

NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION IN NORTH LANARKSHIRE

AT LEAST 7 DAYS NOTICE MUST BE GIVEN.

The Chief Constable
Strathclyde Police
Police Office

Please complete this self carbonised form in full in pen. Once you have completed all sections, please forward the **white** top copy to the **police office** in the area in which the procession is to start. The **pink** second copy should be forwarded to the **Council** at the address given on that page. The **yellow** third copy should be retained by you.

EXEMPT ORGANISATIONS:

Organisations exempt from the requirement to notify the Council should forward the white and pink pages together to the police office specified above.

NOTIFIER'S DETAILS

Name: PAUL McAUGhey
Address: 69, GATESIDE ROAD WISHAW
Post Code: ML2 7SB Tel.No. 07787753647

NAME OF ORGANISATION (or Band): WEST OF SCOTLAND BAND ALLIANCE

DAY AND DATE OF PROCESSION: Day SATURDAY Date 12TH JUNE 04

REASON FOR PROCESSION: ANNUAL PARADE

ARRANGEMENTS FOR CONTROL OF PROCESSION: (Including the number of Stewards on duty) STEWARDS & POLICE No. of Stewards 22

ESTIMATED NUMBER IN PROCESSION: 100
(Including Band Members)

ESTIMATED NUMBER OF COACHES: 4
(if applicable)

LOCATION OF PROCESSION: WISHAW
(Town/Village)

RETURN PROCESSION IF APPLICABLE

TIME PROCESSION ASSEMBLES: 10-30 AM.

TIME PROCESSION ASSEMBLES: _____

ASSEMBLY POINT: WATERLOO PARK

ASSEMBLY POINT: _____

PROCESSION START TIME: 11.00 AM.

PROCESSION START TIME: _____

PROPOSED ROUTE: OVERTOWN ROAD,
WISHAW ROAD, STEWART ST, WISHAW
MAIN ST MARSHALL STREET
ALEXANDER STREET, BELTAWE PARK.

PROPOSED ROUTE: _____

DISPERSAL POINT: BELTAWE PARK

DISPERSAL POINT: _____

NAMES OF ACCOMPANYING BANDS:

CROSSMAGLEN PATRIOTS R.F.B. POLLOCK & THORP BARR R.F.B.
TOM WILLIAMS R.F.B. PARTHEAN REPUBLICAN R.F.B.

I HAVE READ THE NOTES OVERLEAF AND AGREE TO ABIDE BY THE STANDARD CONDITIONS.

Signature of Notifier Paul McAughey Date 7-5-04



STRATHCLYDE
POLICE

Mr John Fleming
Head of Central Services
North Lanarkshire Council
PO Box 14
Civic Centre
Motherwell
ML1 1TW

'N' Division Headquarters
217 Windmillhill Street
MOTHERWELL
ML1 1RZ
Tel: 01698 483031/3060
Fax: 01698 483093
Your Ref:
OurRef:N/SMc/3709
Date: 25 May 2004.

CHIEF CONSTABLE
William Rae QPM

Dear Sir

PARADE- West Of Scotland Band Alliance - Annual Parade
Saturday 12th June 2004

I refer to the notice of proposal by the above named organisation seeking to hold a public procession in the North Lanarkshire area and enclose for your information a copy of the Police Reports.

In the event of any objections being raised or prohibitions applied, I would be grateful if you could notify this office as soon as possible and inform the applicant accordingly.

Yours faithfully

Tom Buchan
Chief Superintendent

Enc

Application Form
Form 5:16:2



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Working Together - Building Safer Communities

www.strathclyde.police.uk

STREET PROCESSION – APPLICATION No: 3709

If the procession route enters other Divisions, their Divisional Commanders must be consulted prior to the submission of this report and copies of it should be forwarded to them. If the application is in writing, the original correspondence must accompany the report.

Division: NE

Station: WISHAW

Date: 24/05/2004

Day & Date of Procession	Time outwards	Time inwards	Estimated number of persons in procession
SATURDAY 12 th June 2004	10.30am		100

Name of band or association making application:-

WEST OF SCOTLAND BAND ALLIANCE

Applicant's name, address and telephone number:-

PAUL McAVOY, 69 GATESIDE ROAD, WISHAW. ML2 7SB. TEL. 07787753647

Route outwards:- (including special features of note i.e. place of worship/roadworks/public Houses etc)

Waterloo Park, Wishaw to Overtown Road, Wishaw Road, Stewarton Street, Main Street, Marshall Street, Alexander Street to Beltane Park for dispersal.

Route inwards:- (including special features of note i.e. place of worship/roadworks/public Houses etc)

N/A

Names of accompanying bands or bodies:-

Crossmaglen Patriots RFB,
Pollock and Thornliebank RFB
Tom Williams RFB
Parkhead Republican RFB

Additional information:

Is the organisation currently exempted in the terms of FPM C14/1 - NO

If not, has the applicant been advised of the legal requirement to obtain the permission of the Local Authority to hold the Parade? - YES

Date Roads Department consulted:- YES

MAY04\F\P2E1928

Any work proposed? NO
(If yes, detail)

MAY04\F\P2E1928

Reason for holding Procession/Historical Background

Explain reason: (e.g.) Annual/First Application/Event/Anniversary etc)

Annual parade.

Signature James Connolly Rank Inspector

Sub Divisional Officer

(Comments/Observations)

The reason for this procession is given as annual parade, this is presumably based on the fact that the organisation marched in Wishaw on 14th June 2003. The purpose of that procession was the reformation of a local band which was named "The Crossmaglen Patriots Republican Flute Band". That was the only band which marched on that day.

This recent application is for four bands and the organiser stated that the conditions of the West of Scotland Band Alliance requires members to march within their own area on an annual basis. In consequence he indicated that he will be making at least one such application per year.

During the march on 14th June 2003 there was a significant police operation, not only in Wishaw but in other areas of Strathclyde. During the march there was considerable disruption to the town centre and there were confrontational counter demonstrations resulting in arrests.

Previous applications from the West of Scotland Band Alliance have resulted in reliable information that there would be a significant threat of disorder, violence and damage to property with an attendant threat to public safety. As a result of this several marches were subsequently banned by the Council.

There is little doubt that this application will create adverse publicity and will generate concerns in respect of public safety issues and the potential for serious disorder. At present there is insufficient information to evaluate the potential for disorder, however the situation will be closely monitored. It should be noted that an application has been received from the organisers of the Harthill Gala Day to hold a procession on the day in question. The application provides information that 6 loyalist bands will participate in the procession.

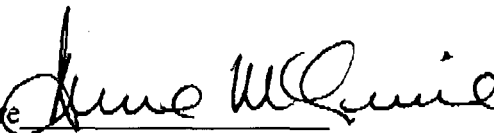
On Thursday 20th May 2004 the applicant was approached with a view to altering the time of the procession to 0900 hours. He was also requested to consider reducing the number of bands in the procession. At present there has been no response to this request.

Signature Samuel James Rank Superintendent

Chief Superintendent**(Comments)**

I would reiterate the comments of Superintendent Law. As you are aware on the previous occasion the West of Scotland Band Alliance marched in Wishaw (14 June 2003), one Republican band attracted around 175 followers. Four bands are likely to attract a significantly higher number of followers and given the previous public opposition will require the deployment of a considerable level of police resources from not only this division but from across the whole Force area.

At present there is insufficient information to assess the potential for disorder but the situation will continue to be monitored and any changes notified as timeously as possible.

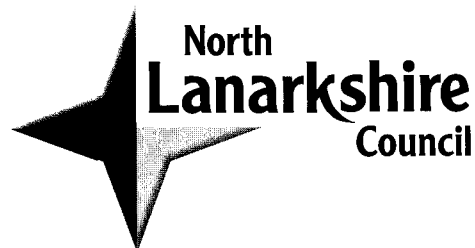
Signature 

The Assistant Chief Constable**(Operations)**

Transmitted:

MAY04\F\P2E1928

PO Box 14
Civic Centre
Motherwell ML1 1TW
Telephone: (01698) 302438. Fax: (01698) 302468



Our Ref: SL/MBG
Date: 13 May, 2004

*Councillor Sam Love, Vice-Convener
Scrutiny Panel –
Strategy and Policy Implementation
Ward 7, Belhaven*

Mr John O'Hagan
Director of Administration
North Lanarkshire Council
PO Box 14
Civic Centre
MOTHERWELL
ML1 1TW

Dear Mr O'Hagan

Civic Government (Scotland) Act, 1982 – Public Processions

As the Member for the Belhaven Ward I have grave concerns about public safety, policing costs and loss of earnings to town centre businesses should the West of Scotland Bands Alliance be allowed to hold a public procession through Wishaw Town Centre on Saturday, 12 June 2004.

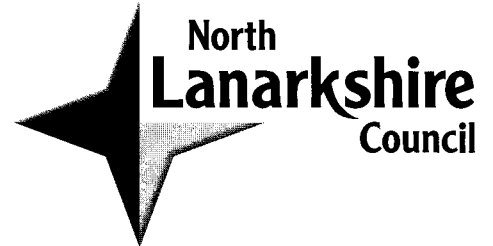
Yours sincerely

Councillor Sam Love

NORTH LANARKSHIRE COUNCIL DIRECTOR OF ADMINISTRATION		
14 MAY 2004		
CENTRAL ✓	LEGAL	PERSONNEL

ohagan.12may

PO Box 14
Civic Centre
Motherwell ML1 1TW
Telephone: (01698) 302545. Fax: (01698) 302468



Our Ref: JM/MBG
Date: 13 May, 2004

*Councillor John Moran J.P., Vice-Convenor
Policy and Resources (Property) Sub-Committee
Ward 8, Stewarton*

Mr John O'Hagan
Director of Administration
North Lanarkshire Council
PO Box 14
Civic Centre
MOTHERWELL
ML1 1TW

Dear Mr O'Hagan

Civic Government (Scotland) Act, 1982 – Public Processions

As the Member for the Stewarton Ward I have grave concerns about public safety, policing costs and loss of earnings to town centre businesses should the West of Scotland Bands Alliance be allowed to hold a public procession through Wishaw Town Centre on Saturday, 12 June 2004.

Yours sincerely

Councillor John Moran J.P.

NORTH LANARKSHIRE COUNCIL DIRECTOR OF ADMINISTRATION		
14 MAY 2004		
CENTRAL <input checked="" type="checkbox"/>	LEGAL <input type="checkbox"/>	PERSONNEL <input type="checkbox"/>

ohagan.13may

Home address: 8 Oakbank Avenue, Wishaw ML2 0AL. Home Telephone/Fax: (01698) 359969

Mobile: 07819 280008

Email: moranjo@northlan.gov.uk

CIVIC GOVERNMENT (SCOTLAND) ACT 1982, SECTION 63

63. Function of local authorities in relation to processions.

- (1) The local authority may, after consulting the chief constable in respect of a procession notice of which has been given or falls to be treated as having been given in accordance with section 62(1) of this Act, make an order-
- (i) prohibiting the holding of the procession; or
 - (ii) imposing conditions on the holding of it.
- (1A) Where notice of a proposal to hold a procession has been given or falls to be treated as having been given in accordance with section 62(1) of this Act -
- (a) if a local authority have made an order under subsection (1) above they may at any time thereafter, after consulting with the chief constable, vary or revoke the order and, where they revoke it, make any order which they were empowered to make under that subsection;
 - (b) if they have decided not to make an order they may at any time thereafter, after consulting the chief constable, make any order which they were empowered to make under that subsection.
- (2) The conditions which may be imposed under subsection (1) or (1A) above on the holding of a procession may include conditions -
- (a) as to the date, time and duration of the procession;
 - (b) as to the route to be taken by it;
 - (c) prohibiting its entry into any public place specified in the order.
- (3) A local authority shall -
- (a) where notice of a proposal to hold a procession has been given or falls to be treated as having been given in accordance with section 62(1) of this Act, deliver at least 2 days before the date when, in terms of the notice, the procession is to be held, to the person who gave the notice -
 - (i) where they have made an order under subsection (1) or (1A) above, a copy of it and a written statement of the reasons for it;
 - (ii) where they decide not to make an order under subsection (1) above or to revoke an order already made under subsection (1) or (1A) above, notification of that fact;
 - (iii) where they have, under subsection (1A) above, varied such an order, a copy of the order as varied and a written statement of the reasons for the variation, and
 - (b) where they have made an order under subsection (1) or (1A) above in relation to a proposal to hold a procession, make such arrangements as will ensure that persons who might take or are taking part in that procession are made aware of the fact that the order has been made and, if the order has been varied under subsection (1A) above, that it has been so varied and of its effect, and
 - (c) where they have revoked an order made under subsection (1) or (1A) above in relation to a proposal to hold a procession, make such arrangements as will ensure that persons who might take or are taking part in that procession are made aware of the fact that the order has been revoked.
- (4) The local authority shall comply with subsection (3) above -
- (a) as early as possible,
 - (b) only insofar as it is reasonably practicable for them to do so.

NORTH LANARKSHIRE COUNCIL

General Purposes Committee Public Processions Sub-Committee Procedure to be adopted at Sub-Committee meetings

- (1) Following any necessary preliminary business, the Convener will invite the objector's representative(s) and the proposer's representative(s) to join the meeting (the objectors will be the Chief Constable and/or the local member(s)).
- (2) The Convener will ensure that all present are advised of the names and functions of all participants (i.e. excluding any press and public).
- (3) The order of the hearing will be:-
 - (a)
 - (i) the Chief Constable's representative and/or other objectors will present their case;
 - (ii) Sub-Committee members and advisors may ask questions arising out of (a)(i), and
 - (iii) the proposer may ask questions arising out of (a)(i) and (ii),
 - (b)
 - (i) the proposer will present their case;
 - (ii) Sub-Committee members and advisors may ask questions arising out of (b)(i), and
 - (iii) the objectors may ask questions arising out of (b)(i) and (ii),
 - (c)
 - (i) if the Chief Constable is not the objector, his representative shall be consulted at this point on the matters raised;
 - (ii) the objectors and proposers will then have the opportunity to ask questions of the Chief Constable, and
 - (iii) Sub-Committee members and advisors may ask questions of either party arising out of the evidence heard,
 - (d)
 - (i) the objectors will sum up their case (adding no new material); and
 - (ii) the proposers will sum up their case (adding no new material);
 - (e) the Sub-Committee members will decide whether they wish to deliberate in private or not. If they decide to go into private session, the objector's and proposer's representatives and Chief Constables' representative, if not an objector, will withdraw but remain available in case clarification of points of uncertainty on evidence is required during Sub-Committee discussion. (In the event of any recall, all parties will be invited to re-join the meeting);
 - (f) the Sub-Committee, in the presence of the officials appointed to assist them, shall then deliberate; and
 - (g) the Sub-Committee decision will be announced to both parties (who will be recalled for this purpose if deliberation has been in private) and the decision will also be confirmed in writing.