

REPORT

To: GENERAL PURPOSES COMMITTEE		Subject: GLASGOW CITY COUNCIL: DRAFT POLICY ON PUBLIC PROCESSIONS AND DEMONSTRATIONS - CONSULTATION
From: DIRECTOR OF ADMINISTRATION		
Date: 9 August 2004	Ref: JAF/RM	

1. **Purpose of Report**

This report advises the Committee of a consultation by Glasgow City Council on a draft policy on public processions and demonstrations and makes recommendations with regard to a response.

2. **Background**

The Council has received a letter from the Convener of Glasgow City Council's Policy and Resources Sub-Committee on Community Safety and Health advising that, having regard to recent concerns regarding the conduct of some processions (particularly a small number of these perceived to have sectarian associations) and the potential disruption to local residents and to city life more generally caused by the volume of processions, Glasgow City Council has agreed, for consultation, a draft policy and guidance on public processions. North Lanarkshire Council is invited to submit comments on the draft policy on or before 15 September 2004.

3. **Draft Policy and Guidance**

3.1. The draft policy and guidance formulated by Glasgow City Council commences with a precise statement of the legal position regarding public processions and goes on to consider the standard conditions currently utilised by the City Council: those conditions are, in almost all instances, identical to those currently used by North Lanarkshire Council.

3.2. In considering those conditions, the draft policy and guidance recommends the following alterations:-

- twenty eight days notice of proposal to hold a public procession rather than the statutory seven days notice;
- encouragement to give notification as early as possible;
- requirement to co-operate with the Council and the police from the time of submission of the notification until the procession disperses;
- requirement to ensure that all participants have been informed of any conditions imposed on the procession (change to timing and change to route etc.);
- requirement to ensure that anyone under the influence of alcohol or drugs is not allowed to participate;
- provision as to stewards or marshals;

- requirement to ensure that, wherever possible, processions follow main arterial routes rather than going through residential housing developments;
- requirement to ensure that the police are assisted in guaranteeing that passage is allowed for traffic and pedestrians;
- requirement to ensure that the procession is split into sections in order to avoid serious dislocation of traffic and to facilitate the crossing of pedestrians who have a right of free access and passage to or through any public area;
- requirement to ensure that all participants disperse as soon as the procession concludes;
- requirement to ensure that the behaviour of participants could not reasonably be perceived as being intentionally provocative, threatening, abusive, sectarian or racist;
- requirement to accept that the proposer is responsible for the behaviour of all participants, including bands where appropriate (as well as followers) and for ensuring general compliance with the Council's policy and public processions and police instructions;
- requirement that the terms of the Council's bye-laws on consumption of alcohol be observed, and
- requirement to note that the Council may take into account any public order issue, anti-social behaviour or damaged property resulting from a specific procession if notification is received from the organiser for a similar march.

4. Consideration

- 4.1. While it is considered that some of the proposed conditions are couched in vague terms - and, thus, may amount merely to exhortation rather than enforceable conditions - and that others, particularly the condition relating to the period of notice to be given, could not be enforced as the law currently stands, it is suggested that the general thrust of those alterations merits support.
- 4.2. A major alteration is the condition that processions should follow main arterial routes rather than proceed through residential housing developments, and this is an issue to which North Lanarkshire Council may wish to give consideration. In doing so there are competing considerations - processions along main arterial routes can result in significant disruption to traffic over a wide area: on the other hand their effect on individual residential properties is less immediate than those along residential routes. It will be a matter of judgement for the Council as to which is the better.
- 4.3. The second major alteration is the condition requiring the organiser to accept that he or she is responsible for the behaviour of all participants - including followers. It is normally the argument of organisers that any difficulties caused by public processions emanate not from participants but, either, from followers or, on occasion, from those opposed to the procession. An acceptance by organisers of responsibility for followers would be of considerable assistance.
- 4.4. The general approach taken by Glasgow Council is, having regard to the current legislative position, to seek to proceed with the co-operation of organisers of public processions. In the period since the consultation was launched, however, there has been a significant development in the commissioning, by the First Minister, of an

independent review of the procedures for authorising marches and parades in Scotland (that review is subject of a separate report to Committee). The outcome of that review - and, indeed, the very fact of its commissioning - may have a significant effect on the current consultation. As the law stands, however, it is considered that the approach being adopted by the City of Glasgow Council is sound.

5. **Recommendation**

It is recommended that the Committee note the draft policy on public processions and demonstrations formulated by the City of Glasgow Council and the consultation thereon and give consideration to a response.

4. 10. 2017

Director of Administration