material within the trunk road boundary.