

Policy and Code of Conduct on Public Processions



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1 INTRODUCTION

Glasgow is a multicultural City in which, over many years, communities and individuals of different backgrounds and cultures have found a home. Glasgow is a City looking to the future, yet, at the same time, is conscious of the importance of her history.

One aspect of this is the tradition of public processions and demonstrations. Processions tend to be organised by civic, cultural, political, arts or religious organisations, community groups or other interest groups.

Whilst this tradition has many positive aspects, it also poses a series of challenges to the City. These challenges result from:

- the significant number of Processions throughout the City, of which a large number progress through the City Centre;
- the increasing importance of retail, leisure, business and conference tourism to the City and the impact which such a significant number of Processions has upon these sectors;
- disruption caused to public transport and traffic flow in the City, particularly in the City Centre;
- continuing instances of public disorder problems around some Processions;
- feedback from Glasgow's residents, strongly favouring a reduction in the number of Processions in local areas of the City and in the City Centre;
- substantial physical improvements to the City, especially the significant investment in the City Centre, which is vital to Glasgow's economy; and
- increasing costs required to police Processions, in both financial resources and policing hours. This is at a time when pressures on overall public expenditure are increasingly acute.

There have been occasions when Participants (or Followers) have displayed an overtly controversial political or religious affiliation which has caused offence to others and, in a number of cases, has provoked public disorder. The Council cannot condone such behaviour. It is inconsistent with a friendly, inclusive and tolerant city. It also has a negative impact on how Glasgow is seen by the wider world.

1.1 Legal context

This Policy and Code of Conduct has been prepared as a source of advice for those organising Processions for any purpose in public places. It is designed to assist Procession Organisers by providing both a checklist and a reminder of the points they will need to cover and the issues they will need to address at the planning stage of a Procession and on the day of a Procession.

The Policy and Code of Conduct operates within the guidance issued by Scottish Ministers to local authorities on 12 December 2006 under Section 65A of the Civic Government (Scotland) Act 1982. It sets out the changes to the law of Processions made by the Police, Public Order and Criminal Justice (Scotland) Act 2006 and what the Council needs to take account of when assessing notifications to hold a Procession. It also sets out the steps that the Council should take when considering whether it is necessary for it to prevent a Procession from taking place or to place conditions on it under Part V of the Civic Government (Scotland) Act 1982.

The Council must act within the law, apply the law correctly and base its decision on correct facts. The Council has to exercise discretion in a reasonable manner, act within its powers and be able to justify any condition or prohibition in relation to the specific circumstances of a Procession.

The Police, Public Order and Criminal Justice (Scotland) Act 2006 states that there are four considerations¹ which the Council must take into account when considering a notification received from a Procession Organiser and whether it is necessary to prohibit or impose conditions on a Procession. These four considerations are:

- public safety;
- public order;
- damage to property; and
- disruption to the life of the community.

When considering all notifications for a Procession, the Council will rigorously measure the impact of the Procession against each of these four considerations, as set out in the legislation.

In addition, the Council is required to consider whether risks arising from holding a Procession would place too much of a burden on the Police. This burden is not about the financial costs associated with policing a Procession but is about the general burden in terms of staffing and the other commitments that the Police may have to cope with on the day of the Procession. This is one of the main factors in deciding whether a Procession should be allowed to go ahead without conditions being placed on it.

Other legislative considerations that the Council must take account of are that:

¹ Police, Public Order and Criminal Justice (Scotland) Act 2006 Section 71 (8) (a)

- the minimum amount of notice that Procession Organisers must give to the Council about their intention to march is 28 days;
- the Council does not have the ability to exempt certain Processions from the requirements to give notice;
- the Council must take into account the effect that a previous Procession had on public safety issues and how far those involved kept to the Policy and Code of Conduct; and
- the Council must keep a list of Processions that have been held in its area, or which have been prevented, to allow the public to see which Processions happen regularly and which are likely to happen in the future.

1.2 Aim of Policy and Code of Conduct

The Policy and Code of Conduct recognises the need to achieve a balance between the legitimate desire of people to protest, to celebrate their history and cultural traditions, or to raise awareness of issues that they regard as important, on the one hand, and the legitimate right of non-participants to go about their daily lives with minimal disruption and inconvenience, on the other hand.

It is critical to its success that the Council works with the Police and Procession Organisers to ensure that the Policy and Code of Conduct is:

- applied equally to the broad range of organisations that might wish to hold events in the City;
- implemented fairly;
- adhered to consistently; and
- monitored properly.

1.3 Key principles

The Policy and Code of Conduct is based on 3 key principles:

- the rights to peaceful assembly and freedom of expression, as outlined in ECHR legislation, are fundamental rights which the Council believes should be open to all;
- these rights are not absolute, however, and therefore they must be balanced by the responsibility to ensure that the rights of others are not infringed. These rights are subject to proportionate limitations where it is necessary to do so; and
- the exercise of these rights brings specific responsibilities, both to Procession Organisers and Participants, especially in relation to those residents and businesses who may suffer from disruption directly or indirectly caused by a particular Procession.

1.4 Definitions

In this document, the following definitions shall apply:-

“City” means the City of Glasgow;

“City Centre” means that area of the City situated within the boundary of the River Clyde to the South, High Street to the East and the M8 motorway to the North and West;

“Council” means Glasgow City Council, a local authority incorporated under the Local Government etc (Scotland) Act 1994 and having its headquarters at City Chambers, George Square, Glasgow, G2 1DU, and reference to the Council shall, where appropriate, include reference to officers of the Council;

“Divisional Commander” means the Police commander of the Greater Glasgow Division, including any successor or substitute division or other geographical area in which the City may be situated;

“ECHR” means the European Convention on Human Rights;

“Feeder Procession” means any smaller or subordinate Procession that commences in a local area of the City and progresses to link up with other smaller Processions and/or feeds into a larger, and usually the main, Procession, of which it then becomes part;

“Follower” means any person who is an onlooker in support of the Procession or someone who follows a Procession along all or part of its route, but not a Participant or a protester;

“Opt-in List” means a list held and maintained by the Council in accordance with Section 63(10) of the Civic Government (Scotland) Act 1982, as amended, of any organisation, individual, community council, or residents’ or tenants’ association, or similar, which has specifically requested to be advised by the Council of any Procession in an area in which they reside, conduct business or have a representational role;

“Participant” means any person who actively participates or takes part in a Procession in any way or manner;

“Police” means Police Scotland, including any successor or substitute body which carries out the same or similar function, and reference to the Police shall, where appropriate, include reference to officers of the Police (including, where appropriate, reference to the Divisional Commander, the Police Commander or any other officer);

“Police Commander” means the designated Police officer who is in charge of policing and public order on the day of a Procession;

“Policy and Code of Conduct” means the entirety of this document which may be amended from time to time;

“Procession” means any organised, moving public procession in a public place as defined in the Civic Government (Scotland) Act 1982, and, for the purposes of this Policy and Code of Conduct, the term “Procession” shall include cavalcades, commemorations, celebrations, demonstrations, festivals, kirkin’, marches, parades, protests, rallies, remembrances, ridings and walks, whether by individuals or vehicles;

“Procession Organiser” means any person who organises a Procession, and completes and submits the notification form; and

“Return Procession” means any smaller or subordinate Procession that, following the conclusion of the main Procession, decouples therefrom and continues as a separate Procession to its local area of the City before its own conclusion and dispersal.

In this document, unless otherwise specified or the context otherwise requires:

- Words in the singular shall be construed to include the plural and *vice versa*;
- Any reference to a person includes a natural person, corporate or unincorporated body (whether or not having separate legal personality) and words importing individuals include corporations and *vice versa*;
- Any reference to a statute or statutory provision includes any subordinate legislation which is in force from time to time under that statute or statutory provision;
- Any reference to any statute, statutory provision or subordinate legislation shall be deemed to include any reference to such statute, statutory provision or subordinate legislation as they may be amended or re-enacted from time to time.

2 NOTIFICATION PROCESS

All Processions must be notified to the Council in writing. If a Procession Organiser intends organising a Procession, he/she can pick up a notification form from the Council, request one by post or submit a notification online at www.glasgow.gov.uk/processions.

The Policy and Code of Conduct requires a minimum of 28 days prior notice of a Procession to allow time for any necessary discussions to take place, **except in those exceptional circumstances (as determined and agreed by the Council) where this period of notice would be impractical**. The Procession Organiser must give notification as early as possible in those cases where a series of similar Processions is proposed, as doing so will help all parties concerned in the planning process. Having allowed for this period of notice, the Procession Organiser should send the form in their chosen format, keeping a copy for themselves, to the address detailed below at paragraph 2.6.

2.1 Information needed

The notification form asks for:

- the name of the organisation;
- the Procession Organiser's name, address and contact details;
- the reason for the Procession;
- frequency of Procession;
- the day, date, time and route;
- details of any associated event at the dispersal route;
- duration of the Procession and distance of route;
- details as to whether or not it is a Feeder or Return Procession;
- details of other associated Processions;
- a list of places of worship along the route;
- details as to whether or not the Procession will be routed through the City Centre and justification for following this route;
- details as to whether or not consideration has been given by the Procession Organisers to an alternative to a Procession (i.e. static demonstration, rally in a public park, etc);
- estimated number of Participants;
- the number of stewards;

- the chief steward's details; and
- participating bands' details.

The Procession Organiser should read the notification form, along with this Policy and Code of Conduct, and, when completing the form, take into account all aspects thereof. If the Procession Organiser believes he/she will have any difficulty in complying with the Policy and Code of Conduct, he/she must explain this in detail when submitting the form and give reasons why any exceptions to the Policy and Code of Conduct should be considered. Any additional information relating to the proposed Procession should be submitted in writing to the address detailed below at paragraph 2.6.

The Council expects all Procession Organisers to:

- act responsibly in ensuring Processions are organised for appropriate purposes; and
- where appropriate, consider the scope for combining Processions, particularly if they repeatedly follow the same route(s) or are set to take place in consecutive weeks.

Once the Procession Organisers have completed the notification form, they can submit the form online, by post, or by email, all as detailed at paragraph 2.6.

2.2 How the Council deals with notifications

The information which the Procession Organiser provides on the notification form shall be processed by the Council, which is the "data controller" for the purposes of the Data Protection Act 1998. The information provided in the submitted notice of proposal shall be used by the Council to ensure its compliance with Part V of the Civic Government (Scotland) Act 1982 (as amended).

All information provided by the Procession Organiser in the submitted notice of proposal, including all personal data in its entirety (which includes name, address and contact information), shall be shared with the following interested parties:

- internally with other Council departments who may be addressing the issues raised by the submitted notice of proposal; and
- the Police.

Summary information (which includes organisation name, date, time, assembly point, proposed route and estimated number of Participants) as provided by the Procession Organiser in the submitted notice of proposal, but excluding all personal data in its entirety, shall be shared with the following interested parties:

- the general public via the Council's website;

- Elected Councillor(s) for the electoral ward(s) through which the Procession passes; and
- any organisation, individual, community council, or residents' or tenants' association, or similar, which has specifically requested to be included on the Opt-in List.

Depending on the information supplied in the notification form, the Council will handle the notification in terms of the process chart for local authorities which forms part of the guidance issued by the Scottish Ministers.² The Procession Organiser may then be asked to attend a precursory meeting with the Council and the Police to discuss the proposed Procession. Procession Organisers who indicate that any part of the route of any of their Processions will go through the City Centre must be prepared to attend a meeting with officers of the Council and the Police.

Once the Council has taken stock of the position with its departments, the elected Councillor(s) as well as with the Police, the Divisional Commander or the area commander of the appropriate Police sub-division, where the Procession will take place, it will prepare a report confirming the details of the notification and stating if there are any observations or representations in relation to the proposed Procession.

If no representations are received, then prior to the date of the Procession the Council will send to the Procession Organiser a letter confirming the details of the Procession, including the date, route and time, together with any other conditions which the Procession Organiser will be obliged to follow.

If the Procession is to end in a rally or demonstration in a public space owned by the Council, such as a public park, pedestrian precinct, event space, civic space or car park, the Procession Organiser should contact the Events Section of Land and Environmental Services (see paragraph 2.6 below) which will liaise with the Procession Organiser regarding permission to use the facility.

After the specific requirements have been discussed with Land and Environmental Services, the Procession Organiser will have to agree to the General Conditions of Let of Park/Precinct/Square which usually covers issues including the hire of temporary toilet facilities, site clearance arrangements, equipment hire, staffing and any other costs. Details of Land and Environmental Services standard service charges are available on the Council's website at www.glasgow.gov.uk/landservices

2.3 How the Council deals with representations

Current legislation presumes the right to hold a Procession and, as such, the Council must justify any conditions or prohibitions in relation to the specific circumstances of a Procession.

Where representations have been received from the Police or a local Councillor(s) or concerns raised by local residents or businesses, the Council will make every effort

² Guidance issued by the Scottish Ministers on 12 December 2006 under Section 65A of the Civic Government (Scotland) Act 1982

to meet and negotiate with the Procession Organiser to resolve concerns to the mutual satisfaction of all involved. These negotiations may result in it being necessary to submit a revised and mutually agreed notification.

If, however, it is impossible to resolve difficulties through negotiation, a formal meeting of the Council's Public Processions Committee can be arranged to consider the issues in dispute and to seek a determination thereof.

At the Public Processions Committee meeting, both the Procession Organiser and those making representations will present their respective cases and the Committee members will have the opportunity to question them.

After hearing all parties, the Public Processions Committee will announce its decision, which will be confirmed in writing. The Public Processions Committee on behalf of the Council can either prohibit the holding of a specific Procession or impose conditions and/or restrictions on it in terms of Part V of the Civic Government (Scotland) Act 1982.

These conditions and/or restrictions may include:

- making alterations to the date, time, duration or route of the Procession;
- asking for stewarding arrangements to be strengthened;
- seeking to prevent a Procession to ensure that anti-social behaviour is not promoted; and
- prohibiting its entry into any public place specified in the order ruling of the Public Processions Committee.

If the Council decides to prohibit a Procession under Section 63(1) of the Civic Government (Scotland) Act 1982, a prohibition order will be sent to the Procession Organiser, as early as possible after the Public Processions Committee meeting. This prohibition order will explain why the Procession has been prohibited and what the consequences will be should the prohibition order and its terms be ignored in part or in its entirety.

2.4 Appeals against prohibition orders

A Procession Organiser may appeal against a prohibition order made under Section 63(1) of the 1982 Act.³ This appeal should be made by way of summary application and lodged with the Sheriff Clerk within 14 days of the date the prohibition order has been received together with the statement of reasons.

An appeal may be upheld by a Sheriff if he/she considers that the Council, in making its decision, had:

- based its decision on any incorrect material fact;

³ Civic Government (Scotland) Act 1982

- erred in law;
- exercised its discretion in an unreasonable manner; or
- otherwise acted beyond its powers.

The Sheriff, considering an appeal under this Section, may hear evidence by or on behalf of, any party to the appeal, and will also take into account the actions of the Council and give it the opportunity to be heard.

If the Sheriff upholds an appeal, he/she may either:

- remit the case with the reasons for his/her decision to the Council for reconsideration of its decision;
- vary the prohibition order under appeal, if there is insufficient time for the case to be remitted to the Council; or
- dismiss the appeal.

2.5 Cancellations

If the Procession Organiser has to cancel the Procession, it is his/her responsibility to advise both the Council and the Police as soon as possible. Where practical, the Procession Organiser should confirm the cancellation in writing within 48 hours to the address as detailed at paragraph 2.6.

2.6 Information on proposed Processions

Details of forthcoming Processions will be placed on the Council's website at: www.glasgow.gov.uk/processions

A Procession Organiser may make specific enquiries about particular Processions or notify any cancellations to the Corporate Services Department, Democratic Services section by:

telephone 0141 287 4180

e-mail processions@ced.glasgow.gov.uk

post Processions
 Democratic Services
 Corporate Services Department
 Glasgow City Council
 City Chambers
 GLASGOW
 G2 1DU

Completed notification forms for Processions should be sent to the above address.

A Procession Organiser may make enquiries on the use of Council facilities such as public parks, pedestrian precincts, event spaces, civic spaces and car parks to the Events Section of Land and Environmental Services by:

telephone 0141 287 6603

e-mail les@glasgow.gov.uk

post Events Section
 Land and Environmental Services
 Glasgow City Council
 231 George Street
 Glasgow
 G1 1RX

3 PROVISIONS OF THE POLICY AND CODE OF CONDUCT

The Policy and Code of Conduct sets out (1) the issues which the Council considers important when dealing with the notification of a Procession and (2) the conditions, requirements and restrictions (where appropriate) the Council and/or the Police can impose upon Procession Organisers and Participants of any Procession. This represents a general approach where each Procession will be assessed on its own merits and according to circumstances.

Responsibility for a Procession and its Participants lies first and foremost with the Procession Organiser who must ensure a pre-planned, well-organised and peaceful event that has as little negative impact as possible on local residents, businesses and communities. The Police, too, have a critical role in upholding the law in and around Processions.

In considering the notification of a Procession and in determining whether to approve a Procession or otherwise, the Council will take into account the following provisions as set out in this Part 3 of the Policy and Code of Conduct. The undernoted conditions, requirements and restrictions (where appropriate) shall apply to the Procession Organiser and Participants of any Procession:

3.1 General

The Procession Organiser must:

- co-operate with the Council and the Police from the time of submission of the notification form until the Procession disperses;
- identify himself/herself to the Police Commander at the commencement of the Procession; and
- ensure that all Participants have been informed of any conditions imposed on the Procession (e.g. change to timing, route, etc).

3.2 The timing of and playing of music at Processions

Processions will take place between **7.30am and 9.00pm**. As a general rule no music will be played before 9.00am or later than 6.00pm. Council officers will exercise a degree of discretion to allow the playing of music out with these times on condition that it can be demonstrated by Procession Organisers, to the satisfaction of the Council, that the playing of music will not disrupt the life of the local community. This discretion will only apply to the playing of music after 6pm and no later than 8pm. Depending on individual circumstances, discretion may allow for permission to be given for the playing of music no earlier than 8.30am, for local community Processions taking place out with the City Centre only.

In terms of the playing of music, further restrictions may be required after considering the type of premises on the proposed route e.g. residential developments, places of

worship, football grounds and public houses. All Processions will be required to cease playing music when approaching and passing places of worship (which have been established by the Council as being in regular use for the purpose of religious observance), irrespective of whether or not a service is in progress, as instructed by the Police. **No music shall be played within a zone 100 metres either side of a place of worship.**

Following the cessation of music on approaching a place of worship, and at the discretion of the Police Commander, the keeping of time by means of a single tap on a single snare drum may be permitted. The discretion of the Police Commander would only be exercised when considered that it would ensure an efficient progression of the Procession.

3.3 Ensuring Procession progress

In certain circumstances (these to be identified and determined by the Police Commander), and at the discretion of the said Police Commander, the marking of time by a single tap on a single snare drum may be allowed to keep the time of a marching step where, in the opinion of the said Police Commander, this would ensure an efficient progression of the Procession.

3.4 The Procession route

In terms of Procession routes, The Council will take the following considerations into account:

- the impact of the route on residents, businesses and transport users and seeking to balance the desire of the Procession Organiser for a particular route with the impact on other people affected by that route. The presumption is that Processions will avoid residential areas and should, where practical, keep to main arterial routes;
- the Procession Organiser's proposals for stewarding and other arrangements. In particular, the Procession Organiser will be required to provide suitably qualified and identifiable stewards at a ratio of one steward per ten Participants. A Procession Organiser's failure to make necessary stewarding arrangements will be considered a material factor in assessing future Procession notifications;
- future planning arrangements will require to address the matter of traffic and pedestrian flow, when large Processions are taking place, by investigating the introduction of breaks in the Procession to minimise disruption to other users; and
- the responsibilities involved in managing traffic as referred to in Section 29 of the guidance issued by Scottish Ministers.⁴ The Council will work with Procession Organisers and the Police to minimise any costs which may be payable by the Procession Organisers for traffic management deemed necessary depending on the nature of the Procession. In certain circumstances a TTRO (Temporary

⁴ Guidance issued by the Scottish Ministers on 12 December 2006 under Section 65A of the Civic Government (Scotland) Act 1982

Traffic Regulation Order) will be required to allow the Procession to be undertaken safely.

In addition, the Procession Organiser must:

- ensure that, wherever possible, Processions follow main roads, rather than going through residential developments;
- ensure that routes are free of obstructions (i.e. bollards or street furniture);
- ensure that all Participants in a Procession will march in a formation of four abreast, keeping to the near or left hand side of the street . This shall be subject to the following potential exceptions:
 - a. on one-way streets where the Participants will keep to the right hand side to allow quicker progress and reduce time and disruption to the public. Participants will not be allowed to move off until in the correct formation; or
 - b. where there is an obstruction due to road works or another good cause, as determined by and agreed with the Police Commander. Wherever possible and practical under the circumstances, this should be agreed between the Procession Organiser and the Police Commander prior to the Procession commencing.
- ensure all processions revert to a four abreast formation as soon as practical or appropriate
- ensure that the Police are assisted in guaranteeing that passage is allowed for traffic and pedestrians;
- 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. Procession Organisers should submit to any conditions imposed by the Council which will facilitate the ability of pedestrians to cross a Procession route; and
- ensure all Participants disperse as soon as the Procession concludes.

3.5 Large or potentially complex Processions

The Council has been encouraging the use of Event Management Plans whereby the large number of Processions has been treated as a single integrated event thus allowing better route planning and timing to be stipulated along with appropriate stewarding and safety arrangements. This represents a potentially significant step forward and might ultimately lead to the development of a template or series of approved standard routes which have been broadly agreed and risk-assessed, creating a degree of certainty for Procession Organisers and both the Council and the Police. It is envisaged that once an Event Management Plan has been agreed, this will be the agreed outline for the event for a period of up to 5 years. This will

have significant benefits for all parties through a reduction in the time-consuming planning and negotiation process, with only minor annual adjustments being necessary in light of other events taking place around the City.

The following provisions will be applied:

- For all Processions of approximately 1,500 Participants or more and/or which comprise 4 or more related Processions, an Event Management Plan will be required. This should include amongst other things a full stewarding plan, full details of routes and timings, contact details for stewards and bands and arrangements for managed dispersals at the conclusion of major Processions. These should seek to outline a longer term approach to Processions, covering up to 5 years;
- For all Processions of approximately 1,000 Participants or more and/or those assessed as potentially problematic by the Council and the Police, Procession Organisers will be required to identify a suitable park or off street area for assembly and/or dispersal. The use of City parks as assembly and/or dispersal points has proved successful in helping to minimise unnecessary disruption from Processions and therefore is encouraged; and
- Stakeholder meetings should continue as a key input to seeking to reach broad strategic agreement on a shared vision and way forward in the conduct and management of Processions in the City. The views of other community and business interests should be fed into this process also.

3.6 Processions through the City Centre

When considering notifications for Processions taking place within or progressing through the City Centre, the Council will:

- rigorously ensure that the four considerations (as outlined at paragraph 1.1 hereof and set out in the Police, Public Order and Criminal Justice (Scotland) 2006 Act) are taken into account; and
- require that Procession Organisers of all Processions, who indicate that their route will go through the City Centre, attend a meeting with Council officers and the Police to agree suitable arrangements for individual Processions which access the City Centre.

3.7 Feeder and Return Processions

In the case of all notifications, including for Feeder or Return Processions, disruption to the life of the community will be considered, in particular the impact on residents and businesses located on Procession routes.

Feeder and Return Processions will be considered as separate notifications. The Council will require the submission of individual notifications for each Procession. A

Procession Organiser, who intends to undertake Feeder or Return Processions, will require to submit separate notification forms for each of these Processions.

In instances where a Procession Organiser submits multiple notifications for the same date and for the same or similar routes, the Procession Organiser will be required to explain the need to hold multiple Processions. The Council will take this explanation into account, along with the need to balance the rights of the Procession Organiser in terms of Article 11 of ECHR with the rights and freedoms of others, in determining whether it is necessary to prohibit or impose any restriction on a Procession.

Procession Organisers will also be asked to identify other related Processions on each notification they submit. If clarification is required, then the Council, in consultation with the Police, will determine whether the notifications should be considered as related Processions and/or defined as a Feeder/Return Procession.

The Council will seek to agree a voluntary code, with the Procession Organisers, on managing the number of Feeder and Return Processions taking place in local areas as part of a longer term strategic agreement encompassing the use of Event Management Plans.

3.8 Public safety, public order, damage to property or disruption to the life of the community

In terms of likely threats to public safety, public order, damage to property or disruption to the life of the community, the Council will consider:

- Police advice regarding public safety or potential public disorder in relation to any proposed Procession, as well as Police reports on the extent to which previous Processions have involved anti-social behaviour on the part of Participants or Followers causing disruption to the life of the community;
- a report provided by the Police in relation to the impact which policing the Procession will have upon wider Police resources. Any other events which take place in the City on or around the proposed date of the Procession and which will require policing and/or other resources will also be taken into account; and
- representations from residents and businesses whose activities are likely to be affected by the proposed Procession regarding the expectation of disruption, public disorder and anti-social behaviour.

Once Council officers have assessed these reports, they will decide whether to:

- make alterations to the proposed route;
- ask for stewarding arrangements to be strengthened; and/or
- seek to impose conditions or prevent a Procession to ensure that anti-social behaviour is not promoted.

The impact of a Procession will be assessed in its totality and the likelihood of any restriction or prohibition will be greater where the Procession (including, for clarification, the Procession Organiser and Participants) or its Followers have previously:

- caused public disorder or damage to property;
- been involved in anti-social behaviour causing disruption to the life of the community; or
- failed to comply with Police instructions on the day.

In addition, the Procession Organiser must:

- ensure anyone under the influence of alcohol or drugs is not allowed to participate;
- ensure a ratio of one steward or marshal to every ten Participants as stewarding is an important aspect in the control of those participating in Processions and that all stewards:
 - have been trained to a suitable standard, as determined by the Council;
 - are briefed by the Procession Organiser and given guidance/instruction on their role prior to the Procession;
 - carry proof of status;
 - co-operate with and take any necessary instruction from the Police, as required;
 - wear suitable clothing (for example, fluorescent jackets) to make themselves easy to identify;
 - conduct themselves in a proper manner;
 - ensure that Participants comply with directions regarding their own public safety and that of members of the public; and
 - are aware of the stewarding plan for the Procession.
- accept that he/she is specifically responsible for the behaviour of all Participants, including bands (where appropriate);
- undertake to use his/her best endeavours to assist the Police in managing the behaviour of Followers of the Procession by encouraging stewards to advise those Followers that abusive or violent behaviour is not acceptable and will not be tolerated;
- generally ensure compliance with this Policy and Code of Conduct and Police instructions; and
- ensure that the behaviour of Participants could not reasonably be perceived as being deliberately aggressive (i.e. threatening, abusive, homophobic, sectarian, or racist) and note that the Council will take account of any public disorder, anti-social behaviour or damage to property resulting from the Procession in any notification received in the future from the Procession Organiser for a similar Procession.

3.9 Cost recovery

Currently, the Council does not charge Procession Organisers for their Processions. However, it seeks to recover costs incurred in the holding of Processions or the events which take place at the assembly/dispersal of Processions. This is in line with the statutory guidance issued to local authorities by the Scottish Government. It is considered reasonable that the Council should continue to ask Procession Organisers to meet costs for these services and facilities.

Costs are recovered from Procession Organisers for a range of services and equipment provided to facilitate the safe and orderly conduct of their Procession or event. For example, this can include safety barriers, the cost of putting in place traffic management arrangements including, among other things, a Temporary Traffic Restriction Order (TTRO), toilet provision to prevent public urination, and bins and clean-up services, to stop littering.

It is considered fair that the Council should advise Procession Organisers in advance of any costs they will be required to meet. There should be a consistent level of charges, depending upon the nature of the services or equipment that is required, which Procession Organisers should be asked to pay. This approach would address comments made by many of the principal Procession Organisers, as well as from the public who support cost recovery but have concerns about the ability of smaller Procession Organisers to pay.

The Procession Organisers of all Processions where the Council will require to recover costs should, as a general rule, be notified in advance of the Procession of the costs involved. There should be a clear and transparent pricing policy for recovering costs from Procession Organisers. Failure to meet the Council's costs will be considered a material factor in assessing future Procession notifications.

3.10 Carrying of Halberds or weapons

The carrying of halberds or weapons is prohibited on all Processions, unless permitted by prior agreement, subject to final agreement on the day by the Police Commander.

3.11 Encouragement of Procession Organisers to opt for alternative arrangements/events, rather than Processions

A policy of encouraging Procession Organisers to opt for alternative arrangements/events rather than a Procession will be pursued in appropriate circumstances. Whilst it is recognised that the Council cannot compel a Procession Organiser to hold a static event rather than a Procession, it is considered that, following a full assessment of the legislative criteria, the holding of a static event may offer an acceptable compromise.

3.12 Additional legal requirements applicable to Processions

- The conditions of Section 62 of the Control of Pollution Act 1974 in relation to the use of loudspeakers shall be observed;
- The terms of the Public Order Act 1936 in relation to the prohibition of the wearing of uniforms signifying association with any banned organisations etc. shall be observed;
- The terms of the Public Order Act 1986 in relation to the powers of the chief constable during or immediately before a march or procession shall be observed;
- The conditions of the Terrorism Act 2000 in relation to being members of or supporting, or fund-raising for, an organisation forbidden by law shall be observed;
- The terms of the Road Traffic Regulation Act 1984 as amended by the Road Traffic (Temporary Restrictions) Act 1991 and the Road Traffic Regulation (Special Events) Act 1994 for any restrictions which are to be put in place such as closing roads, diversions, signs or traffic cones shall be observed;
- The terms of the Road Traffic Act 1967 in relation to the conditions which set out the powers of the Police shall be observed; and
- The terms of the City of Glasgow District Council (Prohibition of the consumption of Alcohol) Byelaws 1996, in relation to the prohibition of the consumption of alcohol by any person in a designated place shall be observed.

3.13 Additional information pertaining to Participants

All Participants in Processions are required to:

- behave with due regard for the rights, traditions and feelings of others in the vicinity of the Procession, particularly in areas where there has previously been public disorder around Processions;
- behave with due respect at 'sensitive' areas such as places of worship, as above
- refrain from using words or behaviour which could reasonably be perceived as being deliberately aggressive (i.e. threatening, abusive, homophobic, sectarian, or racist);
- obey the lawful direction of Procession Organisers, stewards and the Police at all times;
- keep to the designated route as directed by the Police;
- refrain from consuming alcohol or drugs prior to or during the Procession;

- not display flags relating to proscribed organisations or which are likely to cause offence; and
- disperse in good order as soon as the Procession concludes.