

Erection of Campaign Stalls/Campaign Material In Angus – Guidance Note

Campaign Stalls

1. There are a number of fixed pitches in Angus which can be booked on a first come first served basis. Please note that block bookings will not be accepted – bookings must be made on a weekly basis. These are located in Arbroath (Applegate and Kirk Square), Montrose (Town House/Piazza), Kirriemuir (Town Square), Brechin (High Street) and Forfar (Buttermarket). There are no fixed pitches in Carnoustie or Monifieth. To book one of the fixed pitches you should contact Traffic & Transport Manager, Roads & Transportation, Angus House, Sylvie Way, Orchardbank Business Park, Forfar or email Roads@angus.gov.uk. Please note that sale of goods from these fixed pitches is not permitted.
2. No campaign stalls should be erected on a public carriageway or footway. Under Section 59 of the Roads Scotland Act, the Council may request that anything causing an obstruction be removed and if this instruction is not followed then the Council can remove the offending materials and recover their costs for doing so.
3. The Council **has not** given permission for any campaign stalls to be erected on ground owned by it, or the public road other than the fixed pitches noted in 1 above.
4. If you are erecting a stand on private ground then you should obtain the permission of the owner **before** doing so. If you cannot contact the owner you should not rely on “implied consent” i.e. no one complains that the stall has been erected so therefore you have consent. As Returning Officer, if you advise me that consent has been granted I will take your response in good faith and will not undertake any further investigation into this matter should a complaint be received from another candidate or agent. However, if the complainant wishes to check with the person who has granted permission, they are entitled to do so if they believe that the relevant permissions have not been sought.

If after contacting the land owner, permission has not been sought and granted then this is a matter between the land owner and the person or persons who have erected the stall and not a matter for the Returning Officer.

I would also ask that anyone manning a campaign stall is aware that the relevant permission has been sought and granted by the land owner to ensure that any enquiries in this respect can be answered accordingly. Alternatively, any enquiries should be directed to the relevant campaign office to someone who can answer these enquiries. Such enquiries are legitimate and under no circumstances should anyone requesting this information be subject to abusive or threatening behaviour.

Campaign Material

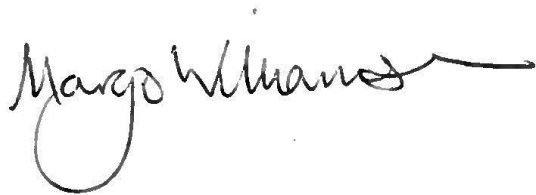
1. Election material is not permitted to be displayed inside the boundary of any polling place or to be fixed to the perimeter wall surrounding the premises. There is no objection to display boards being placed against the outside boundary walls or railings of the polling place so as to face outwards to the street, but such boards must not be allowed to obstruct the pavements or gateways. In keeping with the longstanding approach in Angus, there has been no objection to posters being attached to the outside of railings at polling places on polling day where displaying them on the pavement might cause an obstruction. It should be noted, however, that this is a matter for the discretion of the Presiding Officer at each location and that the Presiding Officer may deem it inappropriate to adhere to this general approach in a particular location.

2. All election advertisements, including any bills, placards and posters in connection with the election must not be displayed on any property without the prior approval of the owner of that property. To affix bills, posters or advertisements to property without the approval of the owner is a contravention of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 which renders any person who so displays advertising material liable on summary conviction to a fine not exceeding £1000. Angus Council has not given permission to any individual candidate or political party for the display of election material on their properties and this ban applies particularly to the display of election material on lamp standards and road signs and grass verges. When notified of any offending material, the Returning Officer will contact the relevant candidate or political party instructing that the material be removed and failure to do so may result in the candidate or political party being charged for its removal. All election bills, posters and adverts placed with the property owners consent **must be** removed within 14 days after the election.

I hope that there will be no breaches of the above reported in the run up to the election, however, if you feel that the rules have been breached then please use the following numbers:

1. Any complaints regarding stalls erected on public footways or carriageways adopted by the Council should be directed to the ACCESSLine during office hours (8am to 6pm) on 03452 777 778 or to the on call Roads Maintenance Team on 07850 703564 out with office hours. If necessary the Returning Officer will be consulted before removal of unauthorised stalls.
2. Any complaints regarding the erection of campaign stalls on council owned land (other than the fixed pitches above) or campaign material erected on street furniture should be made to the Election Office 01307 491843. The Election Team will make contact with the relevant election agent to organise the immediate removal of the stall or campaign material. If these requests are not acted upon immediately, the Election team will make arrangements to have the stall or campaign material removed and you will be charged accordingly.

I would hope that in the spirit of co-operation that everyone works within this guidance and that the number of level of complaints received by my team is minimal. However, if we experience a high level of complaints in this regard, I will review these arrangements which may result in a more stringent approach being taken in future years.

A handwritten signature in black ink, appearing to read 'Margo Williams', with a long horizontal flourish extending to the right.

Returning Officer, Angus
Updated 1 March 2022