

Ards and North Down Borough Council

Advertising and Sponsorship Policy

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Advertising and Sponsorship Policy

1. Introduction

1.1 The purpose of the policy is to set out the terms upon which advertising and sponsorship may be sought and accepted by Ards and North Down Borough Council.

1.2 The Council is committed to developing appropriate advertising and sponsorship opportunities to support its activities either directly or indirectly. It will encourage commercial relationships that are in line with the delivery of its strategic priorities as laid out in the Corporate Plan.

1.3 This policy provides clear guidance to advertisers and sponsors and forms the basis for the type of advertising and sponsorship that is acceptable to the Council.

1.4 The policy relates to advertising and sponsorship opportunities connected to all Council's physical sites, including leased and rented spaces, (e.g. buildings, roundabouts, parks, benches, leisure facilities, pitches), publications, websites, digital platforms, vehicles, services and appropriate events, campaigns or initiatives for which it is responsible.

2. Definition

2.1 For the purpose of the policy, advertising is defined as: "An agreement between the Council and the advertiser or their agent, whereby the Council receives funds / a sum of money from an organisation or business in consideration for which the advertiser gains publicity in the form of an advertisement on Council controlled physical sites, leased or hired lands, publications, websites, services, appropriate events, campaigns or initiatives."

2.2 Sponsorship is defined as: "An agreement between the Council and the sponsor, whereby the Council receives money to be used or be associated with physical sites, leased or hired lands, publications, events, campaigns or initiatives or in association with the Council's activities, from an organisation or an individual in consideration of which the sponsor gains publicity or other benefits."

3. Objectives

3.1 To ensure that:

- The Council maximises opportunities to obtain commercial advertising and sponsorship for its physical sites, leased or hired lands, publications, websites, services, appropriate events, campaigns or initiatives.
- The Council's position and reputation is protected in advertising and sponsorship agreements without compromising its regulatory and enforcement status.

- The Council adopts a consistent and professional approach towards advertising and sponsorship.
- Advertising and sponsorship agreements achieve best value.
- Council Elected Members and officers are protected from allegations of inappropriate dealings or relationships with advertisers and sponsors.

4. General principles and eligibility criteria

4.1 The Council will actively seek opportunities to work with local, regional, and national organisations and businesses by identifying advertising and sponsorship opportunities of mutual benefit that are in keeping with its Corporate Plan and strategic priorities.

4.2 The Council will not be put in a position where it might be open to criticism that an advertiser or sponsor has, or might be thought to:

- have influence over the Council or its officers in carrying out functions
- gain favourable terms from the Council in any business or other agreement, e.g. planning applications or tendering processes
- conducts itself in a manner that conflicts with the Council's strategic priorities.

4.3 All advertising must:

- Fall within the guidelines laid out by the Advertising Standards Authority (ASA).
- Uphold the rules laid out in the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing.
- Follow the Code of Recommended Practice on Local Authority Publicity and the Local Government Acts.
- Comply with the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015. These Regulations set out when express advertising consent is required and what falls within deemed consent, subject to restrictions. The Council will also assess any applications for advertising consent against the relevant policy within the Addendum to Planning Policy Statement 6 – Areas of Townscape Character.
- Comply with Consumer Protection from Unfair Trading Regulations 2008, which seeks to protect consumers from unfair, misleading, or aggressive marketing practices.

All businesses interested in advertising or offering sponsorship support must also:

- Be registered with Tourism NI and certified to trade in Ards and North Down Borough (if the business is an accommodation business) for the duration of the contractual agreement.
- Be graded under the British Graded Holiday Parks Scheme (BGHPS) (if the business is a Caravan and Camping Park) for the duration of the contractual agreement. **Have a Council caravan licence, be compliant with the model licensing conditions or have an exemption.**
- Be Food Standards Agency (FSA) Grade 4 certified or above for the duration of the contractual agreement and be registered with the Council.

- Comply with all applicable planning, tax, insurance (including public liability insurance), transportation (including licensing), safety, consumer protection and other legal and regulatory requirements for the duration of the contractual agreement. For the avoidance of doubt compliance with this clause shall be the advertiser/sponsors sole responsibility and Ards and North Down Borough Council shall have no liability in respect of same.

4.4 In line with the codes and regulations referred to above, advertisements must be:

- legal, decent, honest, and truthful
- created with a sense of responsibility to consumers and society
- in line with the principles of fair competition generally accepted in business.

4.5 The Council will not define permitted advertising but will assume that advertising is permitted unless it falls into a prohibited category, as defined in Section 5.

4.6 Any advertising and/or sponsorship must not conflict with the Council's strategic priorities as set out in the Corporate Plan.

4.7 The Council will not enter into agreements with political organisations to advertise on Council assets or sponsor its activities. The Council actively encourages the engagement of citizens and community groups in policy-setting and other democratic processes, but it does not encourage and will not permit advertising or sponsorship from what might broadly be called 'lobby groups', who conflict with Council policies or priorities. This applies to lobby groups which may be local and temporary in nature, or those that are national or international and more permanent.

4.8 The Council will agree with the advertiser and/or sponsor the nature and content of the publicity and will retain the right to approve publicity material and also remove such material without reference to the advertiser and/or sponsor.

4.9 Where applicable, the Council's logo must be shown on all sponsorship collateral and appropriate wording shown as: "supported by (sponsors name)". The sponsors logo will also be included on all publicity material produced by Council.

5. Prohibited advertisers/sponsors

5.1 The Council will not enter into agreements for sponsorship or advertisement from:

- organisations or businesses not complying with the Council's Advertising and Sponsorship Policy
- organisations or businesses in financial or legal conflict or prosecution with the Council
- organisations or businesses run by Elected Members, Council staff and their immediate family.
- organisations or businesses involved in the production and sale of weaponry, including firearms

- organisations or businesses involved in gambling / betting services or so-called pay-day loans
- organisations or businesses involved in discrimination, victimisation, harassment or other unlawful conduct that is prohibited under anti-discrimination legislation applicable in the Northern Ireland, against people on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion, political opinion and belief, sex, sexual orientation, marriage and civil partnership. This applies to employment and education as well as the provision of goods, facilities, and services. This legislation is set out on the Equality Commission for Northern Ireland website here: [ECNI - The Law, Equality Legislation, Equality Commission, Northern Ireland](#)
- organisations involved or associated with [modern slavery/human trafficking](#) as outlined in [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015](#).
- advertising that contradicts with the Council's legal functions and duties.

5.2 In addition to the categories listed above, there may also be some specific controls and policies associated with individual placements, which will be considered on a case-by-case basis. For example, if advertising or sponsorship is sought for leased, hired or rented land, space or venue, consent must be granted by Council before any agreement can be made. The sponsor/advertiser must meet the eligibility criteria outlined in clause 4 & 5 of this Policy.

5.3 The above list is not exhaustive, and the Council retains the right to decline advertising and/or sponsorship from any organisation or business or in respect of products that the Council, in its sole discretion considers inappropriate. Council also retains the right to decline consent for advertising or sponsorship on its land and properties if it is deemed inappropriate. The Council retains the right to terminate a contract with immediate effect if they believe the partner company has acted in a way that brings the Council into disrepute.

5.4 The Council will ensure that any contract entered into with an advertiser or sponsor contains adequate provision for the Council to unilaterally and immediately terminate the contract at any time.

6. Expressions of Interest and Evaluation

6.1 Each advertising and/or sponsorship proposal will be subject to an evaluation. Council will present an Expression of Interest tailored to each sponsorship opportunity with a minimum starting bid figure. Interested parties must meet the eligibility criteria as laid out in the Policy. Advertising opportunities will be promoted with a set cost. Whether advertising and/or sponsorship is suitable will be decided on a case-by-case basis on the merits of each opportunity or request. This includes assessing that:

- the company meets the eligibility criteria as outlined in the Policy
- the benefits to the organisation or business are proportionate to the level of advertising and/or sponsorship

- the type or form of advertising and/or sponsorship is consistent with the strategic objectives or requirements of the Council (e.g. accepting free products simply because they are free, but not of any perceivable benefit to the Council)
- the type or form of advertising and/or sponsorship is not at all detrimental to the local or global environment. Sustainable advertising and/or sponsorship that contributes to economic development, environmental protection, biodiversity and corporate social responsibility will be encouraged
- any advertising and/or sponsorship proposal does not anticipate explicit endorsement of the organisation or business's products and services, as this form of proposal is not acceptable to the Council
- no conflict of interest arises from the arrangement, e.g. where the association with the organisation or business may compromise the work or reputation of the Council
- the capacity of the Council to provide adequate resources and appropriate locations to meet the terms of the proposed agreement.

7. Procedure

7.1 Before seeking Expressions of Interest for advertising or sponsorship, Council officers must refer to the Council's Sponsorship and Advertising Policy and consult with the Council's Communications and Marketing Service and Regulatory/Environmental teams from the outset before any advertising and sponsorship opportunities are listed.

7.2 Once Expressions of Interest/interest in advertising have been received the applicant(s) must be screened by a working group comprising representatives from Planning, Environmental Health, Finance, Lands and Compliance and Communications and Marketing. Should any business seeking to advertise/sponsor be under legal investigation, subject to enforcement or is known to be non-compliant (ref. clause 4.3 & 5.1), the group would advise that the advertiser/sponsor proposal could not proceed.

7.2 All media information produced by the advertiser and/or sponsor must be approved by the Council's Communications and Marketing Service before entering into any agreement. Where applicable, the use of an advertiser or sponsor's logo or other branding must not interfere or conflict with the Council's own corporate identity.

7.3 All advertising and sponsorship opportunities will be progressed in accordance with relevant legislation.

7.4 The Council will maintain an advertising and sponsorship register – it will be the responsibility of each Directorate to hold their own record of agreements and contracts. Details of all advertising and sponsorship opportunities and completed agreements and contracts will be kept.

8. Approvals

8.1 Charities and Community groups will be provided with opportunities for banner advertising on designated Council locations, free of charge for a maximum of 28 days subject to the space being available, and subject to the eligibility criteria. The

Charity/Community group will be responsible for installation and removal. Paying clients and Council campaigns and initiatives will take priority in these spaces.

8.2 Advertising and/or sponsorship proposals must be circulated to a Service Unit Manager/Head of Service as well as the Sponsorship and Advertising Working group for review before being agreed or contract signed. Should any business seeking to advertise/sponsor be under legal investigation, subject to enforcement or is known to be non-compliant (ref. clause 4.3 & 5.1), the advertiser/sponsor would be advised the proposal could not proceed

8.1 Advertising and/or sponsorship agreements valued at £1,000 or under (and relating to only one financial year or event) may be agreed by the relevant cost centre manager (unless there are any special circumstances which make a second authorisation desirable, e.g. if the issue might be politically sensitive or the sponsor has requested unusual conditions).

8.2 Advertising and/or sponsorship agreements valued at between £1,000 and £30,000 (or covering more than one financial year with an aggregate total of between £1,000 and £30,000) must be agreed by the relevant Head of Service (unless there are any special circumstances when it should be agreed by the relevant Director).

8.3 Advertising and/or sponsorship agreements valued at more than £30,000 (or covering more than one financial year with an aggregate total of more than £30,000) must be agreed and countersigned by the relevant Head of Service or Director.

9. Disclaimer

9.1 Acceptance of advertising or sponsorship does not imply endorsement of products and services by the Council. In order to make this clear, a statement will be published on a bespoke Sponsorship/Advertising section of the Council website making it clear that “Whilst every effort has been made to ensure the accuracy of advertisements, Ards and North Down Borough Council cannot accept any liability for errors and omissions nor can the Council accept any responsibility for claims made by advertisers and their advert or sponsorship should not be taken as an endorsement by Ards and North Down Borough Council.”

10. Policy review

10.1 This Policy will be reviewed after the first year of the pilot scheme. Subject to approvals, the Policy will then be reviewed every two years or in response to changes in relevant legislation or the Council’s strategic objectives.