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 theron.

2. Dudley Council as a Highway Authority does NOT allow the display of election material on any highway maintainable at the public expense on any street lighting columns, street signs, traffic signals, utility equipment e.g. telegraph poles and mobile phone masts or other items of street furniture. 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 passed direct to Electoral Services by calling 01384 814740 or by emailing elections.cec@dudley.gov.uk. Any posters removed may be recharged to the election agents based on actual additional costs.

3. Dudley 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. 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 passed to Electoral services who will contact the relevant political party or candidate to have these removed forthwith.

5. No election poster shall be displayed within 250 metres of the entrance(s) to a polling place, as this is the place where my staff would/may display election signs. This would include the gates/railings etc., to any such building.
6. No election posters shall be displayed within the curtilage of any polling place. I define curtilage as the grounds associated with that building, including any designated car park and access driveways. This also means that no vehicle within the curtilage of the polling station shall display election posters.

7. “Election Poster” means any poster or publication designed to promote the election of any candidate.

8. 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.

9. **Indemnity** – The parties, candidates and/or agents shall indemnify Dudley Council against all liabilities, costs, expenses, damages and losses (included 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 Dudley Council by a third party for death, personal injury or damage to property arising out of, or in connection with, the display of 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, please contact the Elections Office on 01384 814740 or by email elections.cexec@dudley.gov.uk

Kevin O'Keefe
Returning Officer
Dudley Metropolitan Borough Council