

## Members' Library Service Request Form

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Document Title	Guidance on the display of posters, leaflets, banners, advertising and exhibition materials

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Additional information:

This is a revised version of the Council's Guidance on the display of posters, leaflets, banners, advertising and exhibition materials

Authorised By	Tom Shearer
Designation	Head of Communities and Partnership
Date	01/05/14

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## **East Lothian Council**

### **Guidance on the display of posters, leaflets, banners, advertising and exhibition materials**

This guidance applies to:

- The Council's public reception areas and public counters, and
- Public roads, road verges, footways and street furniture

#### **1. Public reception areas and public counters in area offices, libraries and other Council facilities**

**This guidance covers:**

- Displaying posters, leaflets and exhibitions
- Public petitions
- Raffle tickets and collecting tins
- Sponsorship and competition forms
- Fundraising events
- The display of political materials (including election and referendum campaigns)

##### **1.1 In general**

Public libraries and other community facilities managed by the Council are community spaces accessible, as far as practicable, to individuals and groups to promote their interests and activities. However, the specific functions and limited space available in area offices, public reception areas/ payments offices operated by the Council, means that the space available to community groups has to be more strictly limited.

Where we do make space available to promote groups or events, this does not imply that East Lothian Council, supports, endorses or takes responsibility for materials presented.

##### **1.2 What we can and can't accept:**

Material accepted for deposit or display must be fair, legal, decent and honest, and access must be equal and impartial. Wording and/or illustrations should not discriminate against individuals or groups in society (for example race or gender). Wording or illustrations should not offend against current standards of decency. Material which openly supports illegal actions or which originates from or supports an illegal organisation should be rejected.

Lack of space unfortunately means that not all material can be displayed. Room for posters and leaflets is particularly limited.

Priority should be given as follows (a = top priority):

- a) statutory notices, government, council, government agencies and other public sector bodies such as NHS and the police
- b) material from community councils and community organisations
- c) material on educational, sports, leisure or cultural services and events offered by trusts and non-commercial organisations (e.g. theatres, colleges)
- d) material from pressure groups and charities
- e) material from private companies, businesses and self-employed individuals promoting educational and cultural activities or providing information on areas of public interest. Examples are brochures for educational and activity holidays or workshops on art offered by private individuals.

*The nature of what it does means that the public Planning Reception counter at the Council Headquarters in John Muir House is unable to accept public petitions, posters, and leaflets objecting to, or promoting, planning applications or proposals.*

### **1.3 Political materials**

Political impartiality is important. Posters or leaflets advertising public meetings organised by political parties outside of election periods are generally acceptable, but not notices of meetings for members of political parties/ groupings (see also advice on referendums, below).

Councillors' Surgery posters and posters with contact details for local MPs, MSPs and MEPs are acceptable. Specific rules on the display of such material come into force during the period of an election campaign (i.e. from the period of the Notice of Election until Polling Day) and if necessary, further advice should be sought from the Returning Officer (Chief Executive) or her Deputy at Council Headquarters at these times.

### **1.4 Referendum campaigns**

Due to limitations on space, the potential number of different groups campaigning during a referendum, and the difficulties in being equal and impartial in relation to the display of materials within individual Council premises, publicity (such as leaflets, posters and newsletters) which

express or promote particular views relating to either side of the debate during a referendum campaign will not normally be accepted for display in local Council offices, libraries and other facilities.

Posters advertising the date, time and venue for local public meetings relating to the referendum campaign will normally be acceptable, subject to space being available, and provided that these are fair, legal, decent and honest. Their primary purpose should be to advertise the public meeting, rather than directly promote a particular point of view.

### **1.5 Supporting the democratic process**

Strictly impartial publicity materials aimed at encouraging people to vote, or to register to vote, such as those produced by the Council's elections team or the Electoral Commission, are acceptable for display.

### **1.6 Petitions**

Petitions sponsored by political parties and others are only acceptable where equal access is offered, and provided their display does not unduly interfere with the efficient running of the facility concerned. Special care needs to be taken in the period in the run-up to an election or referendum (see above).

### **1.7 Raffle tickets, competitions and sponsorship forms**

Raffle tickets and competition items will not be accepted at public counters in area offices and other facilities. The main reason is that if they are accepted from one group, the Council would be obliged to accept them from all. In addition, the Council has no insurance against theft or staff error in the handling of monies or prizes and there is generally a lack of space at public counters. Sponsorship forms can only be accepted at local libraries, and provided they meet Library procedures and regulations.

### **1.8 Fundraising events**

Libraries and area offices should not normally be made available to local groups for fund raising events or to sell goods (e.g. Christmas cards). Exceptions are sometimes made for larger facilities, such as John Muir House reception, where the sale involves, for example, a school, youth or community group. The appropriate facility manager should always be contacted in advance before such a request is agreed to.

Tickets for Council events can be sold in libraries and the income passed through branch books. Tickets for Council events can only be sold at Council Payment Counters and other facilities when authorised to do so by

the appropriate manager and provided suitable arrangements are in place for collecting cash and recording income.

Tickets for non-Council events are not to be sold.

### **1.9 Collecting cans**

Collecting cans for charities cannot generally be accepted other than in local libraries, and only then when they meet Library procedures and regulations. There may be seasonal exceptions to this rule, e.g. the annual Poppy Appeal or charitable collections for items, such as toys, for Christmas appeals, provided these have the prior approval of the appropriate facility/ service manager. Charitable collections organised by Council employees in the workplace, e.g. Jeans for Genes Day or Comic Relief, must have the prior approval of the Chief Executive/ Depute Chief Executive or appropriate Head of Service.

### **1.10 The appearance of public areas**

The professional appearance of public areas is important. Posters that do not have an expiry date should not be displayed indefinitely. The only exceptions are posters giving information about Council services which are not date specific. However, remember to ask for new copies when these posters become damaged or faded.

Exhibition material has a high profile. The Council reserves the right to reject such material if it fails to meet standards considered appropriate by the officer in charge at the facility in question, and/or is judged to be unlikely to be of much interest to others.

Due to space restrictions and a lack of public interest, work is underway to substantially reduce the number of public information leaflets currently produced by the Council and others, and made available as hard copies in the Council's area offices and reception areas. This will involve making most of these publications available online, and available to 'print on demand' in response to information requests at area offices/ public counters. Customer Services staff will receive further details on this work as it develops.

### **1.11 Council Staff guidance**

When Council staff are at work they are legally required to act in a politically neutral way at all times. The wearing of identity passes on lanyards displaying a political message or wearing badges of recognisable political slogans is not permitted.

## **2. Public roads, road verges, footways and street furniture**

### **In general**

The Roads (Scotland) Act 1984\* makes it an offence to place anything on a public road without the consent of the roads authority (for the purposes of this guidance, East Lothian Council).

This includes the road, road verge and footway, and includes the fixing of pictures, signs, banners, posters or advertising materials.

A penalty of up to £1000 is currently payable where an offence is proven.

For reasons of road safety, no consent will be given for the erection of materials on road side railings.

### **Display of election, referendum and political posters**

As previously stated, it is an offence to place anything on a public road (including lamppost, signposts and other street furniture) without the consent of the roads authority.

No permission will be given for the erection of materials on road lighting columns, traffic sign poles, traffic signal poles and control boxes within the public road boundary.

*\*The Roads (Scotland) Act 1984 (s100) makes it an offence to place anything on a public road without the consent of the roads authority. This includes any way over which there is a public right of access and includes the road verge, foot path, bridges or tunnels over or under the road passes. It is an offence, under this Act, to paint, inscribe or fix upon the surface of a road or tree, traffic sign, milestone, structure or works, a picture, letter, sign or other mark. Schedule 8 of the Act sets out the penalty, where an offence is proven, up to level 3 (£1000) of the standard scale.*

### **Further information**

If you require further guidance, please contact your service manager or the appropriate Head of Service.